

# STUDENT CONDUCT

## Conduct Authority

Ultimate authority to govern student conduct rests with the Western Kentucky University Board of Regents. The Board of Regents has delegated authority to the President of the University. Subsequently, the President grants authority to the Division Student Experience through the Vice President of Student Experience, to the Office of Student Conduct.

The Office of Student Conduct assumes the responsibility to oversee the administration of the Student Code of Conduct. When appropriate, the Office of Student Conduct may delegate conduct authority to additional University officials (e.g., Housing and Residence Life staff and the Office of Institutional Equity (Title IX) and committees (e.g., University Disciplinary Committee) in keeping with University policies, rules, and regulations.

## University's Scope Governing Conduct

The Student Code of Conduct applies to individual students, both undergraduate and graduate, and all student organizations of WKU. #For the purposes of student conduct, the University considers an individual to be a student from the point at which a student is enrolled with the institution and thereafter throughout the student's enrollment. At all times, students have access to the Student Code of Conduct. # In addition, electronic copies of the Student Code of Conduct are available on the Student Handbook website and hard copies are available in the Office of Student Conduct upon request.

The Student Code of Conduct and disciplinary authority of the University applies to behaviors of students and/or student organizations that occur on WKU premises, at University-sponsored activities and events, or in connection with a credit-bearing experience. #Additionally, the Student Code of Conduct may, in the University's discretion, apply to off-campus conduct that causes a significant disruption to the educational mission of the University or presents a significant danger or threat of safety to themselves or others, such that if the conduct occurred on WKU premises, a possible outcome would be suspension or expulsion. For instance, conduct arising to this level might include, but is not limited to, instances of drug trafficking or crimes of violence.

The conduct process outlined in this policy may proceed prior to, independent of, or concurrent with any civil or criminal proceedings. #The administration of this policy is independent from any legal process and is not governed by the rules of evidence or civil or criminal procedure.

## Purpose of the Code of Student Conduct

The Student Code of Conduct provides the standards of behavior developed by the Western Kentucky University (WKU, or the University) Community for individual students and for student organizations during their enrollment and recognized status respectively. WKU adopts reasonable rules and regulations applicable to students and student organizations which are necessary for the orderly, harmonious, and beneficial learning environment of the whole WKU Community. The Student Code of Conduct is intended to ensure that conduct of an individual student or organization aligns with WKU's educational mission, its goals to prepare productive, engaged, and socially responsible citizen-leaders, and institutional core values.

The Student Code of Conduct summarizes fair and impartial procedures that are used to determine the responsible person or persons in

the event it is determined that student misconduct has occurred. #The Student Code of Conduct outlines the procedure for redress of misconduct and appropriate sanctions, if any, for a student or student organizations deemed in violation of the University standards of behavior. Throughout the entirety of this process, individual rights and due process are sustained and respected. For more on Student Rights and Responsibilities, please visit: <https://www.wku.edu/studentconduct/>.

## Violations (<https://www.wku.edu/studentconduct/>) 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 presence on the campus.

Following procedures of due process, if the WKU Student Code of 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 behavior 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 Student Code of Conduct. The Code can be found at [www.wku.edu/studentconduct](http://www.wku.edu/studentconduct) and [www.wku.edu/policies/docs/index.php?policy=414](http://www.wku.edu/policies/docs/index.php?policy=414).

## Student Rights and Responsibilities

### Code of Student Rights and Responsibilities

Student Rights and Responsibilities are set forth in writing to provide students general notice of their rights and responsibilities at Western Kentucky University. Further rights and responsibilities are set forth in other University rules and policies, including the Code of Student Conduct, Student Handbook, Residence Hall contracts, graduate and undergraduate catalogs, and academic unit websites. It is the students' responsibility to be aware of all University rules and policies; students should check with the Dean of Students Office or Office of Student Conduct if they have any questions about the purposes or intent of these policies.

## Academic Integrity

Students are expected to pursue their studies with commitment to intellectual honesty and personal integrity. The maintenance of academic

integrity is of fundamental importance to the University. Examples of academic offenses include (but are not limited to): any act of plagiarism, cheating, or falsification or misuse of academic records. Thus, it should be clearly understood that acts of plagiarism or any other form of cheating will not be tolerated and that anyone committing such acts risks punishment of a serious nature. A student who believes a faculty member has dealt unfairly with them in a course involving academic offenses such as plagiarism, cheating, or academic dishonesty, may seek relief through the Student Complaint Procedure. Questions about the complaint procedure should be directed to the Student Ombuds Officer at [student.ombudsman@wku.edu](mailto:student.ombudsman@wku.edu).

### ***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.

### ***Cheating***

No student shall receive or give assistance not authorized by the instructor in taking an examination or in the preparation of an essay, laboratory report, problem assignment, or other project that is submitted for purposes of grade determination.

### ***Plagiarism***

To represent written work taken from another source as one's own is plagiarism. Plagiarism is a serious offense. The academic work of a student must be their own. One must give any author credit for source material borrowed from them. To lift content directly from a source without giving credit is a flagrant act. To present a borrowed passage without reference to the source after having changed a few words is also plagiarism.

### ***Multiple Submissions***

Submitting the identical or substantially the same assignment or portions thereof to fulfill the requirements for two or more courses without approval of the instructors involved, including when repeating a course; or submitting the identical or substantially the same assignment or portions thereof from a previously completed course to fulfill the requirements for another course without the approval of the instructor of the latter course; or submitting the identical or substantially the same assignment or portions thereof to fulfill the requirements for two or more academic assignments within a course without the approval of the instructor.

### ***Other Types of Academic Dishonesty***

Other types of academic offenses, such as the theft or sale of tests, should be reported to the Office of Student Conduct at (270) 745-5429 for further action. <http://www.wku.edu/studentconduct/process-for-academic-dishonesty.php>.

### ***Nonacademic Misconduct/Prohibited Conduct***

The Student Code of Conduct educates students about appropriate behavior and fosters a community in which academic success can occur.

The Student Codes of Conduct are the regulations that apply to ALL WKU students, including the regional campuses:

The examples of prescribed conduct set forth in this code of conduct are illustrative and should not be read as a comprehensive list. Nor, however, should this code be interpreted to cover any general category of behavior not mentioned herein unless that conduct is otherwise prohibited by law.

The Student Codes of Conduct is available at [www.wku.edu/studentconduct/student-code-of-conduct.php](http://www.wku.edu/studentconduct/student-code-of-conduct.php)

## **Conduct Actions/Outcomes (<https://www.wku.edu/studentconduct/>) 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 complainant 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:

- The degree of willfulness or inadvertence;
- The degree of injury or risk of injury to the accused or to another person, if any;
- The extent of damage to property, if any;
- The danger or risk of danger to the University community, if any; and,
- 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

## **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 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:

- Any violation of the University Alcohol Policy

- Any violation of the University Drug Policy
- 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 or any other drug or alcohol-related incident resulting in citation or arrest
- 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 many negative impacts of substance abuse.

### **Tailgating Policy and Procedures**

Western Kentucky University wants you to have an enjoyable experience during your visit to campus. During WKU events and activities, safety is our primary concern. This Tailgating Policy is designed to enhance your safety and comfort and should result in an environment free of the abuse or illegal use of alcohol. The university condemns any act related to the consumption of alcohol that impairs, interferes, or endangers the safety or enjoyment of others, including the individual who chooses to consume the alcohol. This policy looks to preserve the academic environment without necessarily restricting other freedoms. <sup>#</sup>More information regarding tailgating at WKU, please visit: [www.wku.edu/sao](http://www.wku.edu/sao).

### **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 multidisciplinary team operating under the auspices of the Office of the Vice President for Enrollment and Student Enhancement. 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 weekly to review referrals from faculty, staff, and students' demonstrative behavioral concerns. The CPT consists of the following offices:

- Office of the Dean of Students
- Office of Student Conduct

- Academic & Career Development Center
- Student Accessibility Resource Center
- University Police Department
- Global Learning & International Affairs
- WKU 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.