



Code of Conduct: New policies, requirements, and procedures will be enforced for the 2019/2020 academic year.

The Student Code of Conduct educates students about appropriate behavior and fosters a community in which academic success can occur. The following Student Codes of Conduct are the regulations that apply to ALL WKU students, including the satellite 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.

1. Dishonesty. Dishonesty, such as cheating, plagiarism, misrepresenting of oneself or an organization, knowingly furnishing false information to the University, or omitting relevant or necessary information to gain a benefit, to injure, or to defraud is prohibited.

2. Aiding and Abetting Misconduct (Shared Responsibility for Violations). Intentionally enticing, inciting others, conspiring, or assisting another person or persons to participate in any act of misconduct, being an accessory, or passively witnessing others participating in any act of misconduct, is a violation of the code of student conduct.

3. Alcohol. Western Kentucky University complies with the alcohol regulations of the Commonwealth of Kentucky. Members of the university community recognize that a violation of any federal, state and local laws governing the use and possession of alcoholic beverages, including off-campus, is prohibited. Examples may include but are not limited to Driving under the influence (DUI), being assessed as intoxicated in public (AI or PI) and underage possession/consumption. The University prohibits the possession, furnishing or use of alcoholic beverages (including wine and beer) by student residents of campus housing and/or guests of students in residence halls.

1. The University prohibits the use of rapid consumption devices or drinking games including, but not limited to, keg stand, beer pong, funnels, or similar games and devices.
2. Any student found in violation of the alcohol policy three times in one calendar year, from the date of the first infraction, may be suspended from the University for a minimum of one semester.

As a member of the WKU community, students agree to:

1. Abide by all state laws and university policies governing the use of alcoholic beverages and drugs
2. Support, in their decisions and behavior, an environment in which individuals can make informed, healthy, and responsible decisions about alcohol and drugs;
3. Discourage the illegal or irresponsible behavior of others; and
4. Assume responsibility for their decisions and behaviors and accept the consequences resulting from those decisions and behaviors.

Any student found in violation of the Alcohol Policy three times in any one year period maybe suspended from the University for a minimum of one semester.

4. Contumacy/Refusal to Comply. Actions involving insubordination, refusal to comply with directions, requests, or orders of a University official, failure to comply with outcomes imposed if found in violation of the Code of Student Conduct.

5. Destruction of Property. Any act of vandalism, malicious, or unwarranted damage or destruction to any institutionally owned or controlled property.

6. Disrupting the Academic Process or Student Conduct Process. Interference or disruptive activity or behavior that impedes, impairs or obstructs teaching, research, administration, or disciplinary procedures, or other University missions, processes, functions, or other authorized activities including its public service function of other authorized activities on University premises or which inhibits full exercise of rights by others.

7. Drones/Unmanned Aircraft System. Operation of an Unmanned Aircraft System (UAS), including Model Aircraft (e.g. hobby or recreational use), is strictly prohibited over Western Kentucky University (WKU) property without prior written approval from the WKU UAS Usage Review committee.

8. Drugs. Use, possession, production, manufacture, sale, possession with intent to sell, trafficking or distribution of narcotics, dangerous drugs or controlled substances, as defined in KRS Chapter 218A. Specific violations related to this code include, but are not limited to marijuana, drug paraphernalia, anabolic steroids, dispensing prescription or prescription drug not prescribed to the student; driving while impaired by any drug, whether it be legal or illegal; and drug related activities used to induce an altered state are strictly prohibited. The manufacture or distribution or attempted manufacture or distribution of narcotics, dangerous drugs, or controlled substances on or off University property is prohibited.

1. Any student with a violation of the Drug Policy while enrolled at the institution may be removed from



9. Firearms/Weapons. Possession, concealed or otherwise, use or storage of firearms, explosives, dangerous chemicals or other dangerous weapons or the brandishing of any weapon or any other object in a menacing or threatening manner is strictly prohibited on any property owned, leased, operated, or controlled by Western Kentucky University, including University housing.

1. **The owner of a private vehicle is prohibited from possession or storing a weapon in the vehicle while it is operated or parked on University property, including University parking areas, either on campus or at any off-campus facility owned, leased, or operated by the University, subject to the exceptions noted at the following hyperlink:**

2. https://www.wku.edu/emergency/documents/weapons_policy_7-27-12.pdf

10. Forgery. Forgery, alteration, or misuse of University documents, records including, but not limited to, electronic records, vehicular parking permits, transactions and /or communications, or identification, including student identification cards.

11. Fraud. Knowingly passing a worthless check, money order, or fraudulent use of credit cards including attempts to obtain any item of value under false pretenses or falsification of official university documents is prohibited.

12. Gambling. Participation in any form of illegal gambling is prohibited.

13. Harassment. Any physical, behavioral or verbal abuse of a person based upon gender, race, color, ethnic origin, national origin, creed, religion, political belief, sexual orientation, marital status, age, uniform service, veteran status, or physical or mental disability, where:

1. Tolerance of or participation in the offensive conduct explicitly or implicitly becomes a condition of employment or participation in a university course, program or activity; or
2. The conduct is sufficiently severe, pervasive or persistent to interfere with an individual's work, academic or program participation; or
3. The conduct creates an environment that a reasonable person would consider intimidating, hostile, or offensive.

Such conduct includes, but is not limited to stalking, cyber stalking, cyber bullying/harassment, and retaliation as a result of complaints or alleged misconduct.

(Refer to the Discrimination and Harassment Policy) –

http://wku.edu/policies/hr_policie/2040_discrimination_harassment_policy.pdf

14. Hazing. Hazing refers to practices which are a part of initiation into an affiliation with any organization. Hazing is considered a serious violation of The Student Code of Conduct and is prohibited in all forms. This code of conduct is based on fair and equal treatment with consideration and respect for all students and applies to organizations and individuals alike. Any person receiving bodily injury by hazing or mistreatment shall have a right to sue, civilly, the person or persons guilty.

Western Kentucky University defines hazing as any action, physical abuse or creation of a situation which recklessly or intentionally endangers the mental or physical health of a participant by any person. A participant is defined as a university student, or any pledge. A person is defined as a university student, member, alumnus, affiliate alumnus, guest of any campus organization, or other individuals.

Physical Abuse:

- Forced or coerced use or consumption of liquor, drugs, or any other vile substance.
- Calisthenics (push-ups, sit-ups, jogging, runs, etc.)
- Paddling
- Line-ups

Mental Abuse:

Hazing is defined by exacting degrading and disagreeable work, ridicule or abusive and humiliating conduct which tends to bring the reputation of the organization or University into disrepute. Any action that intentionally prevents students from fully participating in the academic process is also considered hazing.

- Theft of any property
- Sleep Deprivation
- Forced Nudity
- Personal Servitude
- Forcing a violation of University policies and federal, state, or local laws

15. Identification.

1. Students are expected to carry their valid student identification at all times and to present it upon request by University officials including, but not limited to University Police, administrators, faculty,

housing and dining staff, and other staff of the institution.

2. A student may possess only one identification card. Use of an identification card by any person other than the person to whom it was issued or use of the card under false pretenses is a violation of the Code of Student Conduct.
- The University may confiscate any identification card that has been misused, duplicated, or altered. Cards may be retained temporarily while their validity is checked.
1. Refusal to provide proper identification upon request is prohibited.

16. Misuse of Property. Unauthorized entry or use of institutional facilities and property; unauthorized possession or duplication of university keys, parking decals or access cards; tampering with fire equipment; or propping open of exterior residence halls doors or any door to any institutionally owned or controlled property. Students may not use University property for any activity prohibited by Federal, State or local laws.

17. Class Nonattendance. Registration in a course obligates the student to be regular and punctual in class attendance. Faculty may establish specific requirements for attendance, and those requirements are usually specified on the course syllabus. Students who cease attending classes are expected to report to the Office of the Registrar to initiate withdrawal procedures. Withdrawal deadlines are published each semester in the Registration Guide.

18. Obstruction of Access. Obstruction or disruption, which interferes with the freedom of movement, either pedestrian or vehicular on institutionally owned or controlled property.

19. Recreational Mobility. Skateboards, skates, and bicycles may be used on sidewalks for safe transportation purposes only. When using sidewalks, remember pedestrians have the right of way. They may not be used inside buildings or within 50 feet of building entrances. Motorized scooters, mopeds, motorcycles, and similarly motorized vehicles are not to be used on sidewalks or in pedestrian traffic areas. Motorcycles, scooters, mopeds, and other motorized vehicles must park in parking lots in designated cycle parking areas. Registration with WKU Parking and Transportation Services department is required for all motorized vehicles. On campus housing residents may only bring one motorized vehicle to campus.

1. Excessive speed, stunt riding, or any other use of skateboards, skates, bicycles, or motorized vehicles that may cause property damage and/or endanger self or others is prohibited. Bicycles should be parked at any of the bicycle racks established throughout campus. Bicycles chained to trees, fences, handrails, etc., may be impounded. Users may not ride on stairways, patios, dock areas, benches, picnic tables, or irregular surfaces. Any person causing damage to University property through use or misuse of recreational equipment may face prosecution through the University Judicial process and/or the legal process to recover damages.

20. Relationship Violence. Abuse or violence between partners or former partners involving one or more of the following elements: (1) battering that causes bodily injury; (2) purposely or knowingly causing reasonable apprehension of bodily injury; (3) emotional abuse creating apprehension of bodily injury or property

damage; (4) repeated telephonic, electronic, or other forms of communication -- anonymously or directly -- made with the intent to intimidate, terrify, harass, or threaten.

21. Retaliation. Actions taken by an accused individual or third party against any person because that person opposed any practices forbidden under this policy, or because that person filed a complaint, testified, assisted, or participated in any manner in an investigation or proceeding under this policy. Retaliation includes intimidating, threatening, coercing, or in any way discriminating against an individual because of the individual's complaint or participation in an investigation. Action is generally deemed retaliatory if it would deter a reasonable person in the same circumstances from opposing practices prohibited by this policy.

22. Stalking. Repeated behavior that is obsessive and intrusive, including following, harassing, threatening or intimidating another, or any other frequently unwanted action by a stranger or acquaintance, by telephone, mail, electronic communication, social media, device, or method that purposely or knowingly causes substantial emotional distress or reasonable fear of bodily injury or death.

23. Sexual Misconduct/Assault. Is defined as actual or attempted sexual contact with another person without that person's **consent**- Sexual Assault includes but is not limited to the following:

1. Intentional and unwelcome touching, coercing, or an attempt to coerce, and forcing;
2. Involvement in any sexual contact when the victim is unable to consent, non-consensual sexual contact;
3. Forcing another individual to touch a person's intimate parts (defined as genital area, groin, inner thigh, buttocks, or breasts);
4. Sexual intercourse without consent, including acts commonly referred to as "rape".

(Refer to the Sexual Misconduct Policy) –

<https://www.wku.edu/policies/docs/index.php?policy=182>

1. Inducing Incapacitation: Inducing incapacitation for sexual purposes includes using drugs, alcohol, or other means with the intent to affect or have an actual effect on the ability of an individual to consent or refuse to consent (as "consent" is defined in this policy) to sexual contact.
 - a. Consent is informed, freely given, and mutual. Further descriptions are noted below: (1) if coercion, intimidation, threats, or physical force are used, there is no consent; (2) if a person is mentally or physically incapacitated, or impaired, so that such person cannot understand the fact, nature, or extent of the sexual situation, there is no consent. This includes impairment or incapacitation due to alcohol, drug consumption, being asleep, or unconscious; (3) there is no consent when there is force, expressed or implied, or use of duress or deception upon the victim; (4) silence does not necessarily constitute consent; (5) past consent to sexual activities does not imply ongoing future consent; (6) whether an individual has taken advantage of a position of influence over an alleged victim may be a factor in determining consent.

WHAT IS CONSENT?

Sexual Exploitation: Occurs when a person takes non-consensual or abusive sexual advantage of another for anyone's advantage or benefit other than the person being exploited, and that behavior does not otherwise constitute one of the preceding sexual misconduct offenses. Examples of behavior that could rise to the level of sexual exploitation include, but are not limited to, the following: (1) prostituting another person; (2) non-consensual visual (e.g., video, photograph, etc.) or audio-recording of sexual activity; (3) non-consensual distribution of photos, other images, or information of an individual's sexual activity, intimate body parts, or nakedness, with the intent to or having the effect of embarrassing an individual who is the subject of such images or information; (4) engaging in or facilitating non-consensual voyeurism.

24. Theft. Stealing, theft, and/or possession of stolen property are prohibited. Such property may include, but is not limited to, parking decals, personal property belonging to others, or university property.

25. Technology Use. Any violation of the Technology Ethics Policy created by the Department of Information and Technology is considered a violation of the Code of Student Conduct. (Please see <https://www.wku.edu/its/policies/> for more information.)

26. Tobacco. Due to fire regulations and in recognition of the WKU Tobacco-Free Campus Policy, the use of all tobacco products is prohibited on all property that is owned, operated, leased, occupied, or controlled by the University. (Including but not limited to, all classroom and laboratory facilities, on all floors of University buildings, parking lots/parking structures and in all campus housing) University regulations prohibit the use of tobacco products, including, electronic smoking devices, vapor producing devices, and cigars on all WKU owned property---See definitions below:

I. Definitions

A. "Smoking" means inhaling, exhaling, burning, or carrying any lighted or heated cigar, cigarette, or pipe. "Smoking" also includes the use of an electronic smoking device that creates an aerosol or vapor, in any manner or in any form.

B. "Tobacco Products" means all forms of tobacco, including but not limited to cigarettes, cigars, pipes, water pipes (hookah), bidis, electronic cigarettes/smoking device, and smokeless tobacco products. "Tobacco products" does not include any cessation product specifically approved by the U.S. Food and Drug Administration for use in treating nicotine or tobacco dependence.

C. "Electronic Smoking Device" means any product containing or delivering nicotine or any other substance intended for human consumption that can be used by a person in any manner for the purpose of inhaling vapor or aerosol from the product. The term includes any such device, whether manufactured, distributed, **marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen, or under any other product name or descriptor (i.e. JUUL, SMOK, etc.).**

D. "Members of the University community" include its faculty, staff, students, contractors, volunteers, and visitors.

E. "WKU owned property" includes, but is not limited to, Bowling Green Main Campus, Bowling Green South Campus, Bowling Green Agriculture Farm, WKU Glasgow Regional Campus, WKU Owensboro Regional Campus, and all leased properties.

II. Policy

<https://www.wku.edu/policies/docs/283.pdf>

27. Traffic and Parking Regulations. Traffic rules and regulations as published by the university, will be administered by The Office of Parking and Transportation. Students are required to obey these regulations as a condition of their enrollment. Any behavior that is of an unruly or disrespect to their authority will be deemed a violation of the Code of Conduct. (Please see <https://www.wku.edu/transportation/> for more information.)

a. [Scofflaw Policy](#)

b. [Boot and Tow Policy](#)

28. Unruly Conduct. Disorderly, abusive, lewd, or acts that result in physical altercation, fighting and indecent or obscene conduct that cause physical injury or threaten others, or interferes with any individual's rightful act. This responsibility also applies to events sponsored and supervised by recognized student organizations, on or off campus.

29. Violation of Laws. The commission of acts, which constitute a violation of local, state and federal laws. The University will review any conduct reported by members of the University community, law enforcement personnel, or citizens as being in violation of the law. Any student convicted of a criminal offense is subject to university action.

30. Violation of General Rules and Regulations. Violation of any University policy, guideline, campus rule or regulation of conduct, which adversely affects the student's suitability as a member of the University community. (Please see <https://www.wku.edu/housing/policies/hilltopics.php> for more information.)

31. Weapons. An object, instrument, device, or substance designed to inflict a wound, cause injury or incapacitate. Weapons prohibited on University property may include, but are not limited to, firearms, explosives, dangerous chemicals, pellet guns, stun guns, paintball guns, air guns, slingshots, martial arts devices, knives, swords, and clubs. Brandishing of any weapon or any other object in a menacing or threatening manner is strictly prohibited. The University's weapons policy can be found at this hyperlink: https://www.wku.edu/emergency/documents/weapons_policy_7-27-12.pdf.

Following the procedures of due process, if the WKU Student Code of Conduct is not followed, the alleged parties may go through the University's student conduct process, which is intended to be a fair and educational experience.

All WKU students may have some behavior agreement should they be deemed responsible for not adhering to the Student Code of Conduct.

The Code of Student Conduct and Student Handbook existing policies, requirements, and procedures will be enforced for the 2019/2020 academic year.