



2014-2015

STUDENT CODE OF CONDUCT

Office of the Dean of Students



WAKE FOREST
UNIVERSITY

2014-2015

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The official version of the 2014-2015 Student Code of Conduct is located online
<http://go.wfu.edu/codeofconduct>. Any changes or modifications reflected
there supersede hard copy versions of the document.

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conduct and social regulations and policies

INTRODUCTION

Wake Forest University endorses as a basic principle of University life the concept of responsible student freedom, which carries with it the recognition by each student of the rights and obligations of other members of the University community.

The University encourages students to conduct themselves as mature men and women. All participants in University life must remember that, by the charter of the University, the Board of Trustees is ultimately responsible for the University and for its operation.

Wake Forest also expects its students to abide by local, state, and federal laws, as well as by generally accepted moral standards. Although the University's role is not to duplicate civil law enforcement or conduct action, it may exercise authority for reasons appropriate to its function as an educational institution.

In keeping with its historic concern for students individually and corporately, Wake Forest has a legitimate interest in their welfare in and out of class, on campus and off. The University is concerned with student actions that are inconsistent with obligations to the educational community. When, in the opinion of the University, the conduct of a student at any place is reprehensible or detrimental to the best interests of that student, his or her fellow students, or the University, appropriate disciplinary action will be taken.

The University is concerned with the conduct of students beyond the physical boundaries of the campus. For many reasons, including the inability to control all off-campus behavior, it does not assume supervisory

responsibility for off-campus activities. Nor does the University seek or support special treatment for its students who may be apprehended for violation of civil law. Although off campus events by University-recognized student organizations are not registered with the University, all University students and student organizations are held accountable for their behavior on and off campus. It is an expectation that reason and responsibility characterize student conduct at all events.

Frequently, students attend or participate in events sponsored by or hosted by student organizations at other colleges. Sometimes student groups co-sponsor events with groups at other colleges. Wake Forest students and groups must adhere to University policies and rules on such occasions. Where officials of another college or university notify Wake Forest of incidents giving rise to a claim of a Wake Forest honor code or social rule violation, the case will be processed through the Wake Forest system.

Because of the proximity and the nature of the local relationships between Wake Forest, Salem College, and Winston-Salem State University, all three have established mutual arrangements which acknowledge and respect the integrity of each institution's conduct system and student rights and responsibilities. Hence, when Wake Forest officials notify Salem College, N. C. School of the Arts, or Winston-Salem State University of potential violations on the Wake Forest campus or at events sponsored by Wake Forest groups, the case will be processed through the student's home college system. The philosophy of Wake Forest concerning student freedom is summarized in the following:

Wake Forest believes in individual freedom, not as a right but as a responsibility...freedom to be and, more important, to become. Attendance at Wake Forest is a privilege, not a right. The University's traditions and principles, accepted by each student in his or her voluntary registration, evolve from the core of this indivisible concept of freedom and responsibility. Therefore, it is assumed that the student who elects to come to Wake Forest does so with the intent of being in fact and in spirit a cooperating member of this community.

Although great responsibility rests on the student for his or her own conduct, the Board of Trustees has specifically charged the faculty and the administration with responsibility for prescribing requirements for the orderly behavior and government of undergraduate students. The faculty and administration, acting alone or in consultation with the Student Government, establish specific conduct regulations and provide for their enforcement.

The University conduct system is jointly administered by the Office of the Dean of the College, the Office of the Dean of Students and the Judicial Council. University conduct information reflected in the *Student Code of Conduct* supercedes any references to student conduct and disciplinary matters that may be reflected in other publications.

Personal Conduct

All members of the Wake Forest community strive to live in and promote an atmosphere that not only recognizes individuality, but also fosters collegiality, respect for the rights and privileges of others, and responsibility for individual and group actions. When these expectations are not met because of individual or group actions, it is the responsibility of the conduct system and/or the University to determine the nature and extent of infractions, and to seek fair, consistent, and equitable sanctions.

Students should be mindful of the University's expectations regarding their academic and social behaviors. The University will continue to discourage repeat violations

by various means including imposition of additional sanctions for prior violations, loss of on-campus housing, suspension, or expulsion.

With respect to repeated infractions of social or community responsibility involving alcohol, suspension from the University will be considered on the occasion of the second violation.

STUDENT CODE OF CONDUCT

1. Policies and Prohibited Activities

1. The Honor Code of Wake Forest.

Wake Forest University is firmly committed to principles of honor and ethical conduct. A statement of the fundamental principles of the honor code appears on page 9 of the Student Handbook ("Honor System"). For conduct processes, see the sections "Hearing Procedures" and "Academic Misconduct" on page 16.

2. Alcohol. Students are subject to all state and local regulations concerning the use of alcoholic beverages. Below is an outline of unacceptable alcohol-related behavior at Wake Forest. Each behavior may have varying consequences, as outlined in the Presumptive Sanctions.

- a. **Aiding and Abetting Underage Possession, Purchase, or Consumption.** The assistance or encouragement of underage possession, purchase, or consumption of alcohol by another individual, regardless of age.
- b. **Alcohol Misuse.** Substance abuse, especially alcohol misuse, is a significant problem on university campuses nationwide. Wake Forest University is no exception. The University has established a community standard that alcohol misuse will not be tolerated. Refer to pages 41 for a full definition of alcohol misuse.

- c. **Driving While Impaired (DWI).** Wake Forest University recognizes the material risks to which the impaired driver is exposing the community. Sanctions imposed for this offense are cumulative with sanctions imposed for other relevant offenses. A campus DWI charge does not exempt students from external legal action.
- d. **Public Display.** The possession and/or consumption of alcoholic beverages in any public or unregistered area on campus is prohibited. This includes classroom buildings, the Benson University Center, Reynolda Hall, the library, the gymnasium, Wait Chapel/Wingate Hall, areas outside buildings including lawns, courtyards, balconies, and playing fields, grounds and buildings of Reynolda Gardens, BB&T Field at Groves Stadium (unless otherwise designated), all residence hall formal parlors, common lounges, and sun decks. See also the 2014-2015 *Guide to Community Living*.
Students should also note that it is unlawful under North Carolina law and a violation of the Wake Forest University alcohol policy for any person to display publicly at an athletic contest fortified wine, spirituous liquor, or mixed beverages. This includes the possession of any of these beverages by persons 21 or older at BB&T Field at Groves Stadium.
- e. **Purchase or Attempt to Purchase Underage.** No student under 21 will purchase or attempt to purchase alcoholic beverages.
- f. **Unauthorized Keg.** Kegs are not routinely permitted on campus. Organizations may request kegs for special events pending approval and official registration.
- g. **Underage Possession and/or Consumption.** No student under 21 will possess or consume alcoholic beverages, or have in their possession or residence full or empty alcohol containers, beer bongs, funnels, or any other alcohol-related paraphernalia.
- h. **Unauthorized Containers.** As referenced above, beer bongs, funnels, or any other alcohol-related paraphernalia are prohibited, even for those of legal drinking age.
- 3. Other Substance Use/Abuse.** Refer to pages 44 and page 11 for more detailed information about the drug policy and sanctions.
- a. **Illegal Drugs.** Use, possession, manufacture, sale, distribution of, transportation of illegal drugs (cocaine, marijuana, synthetic marijuana, heroin, crack, ice, etc.) and drug paraphernalia is prohibited. Students found to be involved in its use, possession, manufacture, sale, distribution, or transportation, on or off campus, will be subject to disciplinary action.
- b. **Prescription and/or Over-the-Counter Medication.** Students found to be involved in the use, possession, sale, or distribution of any prescription medication, over-the-counter medication, or any other substance being used in any manner other than its intended purpose, which can cause harm, will be subject to disciplinary action. The use of prescription drugs prescribed by a licensed physician, by the person for whom the prescription is intended, is excluded from this policy.
- 4. Bullying/Cyberbullying.** Although definitions of bullying vary, most agree that bullying involves:
- Imbalance of Power: people who bully use their power to control or harm and the people being bullied may have a hard time defending themselves
 - Intent to Cause Harm: actions done by accident are not bullying; the person bullying has a goal to cause harm
 - Repetition: incidents of bullying happen to the same person over and over by the same person or group
- Types of Bullying**
- Bullying can take many forms. Examples include:

- Verbal: name-calling, teasing
- Social: spreading rumors, leaving people out on purpose, breaking up friendships
- Physical: hitting, punching, shoving
- Cyberbullying: using the Internet, mobile phones or other digital technologies to harm others

Visit www.stopbullying.gov for more information.

5. Communicating Threats. Any threat of violence that is issued and communicated via any medium (including electronic communication) which the University interprets as posing a danger to Wake Forest property, people, or the community.

6. Computing. The Wake Forest Computing Policy applies to all computer and computer communication facilities owned, leased, operated, or contracted by the University. The policy extends to any use of University facilities to access computers elsewhere.

Please refer to the following link for the Policy on Responsible and Ethical Use of Computing Resources, and additional Information Technology policies. <http://help.wfu.edu/public/is/information-technology-policies>.

7. Contempt of the Conduct Process. Contempt includes failure to appear for a conduct hearing or failure to observe and comply with conduct sanctions. Also, victims in cases involving certain violations of the Code of Conduct may be informed of another student's conduct hearing outcome. Any student found to have shared this information inappropriately would also be in contempt of the conduct process.

8. Copyright Violations. Federal law restricts the use of copyrighted video, audio, or computer material. Any organization or student using such material should be certain that its use conforms to law.

9. Destruction or Defacement of Property or Grounds. Any activity which destroys or defaces property or grounds, at the University or elsewhere, is prohibited.

10. Disorderly Conduct. Any behavior that disrupts the regular or normal functions of the Wake Forest University community, that occurs on or off campus, including behavior which breaches the peace or violates the rights of others, is prohibited.

11. Disruption or Obstruction of University Activities. Intentional disruption or obstruction of teaching, study, research, administration, disciplinary procedures, or other University activity, is prohibited.

12. Failure to Comply with the Directions of University or other Officials. Failure to comply with the directions of Wake Forest University officials (police, residence life and housing staff, etc.) or other appropriate off-campus authorities, including law enforcement officials acting in the performance of their duties, is a serious offense. Such conduct includes failure to provide ID and disrespectful, uncooperative, abusive, or threatening behavior.

13. Fire Safety Equipment. Initiating or reporting false fire alarms or tampering with fire extinguisher, fire alarm, or sprinkler equipment is an offense under North Carolina criminal law and the Wake Forest Code of Conduct.

14. Gambling. Gambling is prohibited.

15. General Resident Student Policies. Students are expected to comply with Wake Forest's Residence Hall Rights and Policies. Students living in the residence halls will be held responsible for the actions of their guests. Refer to the *Guide to Community Living* for a complete listing of general resident student policies.

16. Hazing. Refer to the hazing policy on page 47 for additional information.

17. Indecent Exposure and/or Illicit Sexual Activity. Indecent exposure and illicit sexual activity are prohibited.

18. Library Policies. Removal of books from the library without following proper checkout procedures or by misuse of identification is prohibited. The use of emergency fire doors to exit the library building is prohibited and will be considered a serious violation of University policy, except in case of a fire emergency.

19. Possession of False Identification. Students may not possess false identification, even if it is not used. Presentation of false identification is an honor code offense, as is any other false representation of oneself, verbally or non-verbally.

20. Misuse of Online Resources. Although the University does not actively monitor students' use of computing resources, any information brought to the attention of University officials about the misuse of online resources, including social networking sites, may be pursued through the University's undergraduate conduct system. Examples of such behavior include, but are not limited to, harassment and threats toward individuals or property, photographs portraying inappropriate or illegal situations, misrepresentation of identity, etc.

21. Off-Campus Conduct: Rules and Guidelines. Wake Forest students are responsible for conducting themselves to avoid bringing disrepute to the University. Conduct or activity by members of the student body living in, or hosting functions at, off-campus locations which has the effect of unreasonably interfering with the rights of neighbors is prohibited. This standard of conduct recognizes and affirms a responsibility to respect the rights of others appropriate to the setting in which one lives. It also recognizes the duty of Wake Forest students who are residents of off-campus rooms/apartments/houses to control the nature and size of activities carried out in or on their premises consistent with

the standards of the University. Disruptive off-campus social functions at single family residences are subject to University review and sanctions. Individual students, groups of students, and student organizations may be held accountable for hosting disruptive events, parties, or social functions

22. Use of Physical Force or Threat of Physical Harm. Physical abuse, injury, constraint on another's physical movement, or threat of harm toward another person is prohibited. These acts include, but are not limited to, assault, battery and all forms of personal abuse.

23. Pyrotechnics and Other Explosives. The use and/or possession of pyrotechnics and other explosives is not permitted anywhere on campus.

24. Sexual Harassment. The University seeks to maintain a learning and work environment free from sexual harassment. Sexual harassment is a barrier to the educational, scholarly, and research purposes of the University. Refer to the Sexual Harassment policy in this handbook for further explanations.

25. Sexual Misconduct
Wake Forest University expects all members of its community to act in respectful and responsible ways towards each other. Acts of sexual misconduct constitute grievous violations of University policy. Rape and sexual assault are crimes of violence that are subject to prosecution. It is the responsibility of each individual in the University community to become educated about such acts and their consequences. The University vigorously addresses instances of sexual misconduct and endeavors to preserve a victim's confidentiality. Refer to the Sexual Misconduct Policy on page 33 in this handbook for terminology and further explanations.

26. Solicitation. The solicitation of sales, services, memberships, or gifts on campus, without permission of the Office of the Dean of Students or his/her designee, is prohibited.

27. Stalking/Cyberstalking.

Stalking (according to N.C. Statute 14-277.3A): Occurs when a person willfully on more than one occasion follows or is in the presence of another person without legal purpose and with the intent to cause death or bodily injury or with the intent to cause emotional distress by placing that person in reasonable fear of death or bodily injury. If committed with the intent to cause reasonable fear of death or bodily injury, the following examples MAY constitute stalking:

- Unwanted and/or threatening mail, phone calls, emails, text messaging, etc.
- Persistent physical approaches and/or requests for dates, meetings, etc.
- Following a person or coincidentally showing up at places a person frequents
- Waiting outside a person's residence, school, or place of employment
- Vandalism/destruction of a person's personal property
- Breaking into a person's car or residence

Cyberstalking (according to NC Statute 14-196.3): Occurs when a person uses electronic mail or electronic communication to convey any words or language threatening to inflict bodily harm to any person, or physical injury to the property of any person, or for the purpose of extorting money or other things of value from any person; to communicate to another repeatedly, for the purpose of abusing, annoying, threatening, terrifying, harassing, or embarrassing any person; to knowingly make any false statement concerning death, injury, illness, disfigurement, indecent conduct, or criminal conduct, of the person electronically mailed or any other member of the person's family or household with the intent to abuse, annoy, threaten, terrify, harass, or embarrass.

28. Unauthorized Activity. Any unauthorized activity on University property or elsewhere that compromises the University's pursuit of its mission is prohibited. Examples

include, but are not limited to: drinking games, beer pong, jumping from windows and balconies, public urination, unregistered vehicles, littering, and misconduct at sporting events.

29. Unauthorized Entry or Occupation.

Unauthorized entry or occupation of any University or other facility which is locked, closed to student use, or otherwise restricted as to use, is prohibited.

30. Unregistered Party. Social functions not registered with the Office of Residence Life and Housing, and not hosted by a recognized student organization, which can be characterized by at least some, but not necessarily all, of the following elements: alcohol (or other beverages), entertainment, a critical mass of students, and/or advertising of an event through word of mouth, flyers, or electronic communication.

31. Verbal Abuse and/or Harassment.

Verbal abuse is the use of obscene, profane, or derogatory language that abuses or defames another person. Harassment is any action, verbal or nonverbal, that annoys or disturbs another person or that causes another person to be reasonably apprehensive or endangers the health or safety of another person. No student will engage in conduct that limits or restricts the freedom of another person to move about. No student will participate in conduct or nuisance actions that may prevent or distract others from their University studies or the legitimate pursuit of their personal affairs. No student will use a telephone, computer, other electronic media, or third parties to carry out any harassing offences.

32. Violations Motivated by Race, Gender, Sexual Orientation, Religion, and other Factors Specified in the University Non-Discrimination Statement.

The commission of any offense that is motivated by the race, gender, sexual orientation, religion, national origin, cultural background, disability, or any other defining characteristic

of an individual or group of individuals is prohibited.

33. Violation of a University Policy or Law by a Guest. A student will be held accountable for any violation of a University policy, or local, state or federal law that is committed by an acknowledged non-student guest. As such, students are held accountable for the behavior of their guests at all times.

34. Weapons. Consistent with North Carolina General Statute 14-269.2 “Weapons on campus or other educational property,” weapons of any type are prohibited on or in any real property owned by, leased by or in possession and control of Wake Forest University or on any portion of any public road, public vehicular area or highway passing through the real property of Wake Forest University except for authorized uses in the Department of Military Science. Examples include (but are

Important Contacts

Safe Office..... 336.758.5285
Assistance available to all students 24-hours

University Title IX Coordinator 336.758.4010
 Angela Culler, Asst. VP, HR Services and Compliance (culleraa@wfu.edu)

Reynolda Campus Resources

Student Health Service 336.758.5218
24-hours when school is in session, excluding summer

University Police 336.758.5911

University Counseling Center 336.758.5273
For emergencies after hours, contact Student Health Service

University Chaplain 336.758.5017
For emergencies after hours, contact Student Health Service

PREPARE Student Advocates 336.671.7075
Available 24-hours to undergraduate students during fall and spring semesters when school is in session

Office of the Dean of Students 336.758.5226

Residence Life and Housing..... 336.758.5185

Wake Forest Compliance Hotline 877.880.7888

Medical Center Campus Resources

Student Wellness Center 336.713.7002

Associate Dean for Student Services 336.716.4271

Medical Center Security 336.716.3305

Community Resources

Sexual Assault Response Program..... 336.722.4457
24 hour rape crisis service sponsored by Family Services

Forsyth Medical Center Emergency Dept. 336.718.2314

WF Baptist Medical Center Emergency Dept. 336.713.9000

Winston-Salem Police or Forsyth County 911
 Sheriff's Department

not limited to): BB guns, stun guns, air rifles, air pistols, paintball guns, bowie knives, dirks, daggers, slingshots, leaded canes, switchblade knives, blackjacks, metallic knuckles, razors and razor blades (except solely for personal shaving), any item used as a weapon or to inflict injury or damage, and any sharp, pointed or edged instruments, except instructional supplies, unaltered nail files and clips, and tools used solely for preparation of food.

2. Sanction Framework

Sanctions resulting from Honor Code and social violations become part of a student's conduct record. Certain violation types and sanctions are deleted upon graduation. Warnings are not a part of the conduct record.

The following sanctions are presumptive in nature. Sanctions are issued on a case-by-case basis and may not always be reflected here,

The sanction framework is a guide for decision-making when determining sanctions. The nature of the violation and specific circumstances will be considered when determining the actual sanction. The hearing officer will use this framework as a guide.

1. THE HONOR CODE

The Wake Forest Honor Code is grounded in a fundamental commitment from each member of our community to honesty and integrity. Adherence to the Code enables our community to live and work together with a shared sense of trust and respect. Violations of the Code undermine both personal integrity and community standards and are treated with the utmost seriousness. Specific offenses against the Honor Code include cheating, plagiarism, deception, and stealing, in both academic and social settings.

In all academic cases with a plea or finding of responsible, a grade of F for the course will be assigned. This will normally be an irreplaceable F. When a student commits an act of cheating, plagiarism, or deception in a course, he/she violates fundamental principles of trust and integrity without which the University's central academic mission cannot be carried through and without which an instructor cannot make a fair evaluation of a student's work. In addition to the F the Honor and Ethics Council may assign penalties ranging from community service hours and disciplinary probation to expulsion, depending on the nature and severity of the offense. **A one-semester suspension will be the normal sanction for serious violations of academic integrity**, such as knowingly submitting another person's paper or writing as one's own or premeditated cheating. In cases where a student has been sanctioned for an academic honor code offense and then commits another academic honor code offense, expulsion is the normal sanction.

A similar range of sanctions will be used for non-academic honor offenses, such as deception and stealing, or presentation of a false ID. The sanction will depend on the nature and severity of the offense

No student while suspended from Wake Forest may take coursework at another institution and have that work transferred to Wake Forest for credit.

"Disciplinary probation" is defined as: A period of official censure and heightened scrutiny: a further violation by a student while on disciplinary probation will result in increased sanctions up to and including suspension or expulsion. A

Violations and Sanction Framework

student may be required to meet periodically with a dean (or other University official) during his/her period of probation.

“**Activities suspension**” is also available as a sanction. This is defined as: A period of time during which a student remains as an enrolled student and continues his/her academic work but does not participate in non-academic activities. Work-study jobs are not suspended during this time; any clarification concerning other activities that may be affected will be made by the Associate Dean for Student Conduct.

2. ALCOHOL

Statement on Alcohol Sanctions. *The University encourages the responsible use of alcohol, including abiding by all NC State Statutes. In this spirit, a system of progressive discipline has been enacted in response to alcohol-related violations of the Code of Conduct. Completion of the following sanctions is required in order for a student to remain enrolled and in good standing at the University. Students of age who choose to drink are encouraged to minimize the risk of alcohol-related problems by engaging in responsible drinking practices. To this end, students are provided with campus and community resources to assist in appropriate decision making in conjunction with the use of alcohol.*

Note: Parents or guardians will be notified of all alcohol-related violations and warnings.

(a.) Aiding and Abetting Underage Possession, Purchase or Consumption:
\$125 fine, 30 hours

(b.) Alcohol Misuse:

Conduct Track: \$125 fine, 20 hours, possible educational and other sanctions

Alternative Conduct Process Track: At the discretion of the hearing officer, an alternative sanction may be available on a case-by-case basis for cases which do not involve aggravated alcohol misuse. See page 41 for more information.

University Suspension A: University suspension will be considered in situations where two (2) cases of alcohol misuse have occurred

Medical Amnesty Track: Referral to the substance abuse prevention coordinator with possible educational and therapeutic outcomes. See page 41 for additional information.

(c.) Driving While Impaired (DWI): \$125 fine, 30 hours, possible educational and other sanctions

(d.) Public display: \$75 fine

(e.) Purchase or attempt to purchase underage: \$125 fine, 20 hours

(f.) Unauthorized keg: \$125 fine, 50 hours

(g.) Underage Possession and/or Consumption:

Warning: Motivational interview session, alcohol education

Subsequent Violations: \$100 fine, education program, and possible disciplinary sanctions

Violations and Sanction Framework

(h.) **Unauthorized container:** This is a housing contract violation and will be addressed by the Office of Residence Life and Housing

3. OTHER SUBSTANCE USE/ABUSE

Note: Parents or guardians will be notified of all substance use/abuse-related violations.

(a.) **Illegal Drugs:**

Marijuana and synthetic marijuana: simple possession and/or use (Schedule VI, Article 5, North Carolina Controlled Substances Act)

1st offense: \$200 fine, 25 hours, one year disciplinary probation, random drug screening for a specified time period, at the student's expense and possible substance abuse evaluation at the student's expense

2nd offense: Suspension for a minimum of one (1) academic semester. Verification of substance abuse evaluation and completion of all recommended treatment prior to application for re-enrollment

Other drugs (Schedules I, II, III, IV, V; Article 5, North Carolina Controlled Substances Act)

1st offense: Suspension two semester minimum, random drug screening, \$300 fine

2nd offense: Expulsion strongly considered

Possession of drug paraphernalia:

\$100 fine, other sanctions determined on a case-by-case basis

Drug trafficking:

Expulsion

(b.) **Prescription and/or Over-the-Counter Medication:** Sanctions similar to other drugs will be considered

4. BULLYING/CYBERBULLYING

Sanctions determined on a case-by-case basis, up to and including University suspension or expulsion

5. COMMUNICATING THREATS

Sanctions will be determined on a case-by-case basis, depending on the nature of the offense

6. COMPUTING

Violations of the "Policy on the Responsible and Ethical Use of Computing Resources" may result in one or more of the following sanctions, plus any additional actions deemed necessary by Information Systems or the University conduct system

Fines ranging from \$75 to \$250, depending on the severity of the infraction, and other sanctions, as determined on a case-by-case basis, to include:

Suspension of ability to log in to a campus network

Violations and Sanction Framework

Suspension of ability to send email

Suspension of ability to receive email

Increased monitoring of further computer activity (beyond normal systems monitoring)

7. CONTEMPT OF THE CONDUCT PROCESS

Disciplinary probation, increasing originally assigned sanctions, and other sanctions as determined on a case-by-case basis

8. COPYRIGHT VIOLATIONS

\$75 fine, 20 hours

9. DESTRUCTION OR DEFACEMENT OF PROPERTY OR GROUNDS

Sanctions determined on a case-by-case basis, up to and including University suspension. Strong consideration will be given to a disciplinary probation status for a minimum of one semester.

10. DISORDERLY CONDUCT

\$75-\$125 fine, 30-50 hours, and other sanctions as determined on a case-by-case basis

11. DRUNK AND DISRUPTIVE CHARGE

Sanctions: \$125 to \$250 fine, 20-50 hours, alcohol education, and other sanctions as determined on a case-by-case basis

12. FAILURE TO COMPLY WITH THE DIRECTIONS OF UNIVERSITY OR OTHER OFFICIALS

Level I where behavior includes failure to provide ID, disrespectful or uncooperative behavior

\$75-\$100 fine, 30-40 hours, and other sanctions as determined on a case-by-case basis

Level II includes the above plus abusive or threatening behavior accompanied by other issues giving rise to a higher level of sanction

\$100-\$125 fine, 40-50 hours, and other sanctions as determined on a case-by-case basis

13. FIRE SAFETY EQUIPMENT

Intentionally causing false alarm or tampering with fire safety equipment: \$100 fine; cancellation of housing contract; sanctions determined on a case-by-case basis if living off campus

14. GAMBLING

Sanctions determined on a case-by-case basis

Violations and Sanction Framework

15. GENERAL RESIDENT STUDENT POLICIES

Sanctions determined on a case-by-case basis

16. HAZING

Sanctions up to and including loss of group recognition or other outcomes as determined on a case-by-case basis

17. INDECENT EXPOSURE AND/OR ILLICIT SEXUAL ACTIVITY

Minimum \$150 fine, 20 hours, plus other case-specific sanctions as appropriate

18. LIBRARY POLICIES

Sanctions determined on a case-by-case basis

19. POSSESSION OF FALSE IDENTIFICATION

Minimum of \$150 fine, 50 hours, and other sanctions as appropriate

20. MISUSE OF ONLINE RESOURCES

Sanctions determined on a case-by-case basis, up to and including University suspension or expulsion

21. OFF-CAMPUS CONDUCT

Various forms of problematic off-campus behavior.

1st occurrence: warning; parental and landlord or property manager notification, and a fine (individuals \$200; groups \$400)

2nd occurrence: After one incident, disciplinary action, or warning, disruptive parties in single family neighborhoods which are the subject of law enforcement intervention will result in the revocation of off-campus housing approval for individual students. Additionally, repeated offenses that do not result in law enforcement action, but which would be perceived by a reasonable person to be disruptive, may also result in sanctions. Evidence of disruptive parties or social gatherings may include: the nature and size of the event, law enforcement citations, charges or arrests, injuries, safety risks, and violations of University policies.

22. USE OF PHYSICAL FORCE OR THREAT OF PHYSICAL HARM

Sanctions determined on a case-by-case basis, up to and including University suspension or expulsion

23. PYROTECHNICS AND OTHER EXPLOSIVES

\$100 fine, 20 hours

24. SEXUAL HARASSMENT

Sanctions for a finding of responsibility depend on the nature and gravity of the misconduct. They may include, but are not limited to: disciplinary probation, suspension, expulsion, specialized off-campus treatment and/or other educational sanctions as deemed appropriate.

Violations and Sanction Framework

25. SEXUAL MISCONDUCT

Sanctions for a finding of responsibility depend on the nature and gravity of the misconduct. They may include, but are not limited to: disciplinary probation, suspension, expulsion, specialized off-campus treatment and/or other educational sanctions as deemed appropriate.

26. SOLICITATION

\$75 fine, 20 hours

27. STALKING/CYBERSTALKING

Sanctions determined on a case-by-case basis, up to and including University suspension or expulsion

28. UNAUTHORIZED ACTIVITY

\$75 fine and other sanctions as determined on a case-by-cases basis

29. UNAUTHORIZED ENTRY OR OCCUPATION

Sanctions determined on a case-by-case basis

30. UNREGISTERED PARTY

Sanctions as determined on a case-by-case basis, and may include the following: For chartered organizations, loss of privileges, including lounge use and social hosting opportunity; for individuals, fines, alcohol education and assessment, and additional conduct charges including aiding and abetting underage possession and/or consumption of alcohol.

31. VERBAL ABUSE AND/OR HARASSMENT

1st offence: \$100 fine, 30 hours, loss of one housing priority point, letter of apology, and a no contact provision

2nd offence: Appropriate fines, hours, cancellation of housing contract, and sanctions up to and including suspension or expulsion, as determined on a case-by-case basis

32. VIOLATIONS MOTIVATED BY RACE, GENDER, SEXUAL ORIENTATION, RELIGION, AND OTHER FACTORS SPECIFIED IN THE UNIVERSITY NON-DISCRIMINATION STATEMENT

1st offense: \$150 fine, 40 hours, loss of one housing priority point, letter of apology, no contact provision, and other sanctions as appropriate and in consultation with the victim

2nd offense: Appropriate fines, hours, cancellation of housing contract, and sanctions up to and including suspension or expulsion, as determined on a case-by-case basis

33. VIOLATION OF A UNIVERSITY POLICY OR LAW BY A GUEST

Sanctions determined on a case-by-case basis

Violations and Sanction Framework

34. WEAPONS

Firearms (possession or use of any gun, rifle, pistol, or any other firearm of any kind): Expulsion, and may include immediate suspension pending a conduct hearing

All other Weapons: Sanctions will be determined on a case-by-case basis, up to and including University suspension or expulsion, and may include immediate suspension pending a conduct hearing

depending on the nature and severity of the violation.

When a student has a prior conduct violation and incurs a subsequent violation, additional fines, community service hours, disciplinary probation, and other sanctions may result as determined on a case-by-case basis.

The Office of the Dean of Students may levy a conduct hold in cases of non-compliance.

HEARING PROCEDURES

Overview

1. Cases involving **academic misconduct** are heard by the Honor and Ethics Council: see pages 17-30;
2. Cases involving **felonies** are heard by the Vice President for Campus Life: see pages 31-32;
3. Cases involving **sexual misconduct/ Title IX** are heard by the Sexual Misconduct-Hearing Board: see pages 33-34;
4. Cases involving **organizational misconduct** are heard by the Office of the Dean of Students: see pages 34-37;
5. Cases involving **all other types of non-academic misconduct**, including **alcohol offenses**, are heard by the Office of the Dean of Students: see pages 37-46.

1. Academic Misconduct

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I. Introduction

Wake Forest University is firmly committed to principles of honor and ethical conduct. The Honor Code embodies a spirit of trust that pervades all aspects of student life. Each student's word should be worthy of trust. A violation of this trust is an offense against the community. Membership in the student body signifies a student's commitment to the Honor Code and Conduct system. It is the responsibility of every student to act honorably in all phases of student life, to understand student rights and responsibilities, and to preserve the integrity of the Honor Code.

II. Organization of the Conduct System

The undergraduate conduct system is jointly administered by the Office of the Dean of the College, the Office of the Dean of Students and the Judicial Council.

The Honor and Ethics Council hears all cases involving academic misconduct, except those handled by the interim process, as outlined in section IX. Procedures for cases involving felonies are outlined elsewhere in this Handbook. Procedures for cases of sexual misconduct are outlined elsewhere in this

Handbook. All other cases of misconduct are adjudicated by the Office of the Dean of Students.

The Board of Investigators and Advisors has two functions:

1. Members of this board investigate academic cases and present the cases before the Honor and Ethics Council;
2. Members advise and represent accused students in all phases of an investigation, hearing, and appeal, in academic and non-academic cases.

The Judicial Council, among its other responsibilities, serves as the appeals body for all primary-hearing entities (except the sexual misconduct hearing board), according to procedures set forth in its Constitution (cf. Appendix: The Constitution of the Judicial Council).

III. The Honor and Ethics Council

A. Function

The Honor and Ethics Council is the central deliberative body in the conduct system for academic cases. It hears all cases involving academic misconduct, except those handled by the interim process. Its task is to find the truth and render fair judgments.

B. Composition

For any given hearing, the Honor and Ethics Council is composed of five persons: the Dean of the College (or his/her designate), two faculty members, and two students. The faculty and student members are drawn from larger pools. Each pool consists of ten persons.

C. Student Members

1. The ten students who serve on the Honor and Ethics Council will be appointed yearly by the President of Wake Forest University on the recommendation of the Vice President for Campus Life; the Vice President will consult with Student Government prior to making his/her recommendations.

2. Appointment of student members will take place in the spring term for the following academic year. Appointments to the Honor and Ethics Council should be made prior to the appointment process for the members of the Board of Investigators and Advisors. Freshmen will not normally serve as members. In the event of vacancies, the President (on the recommendation of the Vice President) may make appointments at non-standard times.
3. To be considered for membership, students must have a Wake Forest GPA of no less than 2.0 and have no honor code violations. Interested students must also disclose to the Vice President any conduct offenses on their records. Such offenses may be grounds for disqualification, at the discretion of the Vice President. In making his/her recommendations, the Vice President will consider evidence of good character, good judgment, and commitment to the honor code.
4. At any given time, a student may serve on only one of the following: the Honor and Ethics Council, the Board of Investigators and Advisors, and the Judicial Council.
5. The term of service for student members is one academic year. But students may serve any number of terms.

D. Faculty Members

The ten faculty members who serve on the Honor and Ethics Council will be appointed by the President of Wake Forest University on the recommendation of the Dean of the College. The term of service is three academic years. Faculty members may serve multiple terms. To the extent possible, terms should be staggered to avoid an excessive concentration of new members in a particular year.

E. Administrative Member

The Dean of Wake Forest College is a permanent member of the Honor and Ethics Council and will serve as its chair. The Dean's designate may act for the Dean in discharging the responsibilities of this position. The Dean

has the same voting privilege as the other four members of the panel but also serves as the presiding officer. In the event of an appeal the Dean will represent the Honor and Ethics Council before the Judicial Council.

F. Assignment of Members to Cases

All members of the Honor and Ethics Council have equal standing and will in principle be competent to hear any case. Assignment of individuals to a particular hearing panel will generally be based on availability and equal distribution of the caseload. However, the need to avoid conflicts of interest will be proper grounds for selection or elimination of a member in a particular case.

IV. Board of Investigators and Advisors

A. Function

The Board of Investigators and Advisors has two functions:

1. Members of this board investigate academic cases and present the cases before the Honor and Ethics Council;
2. Members advise and represent accused students in all phases of an investigation, hearing, and appeal, in academic and non-academic cases.

For each academic case, one member of the Board is assigned as investigator and one as advisor. In non-academic cases, members may be assigned to advise and represent accused students in administrative hearings. In both academic and non-academic cases, the accused may decline the assistance of an advisor and may speak for himself or herself during the hearing. At times when BIA members are not available, the BIA advisor may work with accused students to secure appropriate representation.

B. Composition

The Board of Investigators and Advisors is composed of sixteen undergraduate students. The Associate Dean for Student Conduct will serve as advisor to the Board.

C. Selection

1. The sixteen members of the Board are appointed by the Judiciary Appointments Committee (defined below).
2. The Judiciary Appointments Committee is made up of five members: the President of Student Government (who will serve as Chair), the Speaker of the House of the Student Government Legislature, two members of the Student Government Legislature to be elected by the Legislature, and one student member of the Judicial Council to be chosen by the Judicial Council.
3. The Judiciary Appointments Committee will solicit and receive applications for membership in the spring term, after appointments to the Honor and Ethics Council have been made. All applicants for membership must have, at the time of application, a Wake Forest GPA of no less than 2.0 and no honor code violations. Applicants must also disclose to the Committee any conduct offenses on their records. Such offenses may be grounds for disqualification, at the discretion of the Committee. In making its appointments the Committee will consider evidence of good character, good judgment, and commitment to ethical behavior. Freshmen will not normally serve as members. In the event of vacancies, the officers of Student Government may make appointments, subject to review by the Judicial Council.
4. Students are appointed to the Board for one academic year, but may serve any number of terms. Current members who wish to continue for another year must reapply and secure reappointment.

D. Officers

The Board of Investigators and Advisors will have two co-chairs. After the appointments for the Board have been made, the Associate Dean for Student Conduct will select two of the members to serve as co-chairs. The co-chairs will continue to perform the normal

functions of a Board member but will have the following additional responsibilities:

1. In coordination with the Offices of the Deans, make assignments to individual members;
2. Supervise investigations to promote efficiency and thoroughness;
3. Assist other members in the discharge of their tasks;
4. Serve as a liaison for the Board to other parts of the conduct system. One co-chair will have particular responsibility for academic cases and the other will have particular responsibility for non-academic cases.

V. Chair of the Honor and Ethics Council

1. The Dean of the College will serve as the chair of the Honor and Ethics Council. The Dean's designate may act for the Dean in discharging the responsibilities of this position. The Dean has the same voting privilege as the other four members of the panel but also serves as the presiding officer.
2. The Dean will appoint one person to serve as Judicial Liaison to the faculty. This person may be in the Dean's Office or a member of the faculty. This person will advise faculty members on conduct matters, both procedural and substantive; will receive academic cases submitted to the conduct system; and will be responsible for overseeing cases in their pre-hearing phase. The Judicial Liaison will not serve on the Honor and Ethics Council.

VI. Standards for Academic Honor and Community Responsibility

1. Wake Forest considers adherence to the Honor Code and maintenance of a sense of social and community responsibility to be integral to the mission of the University.

The Honor Code concerns itself primarily with the academic integrity of the institution and its students, and covers cheating, deception, stealing, plagiarism, dishonesty, and contempt, in the academic context. Conduct cases involve violations of the University's standards of community responsibility.

2. Wake Forest's standards for academic honor are applicable to the student in every academic pursuit, whether on campus or off. Any act committed while engaged in an academic endeavor which violates these standards becomes a proper subject for review by the conduct system.
3. The introduction or use of polygraph evidence in any conduct or honor hearing is prohibited.
4. Wake Forest does not actively monitor the social actions of students beyond the University campus. However, in community responsibility cases the scope of the University's authority reaches beyond the campus when a student's conduct adversely affects the integrity of the Wake Forest student body or threatens the health, safety, or welfare of other members of the Wake Forest community. The University's standards of community responsibility extend to circumstances in which students attend Wake Forest events, participate in University sponsored off-campus educational and social programs, use University property, represent the University, or participate in any activity in which a student's identity is clearly associated with the name of the University or any of its affiliated groups.

VII. Standards of Conduct for Members of the Conduct System

A. Code of Ethics for Members of the Honor and Ethics Council

1. A member's public and official behavior should be beyond reproach and free

from impropriety or the appearance of impropriety.

2. No member should mention, comment upon, or discuss a case in any manner except when the Council itself is sitting to consider the case. This applies to both open and closed proceedings. When the accused has elected an open hearing, the chair or the conduct officer may discuss issues publicly raised by the accused.
3. A member should refrain from learning about the case prior to the hearing.
4. A member should not be swayed by partisan demands, public clamor, or consideration of personal popularity or notoriety, nor be apprehensive of unjust criticism.
5. A member should disqualify himself/herself from a case if it can be reasonably inferred that he/she is incapable of rendering an impartial judgment.
6. When considering a case, a member should always bear in mind that he/ she is deciding whether a particular University policy, regulation, or statute has been violated. A member, however, should consider the welfare of the individual and the integrity of the College community in setting sanctions for violations.
7. Violations of this Code of Ethics should be reported to the Judicial Council.

B. Oath for Members of the Honor and Ethics Council

Each newly appointed student member of the Honor and Ethics Council will take the following oath to be administered by the Dean of the College

I do solemnly affirm that I will work to the best of my ability as a member of the Honor and Ethics Council to render fair judgments, that I will observe the Code of Ethics, that I will adhere to the University's conduct policies and to the rules and regulations of the University, and that I will always be mindful of the interests of the student, as well as the interests of the University and the public.

C. Code of Ethics for Members of the Board of Investigators and Advisors

1. A member's public and official behavior should be beyond reproach and free from impropriety or the appearance of impropriety.
2. A member should always bear in mind, both when investigating a case and presenting it before the Honor and Ethics Council and when advising an accused student, that his/her primary responsibility is to discover the truth and to present the facts of the case to the Honor and Ethics Council in a clear and cogent manner.
3. A member should represent accused students to the best of his/her ability within the bounds of Wake Forest University policies and procedures.
4. A member should not knowingly advance a claim or defense if it cannot be supported by a good faith argument based upon University policies and procedures.
5. A member should maintain and protect confidential information concerning the accused student unless the disclosure is permitted by the student, the disclosure is necessary to carry out good faith representation, or the information concerns criminal activity unrelated to conduct giving rise to the charges under review.
6. A member should not knowingly conceal or obstruct access to facts or evidence necessary for consideration of a case, make a false statement, use perjured testimony, or counsel a student in conduct which he/she knows is unlawful or a violation of University policy.
7. A member should not discuss the case or cause another to discuss the case with any member of the hearing panel. It is expected that the two members appointed to a particular case, one to investigate and one to advise, will be in regular communication about investigation, both with each other and with the Judicial Liaison in the Office of the Dean.

8. Violations of this Code of Ethics should be reported to the Judicial Council.

D. Oath for Members of the Board of Investigators and Advisors

Each newly appointed member of the Board of Investigators and Advisors will take the following oath to be administered by the Associate Dean for Student Conduct:

I do solemnly affirm that I will work to the best of my ability as a member of the Board of Investigators and Advisors to discover the truth and to represent accused students fairly, that I will observe the Code of Ethics, that I will adhere to the University's conduct policies and to the rules and regulations of the University, and that I will always be mindful of the interests of the student, as well as the interests of the University and the public.

VIII. Procedures of the Honor and Ethics Council

A. Honor Code Violations

Cheating, plagiarism, stealing, deception, academic misconduct, and contempt are considered violations of the Honor Code. These terms should be construed to have their ordinary, non-legal meaning.

1. The term "cheating" includes:
 - (a) providing or receiving unauthorized assistance in academic endeavors (e.g., quizzes, tests, examinations, reports, term papers);
 - (b) use of sources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments; or
 - (c) the use, without permission, of tests or other academic material belonging to a member of the University faculty or staff.
2. "Plagiarism" is a type of cheating. It includes:
 - (a) the use, by paraphrase or direct quotation, of the published or unpublished work of another person without complete acknowledgment of the source;

- (b) the unacknowledged use of materials prepared by another agency or person providing term papers or other academic materials;
- (c) the non-attributed use of any portion of a computer algorithm or data file; or
- (d) the use, by paraphrase or direct quotation, of online material without complete acknowledgment of the source.

When faced with conflicting definitions of plagiarism during a case, the Honor and Ethics Council will adopt the definition established for use in the department/course by the department or professor involved in the case.

3. The term “stealing” includes:

- (a) the unauthorized taking, misappropriation, or possession of any property belonging to, owned by, or maintained by the University, an organization, or another individual, or
- (b) the possession, retention, or disposal of stolen property.

4. The term “deception” includes any false or deceiving representation. In the academic context, such representations include:

- (a) any attempt to avoid meeting the stated course requirements, such as making false statements to avoid taking examinations at the scheduled times or to avoid turning in assignments at the scheduled times;
- (b) listing sources in a bibliography not directly used in the academic exercise; or
- (c) submitting falsified, invented, or fictitious data or evidence, or concealing or distorting the true nature, origin, or function of data or evidence.

In the social context, deceptive representations include:

- (a) making a false statement to a University official, including Residence Advisors, or
- (b) presenting a false identification.

5. The term “academic misconduct” may be

used as a generic designation for all honor code violations in the academic context.

As a specific charge it includes:

- (a) the violation of University policies by tampering with grades;
 - (b) taking part in obtaining or distributing any part of an unadministered academic exercise;
 - (c) any attempt to gain access or to aid another in gaining access to any computer account other than one’s own without proper authorization; or
 - (d) any attempt to gain access or to aid another in gaining access, without proper authorization, to department offices, faculty offices, laboratories, or any other place where unadministered assignments are kept.
6. The term “contempt” includes:
- (a) instances of perjury (giving false testimony), or
 - (b) acts which otherwise obstruct the conduct process.

Note: Cheating, stealing, making false or deceiving statements, plagiarism, vandalism, and harassment are just as wrong when done in the context of computing as they are in all other aspects of University conduct.

B. Reporting Accusations

1. Violations are reported to the Judicial Liaison representing the Office of the Dean of the College (or to the Conduct Officer for non-academic matters) in writing within ten (10) school days of the date on which a breach of the honor system comes to the attention of the student, faculty member, or University official reporting the incident. All reports must be signed and must answer four questions:

- (a) What is the nature of the alleged violation?
- (b) Who did it?
- (c) When and where did it occur? and

(d) How did it come to the attention of the person reporting it?

2. The accused must be informed in writing of the accusations at least 24 hours before the investigator begins the investigation. The accused may waive this right and allow the investigation to begin immediately.

C. Case Assignment and Investigation

1. The Judicial Liaison will oversee cases in their pre-hearing phase. The Judicial Liaison, on behalf of the Dean of the College, will make any formal charge(s).
2. The normal steps between receipt of a case and a hearing will be as follows:
 - (a) The Judicial Liaison receives a case.
 - (b) The Judicial Liaison does an initial review to determine whether the case is of a nature to be heard by the Honor and Ethics Council and whether the requisite materials are in hand.
 - (c) If it is determined that the case should proceed, the Judicial Liaison informs the accused student that he/she will be the subject of an investigation.
 - (d) The Judicial Liaison contacts the BIA co-chair and arranges for an investigation; a BIA advisor will also be assigned. At least 24 hours must elapse between when the Judicial Liaison informs the accused student of the investigation and the beginning of the investigation (see “Reporting Accusations” above).
 - (e) The BIA investigator conducts the investigation, under the supervision of the BIA co-chair, in a reasonable amount of time, writes a report, and submits the report to the Judicial Liaison.
 - (f) The Judicial Liaison determines whether the matter should proceed to a hearing.
 - (g) If it does, the Judicial Liaison issues formal charges to the accused and makes arrangements for a hearing; this

includes selecting the four members who will serve with the Dean on the panel. No hearing will take place sooner than five school days after the student is formally notified of the charges (see “Rights of the Accused Student” below). The Judicial Liaison will give a copy of the investigator’s report to the accused student. If a matter that is investigated does not proceed to a hearing, the Judicial Liaison will notify the student of this.

- (h) At the hearing, the BIA investigator presents the case to the HEC. The Judicial Liaison does not participate in the hearing.

Note: The results of an investigation may lead to charges being dropped or modified. In order to assure that only those cases which have merit proceed to hearing, the accused should endeavor to cooperate with the investigator in answering all questions pertaining to his/her investigation of the case. In hearing appeals the Judicial Council will consider an accused student’s unwillingness to cooperate with an investigator as representing a lack of good faith in supporting the truth-finding process, and will impose upon him/her the burden of proving to the Judicial Council’s satisfaction that the initial hearing was unfair.

D. Rights of the Accused Student in Honor and Ethics Council Hearings

1. The student has the right to counsel. An advisor will be assigned from the Board of Investigators and Advisors by its co-chair. If the student wishes, he/she may instead choose any one currently enrolled Wake Forest undergraduate student to work as the advisor. A student may always choose to represent himself/herself. The Judicial Council strongly recommends that accused students utilize their assigned advisors, though the decision to do otherwise will not be considered during the deliberative process.

2. The student will not be compelled to testify and the failure to testify will not be held against him/her. The investigator will not comment on the student's failure to testify.
3. When it is determined that a case will be investigated, the student will be informed that he/she will be the subject of an investigation.
4. The student will be informed of the results of an investigation of which he/she is the subject.
5. No hearing will take place sooner than five (5) school days after the student is notified of the charges. The student may waive this right for purposes of expediency. If a student wishes to waive his/her right, he/she must submit a written request to either the investigator or the Judicial Liaison and sign a waiver statement.
6. The student has the right to choose between an open and a closed hearing.

Note: "Open hearing" is defined as a hearing at which the following are present: all necessary parties for a decision, one or two undergraduate student staff members of the Old Gold and Black, the chair of the Student Government Judiciary Committee, any member of the Judicial Council, and up to twelve Wake Forest undergraduate students, six of whom may be designated by the accused and six of whom by the complaining party(ies). The request for an open hearing must be presented in writing to the Judicial Liaison no less than three (3) school days before the scheduled meeting.

7. The student has the right to be present at all times and at all phases of the hearing except deliberation.
8. The student has the right to request that the hearing be reopened upon the written presentation of germane new evidence. The Judicial Council will determine whether the hearing will be reopened.

9. The student has the right to appeal any decision to the Judicial Council.

E. The Hearing

1. The hearing panel for each case consists of five members of the Honor and Ethics Council. Each panel is composed of the Dean of the College (or the Dean's designate), two faculty members, and two students. The faculty and student members are assigned by the Judicial Liaison from pools of members. (Cf. Section III.B.)
2. The Dean of the College presides at the hearing. He/she may also participate freely in the questioning, the deliberations, and the voting. The hearing is held within a reasonable period of time, but not before five days after the notification of charges. If a closed hearing is held, only the members of the Honor and Ethics Council, the investigator, the accused, and his/her advisor may be present. As appropriate, the advisor acts as spokesperson for the accused. A witness may be present only during his/her testimony. In cases where more than one individual is charged with a violation arising out of a single incident, each student may request an individual hearing. The request should be presented to the Judicial Liaison in the form of a written statement at least five days in advance of the hearing date. The Judicial Liaison will decide whether the petition is granted. In cases where there are several charges arising from a single incident and no requests for individual hearings are made, the Judicial Liaison determines whether the individuals are heard together or separately.
3. The Honor and Ethics Council has the power to require the presence of the accused and witnesses and to obtain articles and documents of evidence within the Wake Forest community. If a student who is requested to appear through direct oral or written communication from the Judi-

cial Liaison/ Dean's Office or the investigator does not appear, he/she may be found in contempt of the conduct process.

4. Signed statements may be introduced as evidence, but only if the witness whose statement is submitted is unavailable for the hearing. The Judicial Liaison must approve the absence of a necessary witness in order for a statement from that person to be admissible. The party who intends to offer such a statement must present a copy of the statement to the other party and to the Judicial Liaison at least twenty-four hours before the hearing.

Note: The absence of a witness does not necessarily compromise a fair hearing. Written statements can and should be utilized at hearings where a witness for good cause cannot attend the hearing. Both the accused and the investigator must explain to the Judicial Liaison the need for calling a witness to testify and the expected testimony of each witness. The Judicial Liaison should refuse to compel the attendance of any witness whose presence appears unnecessary, repetitive, or irrelevant to decide the case.

5. Each party may request witnesses to testify during the presentation of evidence in the case. The accused and the investigator should submit a list of witnesses at least five school days before the hearing. During the hearing, witnesses may be questioned by the investigator, the accused, and the members of the Honor and Ethics Council.
6. In an opening and a closing statement, the investigator and the accused are entitled to summarize the facts as viewed from their perspective, to suggest lines of inquiry which should be pursued by the hearing panel, to make observations consistent with the testimony or anticipated testimony of witnesses, and to advance a plausible theory of the case.
7. The chair keeps order during the hearing, rules on the relevancy of evidence, and

asks questions of the witnesses. In his/her rulings, he/she should be guided by principles of reasonableness and fairness, and not by the technical rules of the civil or criminal law.

8. The chair has the authority to declare a recess during the hearing. During a recess, the panel will not comment on or discuss the case.
9. The hearing procedure is as follows: Prior to the hearing, the panel reviews reports and documents concerning the case.
 - (a) The chair begins the hearing by informing the accused of his/her rights in the hearing and asking him/her to acknowledge his/her understanding of the rights. The chair then reads the charge(s) against the accused and asks him/her to enter a plea of responsible or not responsible.
 - (b) If the plea is not responsible, first the investigator and then the accused may each make an opening statement to the panel.
 - (c) After the opening statements, the chair calls witnesses requested by the investigator and the accused.
 - (d) Each witness is sworn in by an affirmative response to the following: "Do you solemnly (swear or affirm) that, to the best of your knowledge, the information you are about to give is the whole truth?"
 - (e) After a witness has been sworn in, under the direction of the chair, the witness may be questioned by the investigator, by the accused, and by members of the panel. The purpose of the questioning is to discover the truth. The chair will encourage questions that tend toward that goal; he/she will disallow questions that are irrelevant, unnecessary, or repetitious.
 - (f) When questioning of a witness is complete, the chair instructs the witness to remain available until the hearing is complete. A witness may be dismissed

if all present agree that the witness will not need to be recalled.

- (g) After all witnesses have been questioned, the chair recalls any witness requested by the panel. The chair also recalls witnesses requested by the investigator or the accused if he/she rules that the questions to be asked are relevant and necessary.
- (h) When all witnesses have been questioned, first the investigator and then the accused may each make a closing statement.
- (i) After the closing statements, the chair reminds the panel of the charges; states that only evidence relevant to the subject of the hearing may be considered in establishing responsibility; and states that in order to reach a finding of responsible, a majority of the panel should have a settled conviction that the charges are true based on reasonable scrutiny of the evidence.
- (j) After the chair has made his/her statement, the panel deliberates in private on its finding. Voting is by secret ballot. The chair continues to preside: he/she insures that the deliberations and voting proceed in an orderly and appropriate manner.
- (k) In cases involving the charge of deception, the hearing panel may rule that the charge is not worthy of an honor offense.
- (l) A majority is required to reach a finding of responsible. After the panel has reached its decision, the chair reconvenes the investigator, the accused and his/her advisor, and the panel and reports the decision to the accused.

10. Sanctioning.

- (a) If the accused has been found or pled responsible, the investigator and the accused, in that order, suggest to the panel a sanction appropriate to the violation

and give reasons for their recommendations. The investigator and the accused may present evidence to support their recommendations. If evidence or testimony is to be presented, the presentation proceeds as outlined above.

- (b) After hearing the evidence, testimony, and final recommendations regarding sanctions, the panel deliberates in private. The panel considers an appropriate sanction and will adhere to any presumptive sanction authorized by University policy unless the panel finds the presence of unusual circumstances that warrant deviation from the presumptive sanction. Panels not imposing presumptive sanctions should be prepared to defend their decision.
- (c) Possible sanctions.
 - i. In all academic cases with a plea or finding of responsible, a grade of F for the course will be assigned. The Honor and Ethics Council advances this as a recommendation to the Committee on Academic Affairs, and the Committee on Academic Affairs, on behalf of the faculty, assigns the grade. The recommendation will normally be for an irreplaceable F (that is, the F remains on the student's record and figures in the GPA even if the course involved is repeated for credit). The Council should consider recommending a replaceable F only when exceptionally mitigating factors are present.
 - ii. Additionally the Honor and Ethics Council may assign penalties ranging from community service hours and disciplinary probation to expulsion, depending on the nature and severity of the offense. A one-semester suspension will be the normal sanction for serious violations of academic integrity, such as knowingly submitting another person's paper or writing as one's own or premeditated cheating. (Summer sessions are excluded.)

iii. Offenses that do not rise to that level may receive a sanction of community service; the expected range is 10 to 50 hours. Normally this sanction will be accompanied by a sanction of Disciplinary Probation. The probationary period will normally last for about one semester. It should begin immediately after the hearing and may be extended by the Honor and Ethics Council into the following semester.

iv. In cases where a student has been sanctioned for an academic honor code offense and then commits another academic honor code offense, expulsion is the normal sanction.

v. Activities Suspension is also available to the Honor and Ethics Council as a penalty.

(d) In all conduct actions where suspension is the penalty, the presumptive semester for the suspension is the one following that in which the decision is rendered (omitting summer sessions): a spring decision expects a fall suspension, a fall decision expects a spring suspension. This policy does not apply to seniors in their final term. For these persons the presumptive semester of suspension is the term in which the decision is rendered.

(e) The panel reaches its decision about sanctioning by a majority vote. When a decision has been reached, the chair reconvenes the investigator, the accused and his/her advisor, and the panel and reports the decision to the accused. The sanction is final unless the student appeals to the Judicial Council.

F. Appeals

1. All appeals are made to the Judicial Council by the accused student or his/her assigned advisor.
2. The accused student must present his/her appeal to the Judicial Council within fourteen calendar days following the deci-

sion of the Honor and Ethics Council. The appeal should be directed to the Secretary of the Judicial Council.

3. Grounds for appeal from a decision of the Honor and Ethics Council are:
 - (1.) Sufficiency of the evidence to support the decision,
 - (2.) The appropriateness of the sanction,
 - (3.) Germane new evidence,
 - (4.) Procedural errors that significantly impact the outcome.
4. When an appeal hearing is held by the Judicial Council, the chair of the Honor and Ethics Council (or his/her designate) will appear at the hearing as spokesperson for the panel.

G. Records and Reporting

1. Recordings and records of academic cases are maintained in the Office of the Dean of the College. Recordings and records of other conduct cases are maintained in the Office of the Dean of Students. Audio recordings will be maintained for the academic year coincident with the incident. Records for qualifying cases will be expunged upon a student's graduation.
2. No member of the Honor and Ethics Council or the Board of Investigators and Advisors may make any statement, public or private, pertaining to a student conduct case.

IX. The Interim Conduct Process

A. Purpose

The interim hearing process provides students with the opportunity to have alleged academic Honor Code violation cases heard when the Honor and Ethics Council is not available, that is, between the end of classes in the spring term and the beginning of classes in the fall. The interim process may be used at other times when the Honor and Ethics Council is not available, at the discretion of the Dean of the College.

B. Procedure

1. Upon request by the student, the interim conduct process will provide a hearing before the Dean of the College or his/her designate, when the availability of a hearing officer can be secured. Specifically, while the request may be made, the availability of a hearing officer will ultimately determine if an interim hearing can be scheduled.
2. An advisory panel may be convened to hear the case with the hearing officer, at his/her discretion. Cases will be investigated by the Conduct Officer or a member of the Board of Investigators and Advisors (BIA).
3. The Office of the Dean of Students will assist the student in obtaining a BIA student advisor when available.
4. The role of the investigator is to describe the charge and present an overview. The student will have the opportunity to respond to the charge. Witnesses may be brought, but written statements are acceptable from witnesses unable to appear at the hearing.
5. In sanctioning, the interim panel should take into consideration the guidelines provided in the sanctioning section of this document. Should a suspension result, the usual semester for suspension will be the one following the interim hearing. Hearings during the summer expect a fall suspension.

C. Rights of the Accused Student in the Interim Conduct Process

1. The student has the right to counsel, as in the normal hearing procedure. The person chosen to act as counsel must be a currently enrolled undergraduate Wake Forest student. A student may always choose to represent himself/herself.
2. The student will not be compelled to testify, and the failure to testify will not be held against him/her.

3. No hearing will take place sooner than five school days after the student is informed of the specific charges. The student may waive this right for purposes of expediency by signing a waiver statement.
4. The student has the right to be present at all times and at all phases of the hearing except deliberation.
5. The student has the right to request that the hearing be reopened upon the written presentation of germane new evidence. The hearing officer in the interim conduct process will determine whether the hearing will be reopened.
6. The student has the right to appeal any decision to the Judicial Council under the normal procedures of that body.

D. Credit

If a student is enrolled in a course(s) while a conduct action is pending, credit for the course(s) may be withheld until the case is resolved.

E. Appeals

Grounds for appeal from a decision of the Honor and Ethics Council are:

1. Sufficiency of the evidence to support the decision,
2. The appropriateness of the sanction,
3. Germane new evidence,
4. Procedural errors that significantly impact the outcome.

Deviation of the interim conduct process from the normal procedures is not grounds for appeal.

F. Records and Reporting

Audio recordings and written outline records of all HEC hearings are made by the HEC hearing officer and maintained by the Office of the Dean of the College.

X. Contempt of the Conduct Process

This regulation applies equally to all persons involved in the proceedings or hearings of the Honor and Ethics Council, the interim conduct process, administrative hearings, and the Judicial Council.

A. Violations

The following constitute acts of contempt of the conduct process:

1. Failure to comply with the instructions or orders of a duly authorized conduct body or agent;
2. Failure to fully perform disciplinary measures imposed;
3. Perjury;
4. Failure to appear before the hearing panel or Hearing Officer;
5. Any act which obstructs or hinders the conduct process. Any conduct body or agent may issue a charge of contempt. Charges of contempt are to be referred to the Hearing Officer or the Judicial Liaison for further action.

B. Appeals

Appeals from cases of contempt are to be heard in the same manner as other appeals.

APPENDIX: The Constitution of the Judicial Council

I. Membership

The voting membership consists of ten persons: six (6) faculty members, two (2) administrators, and two (2) students. The quorum for a hearing is six persons. Each faculty and administrative member of the Council will be appointed by the President of the University upon the recommendation of the Dean of the College. These members will serve for an initial five-year term with the option of reappointment for one (1) additional five-year term. While ten years will be the ordinary limit of service, further terms may be allowed at the discretion of the Dean and

the President. Undergraduate sophomore, junior, and senior students will be eligible for membership on the Council. The terms of service for student members will range, therefore, from a maximum of three (3) years to a minimum of one (1) year in length. These student members will also be appointed by the President upon the recommendation of the Dean of the College. At the end of their terms, faculty members may agree to serve as reserve members. Reserve members may be called on when regular members are unavailable for a hearing; no more than two reserve members should be used for any hearing.

The Council will elect a Chair from among its faculty and administrative members. The term of service for the Chair will be for an initial period of three (3) years with the possibility of reappointment for no longer than two (2) years. When vacancies occur on the Council, the procedures for filling the vacant positions will be the same as those used for regular appointments. The Council may be assisted in its work at its discretion by a non-voting Secretary.

II. Powers

- A. To establish and direct the undergraduate conduct system so as to insure justice and due process to all members of the undergraduate academic community.
- B. To hear appeals on cases involving undergraduate students from the following hearing bodies: the Honor and Ethics Council, interim hearing panels, and administrative hearings.
- C. To organize and present, at the beginning of each academic year, an orientation program for all persons serving in the undergraduate conduct system. This orientation will be concerned with apprising all members of their full responsibilities and obligations as members of an undergraduate conduct body.
- D. The Judicial Council may adopt further procedures consistent with the provisions of this document.

III. Review Procedures

A. **Basis of the Appeal:** An appeal to the Judicial Council of a decision of a hearing body must be based on the sufficiency of the evidence to support the decision of the hearing body, the appropriateness of the sanction, germane new evidence, and/or procedural error that significantly impacts the outcome. The Judicial Council hearing considers the appeal; it does not retry the case. The Council will hear as a matter of course any appeal of a decision of a hearing body involving the sanction of suspension or expulsion. In other cases, the Council will decide by a simple majority vote (there being no fewer than six members present) whether to hear the appeal. In the event that the appeal is declined, the appellant will be notified in writing of the reasons for the Council's decision.

B. **Possible Judicial Council Actions:** The Judicial Council may affirm the original decision both as to the verdict and as to the sanction, may affirm the verdict but reduce the sanction, may reverse the verdict (and thus cancel the sanction), or may send the case back to the hearing body for rehearing on the evidence or for reconsideration of the sanction. In any case in which the verdict is upheld, the sanction is also considered.

In matters of procedure, only error amounting to a substantial injustice is a ground for reversal of the verdict of the hearing body.

C. **Notice of Appeal:** Within fourteen (14) calendar days after the accused is notified of a decision of a hearing body, he/she may file an appeal with the Judicial Council. The appellant in this request for appeal should set forth the reasons why he/she thinks the decision of the hearing body should be reversed or modified.

The request should be submitted to the Judicial Council through its Chair or Secretary. In the case of an Honor and Eth-

ics Council decision, the appellant should send a copy to the original HEC hearing officer.

D. **Procedures Prior to the Hearing:** The Chair of the Judicial Council will set a time for a hearing on the appeal and will notify the appellant, his/her undergraduate advisor, the appropriate hearing body principal or officer, and members of the Judicial Council of the time and place. The appellant will be notified in writing at least seven (7) days before the hearing.

The hearing body principal or officer will make available to the Judicial Council through its Chair or Secretary a copy of the records of the hearing, the written evidence introduced at the hearing, and the recording of the hearing. These materials will be available for review by the members of the Judicial Council and by the appellant and his/her advisor prior to the hearing.

E. **Hearing:**

1. The following persons will be present at the hearing: the appellant; his/her undergraduate advisor; the original hearing body principal or officer, and/or his/her representative.
2. Both the appellant (with his/her advisor) and the representative(s) from the Honor and Ethics Council (or other hearing body) may make statements about the procedures at the original hearing and about the evidence.
3. Members of the Judicial Council may ask questions during the proceedings.
4. An audio recording of the hearing will be made.
5. At the conclusion of the hearing, the Judicial Council will deliberate in private and a decision will be reached by a majority vote of the Council. The appellant will be notified in writing of the results of the hearing.

2. Felonies

Cases concerning charges which may give rise to criminal felony charges in local, state, and federal courts may be referred to the Vice President for Campus Life for determination of appropriate action except for charges that pertain to alleged activities addressed under the sexual misconduct policy. The Vice President may decide to delay action pending the outcome of criminal proceedings; may refer the case to an appropriate hearing officer or body; or may choose to hear the case himself/herself. Cases heard by the Vice President can be appealed to the Judicial Council.

Procedure:

Hearing Practices for Students Before University Officers

I. Jurisdiction

University hearing jurisdiction will be assumed in cases indicating that a student needs direct and immediate intervention by University personnel. The Vice President for Campus Life or his/her designee will have jurisdiction over cases of serious misconduct and alleged felonious conduct. The Dean of Students or his/her designee will have jurisdiction over cases of misconduct accompanied by abuse of alcohol or drugs.

The determination of University hearing jurisdiction is conclusive, unless rendered in an arbitrary manner, and the University officer may refuse jurisdiction of any case. Generally, rights accorded to accused students under the student government constitution will be preserved in the administrative hearing, unless specifically stated otherwise. It is important to note that the administrative hearing, as well as the entire conduct system, is not meant to address grievances between parties who come before it, but only between the accused student and the University.

II. Complaints

A. The Office of the Dean of Students will refer cases that are deemed to fall within the parameters indicated above and outside

its normal adjudication responsibilities to the Vice President for Campus Life. If the Vice President chooses to hear the case, he/she may appoint the Associate Dean for Student Conduct as investigator.

- B. The Associate Dean then investigates the complaint, charges the student, if warranted, and presents the case to the Vice President. An alternative investigator may also be designated at the discretion of the Vice President.
- C. If interim suspension authority is exercised, no person who participated in that process will serve as the hearing officer.

III. Response

The student may respond to the charges by making an admission of charges; a denial of charges; or a request to delay the hearing until external court matters have been resolved. It is also possible for the University officer to delay, without request, the hearing or the further processing of a charge on the same grounds.

IV. Schedule

Requirements regarding time and notice for the Honor and Ethics Council will be followed for the University hearing, but the minimum time before the hearing may be reduced at the discretion of the University officer when fairness is not compromised.

V. Hearing

- A. The hearing will be held privately and confidentially. The University officer may permit non-participants to attend. The hearing will be structured as follows:
 - 1. The investigator and the accused student (an undergraduate student advisor may serve on his/her behalf) have the opportunity to make an initial statement explaining each person's description of the case and suggested lines of inquiry for the hearing. The investigator and the student are not adversaries in the hearing. The role of the investigator is

to present the findings of his/her investigation and to request the presence of necessary witnesses. The student will be best served by an attitude of explanation and willingness to ascertain the truth rather than an aggressive refutation of others' assertions. The University officer has the authority to conduct the hearing in a manner which preserves this spirit of inquiry.

2. The University officer may, at his/her discretion, request up to four students, faculty, and administrators to assist in the hearing of the case. The panel may participate in the hearing as requested by the University officer and, at the conclusion, render a recommendation to the University officer.
 3. After initial statements, the University officer and the panel, if any, may ask questions of each witness. At the conclusion of questioning of each witness by the University officer and panel, the accused will be asked if he/she is satisfied with the questioning, and if not what should be asked. The University officer will, at his/her discretion, pursue those questions. The accused student can submit the names of witnesses whom he/she would like to have called for the hearing and the University officer will determine the relevancy and necessity of each witness. Character witnesses may not be called to testify, but the student may submit no more than two signed letters of character reference.
 4. The accused student may be present during all aspects of the hearing, but the hearing does not necessarily have to be conducted at one session. Rather, it may consist of several individual sessions according to the availability of witnesses and participants.
 5. Signed statements can be used as evidence if the University officer rules that they are reliable. However, the complaining party will testify in person.
 6. In cases of sexual assault, the alleged victim has the option of selecting up to two members of the Wake Forest community to accompany him/her during the hearing process. These individuals may be a BIA member, PREPARE student advocate or facilitator, a counselor, or friend. The support people are to be identified in advance and designated by the Associate Dean.
- B. The University officer must be persuaded that the charges are true in order to find the student to be responsible for the conduct charged.

VI. Decision

- A. The University officer will render a decision after the hearing is concluded and he/she has had adequate opportunity to consult with the panel.
- B. Sanctions based on charges found to be true will be assessed by the University officer. Presumptive sanctions will be consulted in assessing sanctions.

VII. Appeals

Appeals may be made to the Judicial Council within fourteen (14) calendar days of the announced decision and sanction. The Judicial Council will consider appeals on the basis of these University Hearing Practices and its own constitution and policies.

3. Sexual Misconduct

IMPORTANT INFORMATION FOR STUDENTS WHO MAY BE VICTIMS OF SEXUAL MISCONDUCT:

If you or someone you know may have been a victim of sexual assault or any other type of sexual misconduct prohibited under this policy, you are strongly encouraged to seek immediate assistance. Assistance can be obtained 24 hours a day, 7 days a week, from:

The Safe Office 336-758-5285
<http://safe.studentlife.wfu.edu>

I. Introduction

Wake Wake Forest University expects all members of its community to act in respectful and responsible ways towards each other. Wake Forest University is committed to providing programs, activities and an educational environment free from sex discrimination. The Student Sexual Misconduct Policy sets forth resources available to students, describes prohibited conduct, and establishes procedures for responding to reports of sexual misconduct (including sexual assault, sexual harassment, and other unwelcome sexual behavior). A complete copy of the Student Sexual Misconduct Policy can be found on the University's website at keyword "Sexual Misconduct Policy," and hard copies are available at the Office of the Dean of Students.

Briefly, as a recipient of Federal funds, Wake Forest is required to comply with Title IX of the Higher Education Amendments of 1972, 20 U.S. C. § 1681 et seq. ("Title IX"), which prohibits discrimination on the basis of sex in education programs or activities. Sexual misconduct, as defined in the Policy, is a form of sex discrimination prohibited by Title IX. As explained in Section III of the Policy, sexual harassment, sexual assault, sexual intimidation, sexual exploitation, stalking and cyber-stalking, dating vio-

lence, and domestic violence are all forms of misconduct prohibited by the Policy. All such forms of misconduct are referred to generally as "sexual misconduct" throughout the Policy. The policy addresses complaints of sexual misconduct where the accused is a student of Wake Forest University as defined in this policy. Complaints relating to sexual misconduct by a member of the University faculty or staff may be reported to the University's Title IX Coordinator. Details regarding Wake Forest's policy directed at sexual misconduct by employees may be found at <http://hr.wfu.edu/files/2011/10/WFU-Section-I-3-Sexual-and-Workplace-Harassment-Prevention.pdf>.

Individuals will not be discouraged by any employee of Wake Forest University from reporting alleged incidents of sexual misconduct. All reports of alleged violations of this policy must be made based upon a good faith belief that a violation has occurred. It is a violation of University policy to retaliate against any person making a complaint of sexual misconduct or against any person cooperating in the investigation of (including testifying as a witness to) any allegation of sexual misconduct. For these purposes, "retaliation" includes intimidation, threats, harassment and other adverse action against any such complainant or third party. Retaliation should be reported promptly to the Title IX Coordinator and/or Office of the Dean of Students and may result in disciplinary action independent of the sanction or interim measures imposed in response to the underlying allegations of sexual misconduct.

Any act of sexual misconduct as defined under this Policy constitutes a violation of University policy. Sexual misconduct can be committed by men or women, and it can occur between people of the same or different sex. The University is committed to fostering a campus environment that both promotes and expedites prompt reporting of sexual misconduct and timely and fair adjudication of sexual misconduct cases. Creating a respectful, safe, and non-threatening environment is the responsibility of all members of

the University community. The University's procedures are designed to protect the rights, needs, and privacy of the person making a complaint to the University, as well as the rights of students accused of sexual misconduct. Detailed information regarding confidentiality, the University's adjudication process, and possible interim actions can be found in the complete policy.

Anyone wishing to make a complaint alleging sexual misconduct by a University student should contact the University's Title IX Coordinator or a Deputy Coordinator, the University Police, and/or the Office of the Dean of Student Services. A list of campus and community resources and the relevant contact information is included below and on the last two pages of the complete policy.

Reports may also be made online by going to the Title IX Sexual Misconduct Reporting Form located at: https://publicdocs.maxient.com/reportingform.php?WakeForestUniv&layout_id=3.

A faculty or staff member with knowledge about a known or suspected incident of sexual misconduct must report the incident to the University's Title IX Coordinator, the Office of the Dean of Students, or University Police. No employee is authorized to investigate or resolve student complaints without the involvement of the University's Title IX Coordinator.

In addition to violating University policy, sexual misconduct might also constitute criminal activity. Students are strongly encouraged to inform law enforcement authorities about instances of sexual misconduct. The chances of a successful criminal investigation are greatly enhanced if evidence is collected and maintained immediately by law enforcement officers. Students may inform law enforcement authorities about sexual misconduct and discuss the matter with a law enforcement officer without making a formal criminal complaint or a formal University complaint. Students who make a formal criminal complaint may simultaneously pursue a formal University complaint.

Assistance in reporting any form of sexual misconduct to the proper law enforcement authorities is available to any student upon request from the Safe Office, the University Police, the University's Title IX Coordinator or a Deputy Coordinator, and/or the Office of the Dean of Students.

Sanctions for a finding of responsibility under the Student Sexual Misconduct Policy depend on the nature and the gravity of the misconduct. They may include, but are not limited to: disciplinary probation, suspension, expulsion, specialized treatment off-campus, and/or other educational sanctions deemed appropriate. For additional information regarding sanctions, please see the complete policy.

Resources available to all Wake Forest students include the following: Safe Office at <http://safe.studentlife.wfu.edu/get-resources/>

4. Organizational Misconduct

Group Administrative Hearings. Groups under review will participate in an administrative group hearing. The hearing officer will be the Dean of Students or the Associate Dean. Cases can be heard by the hearing officer alone or in conjunction with an advisory panel. Appeals are received and reviewed by the Student Life Committee.

Appeals

Groups may request an appeal to the Student Life Committee within 10 calendar days from the date of the notification of the decision. Appeals are directed to the chair of the Student Life Committee.

A. General Principles of Group Responsibilities

Although not all acts of individual group members can or should be attributable to the group, any group or collection of its members acting in concert should be held responsible for its actions. Occasional lapses of individual

members or isolated individual failures in restraint should not be chargeable to the group. Evidence of group conduct exists where:

1. Members of the group act in concert to violate University standards of conduct.
2. A violation arises out of a group-sponsored, financed, or endorsed event.
3. Planning and preparation for the event by members of the group can be documented.
4. Members of the group provide formal or informal communication to others regarding the event.
5. The incident occurs on the premises owned or operated by the group.
6. More than 25% of the active membership of the group is present at the event.
7. Executive leaders are present at the event or a group leader(s) has knowledge of the event before it occurs and fails to take corrective action when indicated.
8. A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.
9. Members of a group act in concert, or the organization provides the impetus (probable cause) for violation of University rules and regulations.

In determining whether a group may be held collectively responsible for the individual actions of its members, all the factors and circumstances surrounding the specific incident will be reviewed and evaluated. As a guiding principle, groups will be held responsible for the acts of their members when those acts grow out of, or are in any way related to, group life.

Every organization has the duty to take all reasonable steps to prevent any infraction of University rules and state laws growing out of or related to the activities of the organization. To this end, each organization is expected to educate its members regarding their risk management policy and all applicable University policies and state laws.

B. Residential Group Responsibility—Additional Principles

Residential groups will be held responsible as a body for failure to meet obligations; they cannot, on the one hand, be extended autonomy and be supported by the University and, on the other hand, fail to take responsibility for actions resulting from that freedom.

1. The University allows residential and student groups the opportunity for a great deal of freedom in the organization of their social lives, and in return assumes that these bodies will promote and practice high standards of responsible behavior. It is the responsibility of the officers, or governing bodies, to establish a social environment which will encourage serious study and respect for the privacy of each member, provide social functions consistent with good taste, and administer appropriate and immediate control over those students who do not adhere to these standards.
2. Residential groups are not held responsible for the occasional lapses of individual members, but any group which fails to maintain social decorum, incurs damages to property, allows wanton or obscene conduct to go unchecked, gives encouragement or shows indifference to or disregard of University regulations, or consistently indulges in irresponsible or disorderly activity, is open to warning, fine, probation, suspension or expulsion.
3. Included among the responsibilities that residential groups must accept are the enforcement of all fire laws, rules, and specifications; the proper use of fire-fighting and prevention equipment; prevention of, damage to, or destruction of property and maintaining the residential buildings to provide at all times a sanitary, clean and safe environment. It is expected that group self-enforcement will be sustained by persuasion and censure, suspension, fine, and expulsion, when necessary.

4. The specific fulfillment of corporate social responsibilities in compliance with University rules includes:

a. Social Decorum. At all social functions, whether involving alcoholic or non-alcoholic beverages, appropriate social decorum must be maintained by the corporate influence of the residential group and its officers.

b. Moral Decorum. Immoral or obscene behavior is unacceptable to the University.

c. Sexual Harassment. All student organizations are responsible for promoting an environment free from sexual harassment both within their organizations and on campus through policies and practices which affirm the dignity of each student.

d. Privacy. Each residential group is responsible for the maintenance of an atmosphere suitable for study, privacy, and rest, according to the rules of the residential buildings.

e. Alcoholic Beverages. A residential group is held responsible for any corporate activity which encourages its members or guests to drink alcohol immoderately, which results in any injury to persons or damage to property, or violates University rules and regulations, or is in violation of the law. Isolated individual failures in restraint are not chargeable to the group. However, any residential group is liable to disciplinary measures if it fails to show active concern for those who are unable to drink without injury to themselves or others, or offense to society.

f. Group Housing. The University's Statement of Mission and Purpose defines Wake Forest as a residential campus with a distinctive nature which is conducive to learning and interaction. Because the University has an obligation to preserve its distinctive residential character while assuring the general safety and well-being

of student residential groups, all residential organizations will reside in University or University-approved student housing and will be subject to all rules and regulations governing residential life and housing. Residential organizations will be defined as a set of students who reside together and are members of a group (recognized or not) which has some organized structure, ongoing existence and central purpose.

g. Lounge Space. The University provides lounge space for use by recognized groups on a short-term or long-term basis according to policies established by the Student Life Committee. Lounge space and block housing allocations for student groups are subject to periodic review by the Student Life Committee. Such reviews are based on an assessment of the organization's past and potential contributions to the intellectual, cultural, and social purposes of the University community. A complete description of the leased lounge and block housing review process is available in the Office of Residence Life and Housing. The use of off-campus facilities for social purposes on an ongoing basis will be subject to approval by the University and in conformity with University rules for such kind of activities.

h. Reporting. It is corporate responsibility to promptly report to the appropriate University authority any serious illness or injury, whatever the cause, which may affect the health, safety, and welfare of the residents.

C. Group Disciplinary Procedures

The Dean of Students has the responsibility of hearing all charges involving group violations. The designed hearing officer has the prerogative to utilize an investigator in reviewing and acting upon cases involving organizational conduct. Before a hearing, the dean or his/her designee will notify the chair of the Student Life Committee of any charges which will be addressed against a group.

Upon petition of appeal by the group within ten days after the decision, the Committee may review the dean's decision if error is reasonably asserted by the group. Determination of such error is based on the fairness of the hearing, or the sufficiency of evidence to support judgment, and on the appropriateness of sanction.

5. Other Non-Academic Misconduct Including Alcohol Offenses

Administrative Hearings: Cases involving social honor code violations and all other cases of a non-academic nature (except felonies and sexual misconduct) are under the jurisdiction of the Dean of Students. Such cases will be heard by the Dean of Students, or his/her designee, typically the Associate Dean for Student Conduct. Witnesses may be called, and the student will have the opportunity to have a student advisor present. Administrative hearings can be heard by a hearing officer alone, or a hearing officer with an advisory panel.

Other Case-Resolution Paths

1. Warnings: Students have the opportunity to incur one warning during their enrollment at the University. Warnings are issued in the case of non-aggravated underage alcohol violations that occur on or off campus. Warnings are considered on a case-by-case basis and are issued at the discretion of the Office of the Dean of Students or the Office of Residence Life and Housing when the violation occurs in the residence halls.

2. Summary Action Meetings: Conduct violations in cases where students accept responsibility for the violation and the sanction outcome can be addressed through the summary action process. Students attend a meeting with the Dean or Associate Dean or his/her designee, to discuss and address the

case. Witnesses are not called. Students may have a student advisor present.

Appeal Timelines

Appeal timelines to the Judicial Council for all types of conduct proceedings are as follows:

Administrative Hearings (all types):

14 calendar days from date of notification of the decision.

Honor and Ethics Council Hearings:

14 calendar days from date of notification of the decision.

The Associate Dean for Student Conduct

The Associate Dean provides administrative oversight and day-to-day management of the non-academic undergraduate conduct process, under the direction of the Dean of Students. The Associate Dean is the advisor to the Board of Investigators and Advisors. The Associate Dean works with the Board of Investigators and Advisors, the deans, the Judicial Liaison, and the Judicial Council to assure efficient and just operation of the conduct process. The duties of the Associate Dean include:

1. receiving reports from the Dean of Students regarding student community responsibility violations;
2. convening, hearing, and setting sanctions in all cases directed to receive an administrative hearing;
3. with the assistance of the Student Conduct Administrator, assisting student investigators in their investigation of cases, which may include securing statements, documents, or reports; assuring that student advisors and the accused are provided with the same information;
4. with the assistance of the Student Conduct Administrator, maintaining all conduct records and case files;

5. with the assistance of the Student Conduct Administrator, assuring the satisfactory completion of sanctions;
6. assisting in the design and implementation of orientation and education programs for individuals who are members in the conduct system;
7. preparing reports to all relevant bodies/ individuals which summarize conduct action;
8. serving as a resource to educate the community about academic integrity and civic responsibility;
9. mediating disputes between parties when the matter is judged not to warrant a formal investigation.

Wake Forest University Alcohol Position Statement

Central to its mission, the University believes in the development of the whole person—intellectual, moral, spiritual and physical. Alcohol misuse inhibits students' development and is negatively correlated with academic success and personal safety. The health and well-being of the campus community relies on individuals and groups taking responsibility for choices related to alcohol use.

- The University supports the decision of students not to use alcohol.
- The University emphasizes prevention education about the misuse of alcohol and the community's expectations (policy) concerning the use of alcohol.
- Students whose drinking creates risks to the health and safety of themselves or others are subject to conduct review and action.
- The University observes all applicable state and federal laws regarding alcohol use and holds students accountable for their choices.

- The University provides medical and therapeutic responses for individuals with alcohol related concerns.

The University's Position Statement on Alcohol serves as a guide for programs and policies regarding alcohol. One set of programs are those that educate students about specific behaviors that promote their academic success and personal development, and safeguard the well-being of the community. Practicing the following behaviors will reduce students' risks (academic, social, physical, legal, personal) related to alcohol use.

Good practices include:

- Choosing not to use alcohol.
- Drinking alcohol only when you are of legal age.
- Deciding before you go out whether you will drink and, if you decide to drink, choosing not to exceed the amount of alcohol that is low-risk for you.
- Always knowing what you are drinking.
- Eating a full meal before drinking, not just salty food such as pretzels or chips.
- Never drinking alcohol to get a head start before attending an event.
- Having a plan of how you will get home safely.

Alcohol Policy

The goal of this policy is to encourage students to make low-risk choices regarding their use of alcohol. As educators, we recognize that a certain tension exists between the legal and sub-cultural realities related to drinking behaviors; our aim is to help students make informed decisions, so that they can achieve their fullest potential. By abiding by this policy, students should be able to make responsible decisions regarding alcohol use.

Decisions about the use of alcohol are the responsibility of the individual within the

constraints of the law. Those of legal age who choose to consume alcohol are expected to do so in a low risk manner. We also believe the University should educate all its members about the proper use and dangers of alcoholic beverages and encourage constructive change when abuses occur.

The regulations and practices governing the use of alcoholic beverages apply to all Wake Forest undergraduate students, as well as their guests and visitors. Responsibility for knowing and abiding by the Wake Forest University Alcohol Policy for Undergraduate Students rests with each individual.

Effective September 1, 1986, the minimum age for the legal purchase and possession of alcoholic beverages in North Carolina was changed to 21. Wake Forest University recognizes the responsibility of the state and federal governments with regard to the welfare of their citizens and, accordingly, supports this law in University social regulations. Generally, the law provides that 1) a person must be at least 21 to attempt to purchase, purchase, or possess any alcoholic beverage; 2) it is unlawful for a person to sell or give alcoholic beverages to an underage person; and 3) it is illegal to use fraudulent identification or to allow another person to use one's own identification to obtain alcoholic beverages illegally. The state Supreme Court has upheld the principle of social host liability. The principle of social host liability holds a server of alcohol responsible for serving a person who the server knows or should have known was intoxicated if the intoxicated person injures a third party.

General Regulations

Possession or consumption of alcoholic beverages is permitted only in accordance with this policy. Failure to comply with this policy and applicable laws, including disruptive behavior resulting from excessive and/or harmful use of alcohol (e.g. disruptive acts, public intoxication, damage to public or private property, and driving under the influence

of alcohol), subjects the individual to action within the University and/or in a court of law.

1. All Wake Forest University undergraduates and their guests are subject to University regulations and policies concerning the use of alcoholic beverages as well as all federal, state, and local laws. Wake Forest University students are responsible for the behavior of their guests.
2. The sale of alcoholic beverages on campus is prohibited except for sales by the designated University Food Service or at specially permitted events. Each event in this category requires a separate, one-time special permit, which may be obtained through ARAMARK, Wake Forest's Dining Services operator.
3. Alcoholic beverages for social functions sponsored by undergraduates and undergraduate student organizations may not be purchased with University funds.
4. This policy outlines responsible behavior for individual undergraduate students and student organizations, both on and off campus. This includes students participating in Wake Forest sponsored or sanctioned activities and student organization social events. When students study abroad, they are expected to abide by the legal drinking age in the country(ies) where they study/travel. In the case of such violations, the Wake Forest conduct process is triggered by reports from authorized officials.

Individual Regulations

1. Students and their guests of legal age may consume alcoholic beverages in the following locations on the Reynolda campus: residence hall rooms (except in substance-free areas), University apartments, leased lounges (members and guests only), suite lounges in Martin Hall, North Area University houses, and Shorty's.
2. Students and their guests of legal age may consume alcohol on leased patio areas

after 5 p.m. on weekdays and after noon on Saturday and Sunday.

3. Possession of alcoholic beverages in open primary or secondary containers outside designated areas is prohibited and constitutes public display. A primary container is the original package (can, bottle, etc.) in which an alcoholic beverage is purchased or otherwise obtained. A secondary container is a device into which an alcoholic beverage has been transferred from its primary container or a device used for concealment, such as a Koozie.
4. Alcoholic beverages may not be consumed in common lounges of residential facilities except during a registered function.
5. Residents and their guests are not allowed to carry primary or secondary open containers of alcohol to or from suite/ floor lounges at any time. The transportation of open containers of alcohol to and from lounges constitutes “public display.” A legal age student who transports alcohol anywhere outside of an area within which consumption has been approved (i.e., residence room, suite/hall lounge, registered area) must ensure that the alcohol is in its original unopened primary container.

Organizational Regulations

Student organizations hosting social functions where alcohol is served must abide by all University regulations and applicable laws. Such groups are responsible for managing their social functions in a manner consistent with the Party Management System’s policies and procedures.

1. Persons of legal age may consume beer and unfortified wine at social functions registered in accordance with this policy. Attendance at all such functions is limited to Wake Forest students and their invited guests.
2. Host organizations must ascertain that individuals who consume alcoholic

beverages at a social function are at least 21 years of age.

3. Host organizations must prominently display information regarding North Carolina state law.
4. All formal recruitment functions for social organizations are dry; that is, no alcohol is permitted.
5. Organizations holding social functions at any off-campus location at which alcohol is available must abide by all laws and be aware that their organization represents Wake Forest University. The organization may be held accountable for its actions through the University conduct process.
6. Alcoholic beverages may not be stored / held in organizational lounges at any time other than during an officially registered social function.
7. Wake Forest University requires that all Greek organizations understand and comply with their national policies and guidelines related to the purchase, distribution and consumption of alcoholic beverages.
8. In the event of differences between Wake Forest University and national organization policies, Wake Forest policies shall supercede those national policies; that is, students are expected to follow Wake Forest policies first.

Administration of the Alcohol Policy

1. The Alcohol Coalition reviews the University Alcohol Policy and alcohol rules and regulations on a regular basis. The Coalition reports its findings to the Vice President for Campus Life and the Student Life Committee.
2. The Wake Forest University Alcohol Policy for Undergraduate Students rests within the purview of the Vice President for Campus Life.
3. Individuals found in violation of University regulations are subject to conduct action as specified in this handbook.

4. Organizations found in violation of this policy will be subject to established sanctions as determined by the Office of the Associate Vice President /Dean of Students and/or the Office of Residence Life and Housing.

Alcohol and Drug Case Jurisdiction

1. By resolution of the University Board of Trustees, the Dean of Students is authorized to hear and determine all cases involving student social conduct offenses which the dean has reason to believe were committed by a student who was under the influence of alcohol or drugs. If upon investigation, the Dean of Students determines that the offense was not committed by an offender under the influence of alcohol or drugs, the dean will refer the offense for other appropriate procedures within the undergraduate conduct system. The dean or the dean's designee may invoke all necessary and appropriate sanctions. Suspension and expulsion actions may be reviewed and endorsed by the vice-president for student life. Appeals from the determination of the dean are to the Judicial Council.
2. The Dean of Students or his/her designee is authorized to hear cases of "illegal manufacture, sale, or delivery/ possession with intent to manufacture, sell, or deliver any controlled substance" and cases of "illegal use or possession of controlled substances."

Alcohol Misuse

Substance abuse, especially alcohol misuse, is a significant problem on university campuses nationwide. Wake Forest University is no exception. The University has established a community standard that alcohol misuse will not be tolerated here.

Alcohol misuse at Wake Forest is defined as:

1. Use of alcohol that results in behaviors, physical signs, and medical consequences,

including but not limited to: staggering, difficulty standing or walking, slurred speech, passing out, blackouts (loss of memory), vomiting, retching, bloodshot and/or glassy eyes, strong odor of alcohol, physical injuries, or other medical problems.

2. Use of alcohol in association with inappropriate behavior such as:
 - Verbal abuse
 - Physical abuse
 - Failure to comply with a University or other law enforcement official
 - Property damage
 - Any other behavior that violates the Student Code of Conduct of the University
3. A pattern of recurring episodes of alcohol-related violations of the Student Code of Conduct.
4. A single episode of intoxication in which the associate vice president/Dean of Students or his/her designee believes that the level of alcohol consumption posed a risk to the student's health or well being.

Medical Amnesty

Wake Forest is committed to the safety and welfare of our students. Wake Forest wants to facilitate access and remove barriers to students seeking medical assistance for alcohol and/or drug related emergencies. Wake Forest expects students to seek immediate medical assistance (e.g. call Student EMTs 336.758.5911, call the police 911, get their Residential Adviser) when they are concerned about their own health or that of another student. The Medical Amnesty Policy tries to ensure that intoxicated students receive 1) immediate medical assistance and 2) follow-up interventions to reduce the likelihood of future occurrences.

Wake Forest's policy is applicable to the...

1. student in need of medical attention, and

2. student/students seeking medical attention on behalf of another person.

Students receive Medical Amnesty when it is determined that they sought emergency medical attention for themselves or medical assistance was sought for them related to the consumption of alcohol. If Medical Amnesty applies, the student will not be charged with alcohol violations by the Dean of Students or his/her designee, provided that they comply with the following conditions:

1. The student completes an assessment by the Substance Abuse Prevention Coordinator.
2. The student complies with all recommendations for further assessment and treatment by an established deadline. For most first-time incidents, a BASICS type program (Brief Alcohol Screening and Intervention for College Students) will be used.

The student seeking medical attention on behalf of another person will not receive disciplinary actions for seeking help. However, depending on their involvement, they may be required to meet with the substance abuse prevention coordinator and follow through with recommendations.

Failure to comply with either emergency medical treatment (including refusal to follow the recommendations of campus EMT personnel, Student Health Service personnel, University Policy, and/or Forsyth County EMS personnel concerning transportation to the Student Health Service or one of the local emergency rooms) or follow-up interventions disqualifies a person from the Medical Amnesty Policy and the student will be referred back to the Dean of Students (refer to Alcohol Violations).

Please note that this policy does not protect those students who repeatedly or flagrantly violate the Student Code of Conduct. If a student received Medical Amnesty for a prior incident or has prior alcohol misuse sanctions,

the availability of amnesty is at the discretion of the Office of the Dean of Students.

If other infractions are concurrent to the incident including, but not limited to, destruction of property, possession/distribution of illicit substances, or physical or sexual assault, the accused student may be subject to University action.

Signs of Alcohol Poisoning or Overdose

Recognizing the signs of alcohol poisoning or drug overdose is extremely important. It is not necessary that all symptoms are present before you seek help. If you are unsure, it is imperative that you err on the side of caution and get immediate help. Signs of alcohol poisoning or overdose include, but are not limited to:

- vomiting
- confusion, stupor
- seizures
- slow breathing (less than eight breaths a minute)
- irregular breathing
- blue-tinged skin or pale skin
- low body temperature (feels cold or clammy)
- unconscious and unresponsive

Amphetamine overdose may include: rapid heartbeat, increased body temperature, and behavior changes

Never leave an unconscious person alone or assume they will sleep it off! While waiting for help, turn the intoxicated person on his or her side. Do not try to make them vomit. Persons with alcohol poisoning have an impaired gag reflex and may choke on their vomit or accidentally inhale vomit into their lungs.

If you have any questions about the Medical Amnesty Policy, please contact the Dean of Students at 336.758.5226.

If you would like information about signs and symptoms of alcohol poisoning or drug overdose, please contact the Student Health Service at 336.758.5218

Alternative Conduct Process for Medical Situations

In order to ensure that student safety is paramount, the following alternative process for medical situations will be used.

1. Student Health Service and the Student Emergency Response Team will not report an alcohol misuse incident to Office of the Dean of Students.
2. If the police, residence life and housing, another administrative office, or University personnel are involved, a report will be filed with student conduct.
3. If no other offense has occurred in conjunction with the current incident, and this is the student's first alcohol misuse violation, at the hearing officer's discretion, the student is eligible for the following process:
 - The student will be called to meet with a University conduct officer to discuss the incident.
 - The student may request a formal conduct hearing if he/she disputes the charge(s), or wishes to call witnesses to testify on his/her behalf.
 - The sanction for a first time alcohol misuse violation is: \$125 fine, 20 hours community service, an alcohol evaluation and completion of any recommended education or treatment, at the student's expense, and a notice to parents. If the student is not 21 years of age, the charge of underage possession will also be levied with an additional fine of \$100.
 - There will be no campus conduct record for review by external agencies unless the student fails to complete the above articulated sanctions, transfers, or a second alcohol-related incident occurs. In this case, both violations become a part of the student's record. A University suspension will be

considered in situations where two (2) cases of alcohol misuse have occurred.

This process was developed to emphasize that Wake Forest University supports students who make the decision to seek assistance from a medical professional for themselves or a friend. The Honor Code reflects the importance of respecting and caring for oneself and others. In this spirit, the community at Wake Forest University never wants to be witness to a tragedy that could have been prevented simply because a person feared coming forward to seek help.

Medical Situations Helpful Campus Resources

Student Health Service

Gym / 336.758.5218

The staff provides confidential care for alcohol-related emergencies 24 hours a day during the academic semester. Students can bring a friend who has had too much to drink to Student Health Service. If a student needs medical attention and cannot get to the Health Service, call 911 to dispatch WFERT and University Police for immediate medical care and transportation assistance. Other services include urgent care, illness care, physical examinations, medications, laboratory tests, psychiatric care, allergy injections, routine immunizations, and routine gynecological services. Referrals to community specialists are made when necessary.

Health Educator

207C Reynolds Gym / 336.758.5937

The Health Educator is available as a confidential resource for questions or concerns on a variety of health topics including alcohol and other drugs. He or she is a resource for seminars and individual consultations on health issues such as nutrition, eating disorders, substance abuse, contraception, and sexually transmitted diseases.

University Counseling Center

118 Reynolda Hall / 336.758.5273

The University Counseling Center assists students to deal effectively with personal, interpersonal, vocational and academic issues. The Center offers a wide range of services including individual and group counseling, testing, seminars and workshops, consultation, self-help resources, and referral assistance. For urgent situations after hours (excluding holidays and summer), Counseling Center staff can be reached by calling the Student Health Service (5218). For problems related to substance abuse, the Center offers initial consultation and referral for evaluation and treatment; counseling groups for students with family alcoholism or other substance abuse histories; and consultation for those interested in approaching a friend with a substance abuse problem. All services are confidential.

Campus Ministry

Kitchin Residence Hall / 336.758.5248

The University chaplains and campus ministers are available for pastoral counseling on a variety of issues (e.g., relationships, stress management, vocational discernment, spiritual formation). If ongoing counseling is deemed appropriate, referrals to clinically trained therapists in the Counseling Center may be made. Chaplains and campus ministers also offer spiritual direction or guidance to students seeking to discern God's call in the midst of everyday life and assistance to persons wishing to grow closer to God through disciplines such as prayer, spiritual reading and meditation. The Office has information about religious organizations on campus students might be interested in joining, and campus ministers and religious advisors to contact.

Residence Life and Housing

101 Benson Center / 336.758.5185

The residence life and housing office can provide assistance with any housing, dining, or Greek-life issues.

University Police336.758.5591 (Non-Emergency)
911 (Emergency)

University police have several resources for students with concerns regarding alcohol, other drugs, and crimes on campus. Silent Witness, Crimestoppers, and Victims Advocate are available to help students.

Substance Abuse Policy and Program

The University recognizes the potential harmful effect that substance abuse can have on the lives of individual members within the Wake Forest community. To that end, the University has adopted a Substance Abuse Policy and Program which addresses the issues of identification, confidentiality, education, treatment, and penalties for violation of the policy. The status of any student will not be jeopardized for conscientiously seeking early assistance in the recovery from substance abuse impairment. Students who are identified as possibly having a problem and who are referred to the Substance Abuse Prevention Coordinator may be required to participate in educational programming concerning substance abuse or may be required to seek further assessment and treatment for substance abuse issues. To the extent possible, complete confidentiality will be maintained with students seeking assistance and treatment.

A. Standards of Conduct

Wake Forest University is unequivocally opposed to excessive and/or harmful use of alcohol, substance abuse, and the unlawful possession, use, or distribution of drugs by students on the University's property or as any part of the University's activities. Any illegal possession, distribution, and use of alcohol and/or controlled substances are prohibited by the University.

B. State and Federal Sanctions

The local, state, and federal laws provide specific penalties for drug and narcotics offenses. Article 5 of Chapter 90 of the North

Carolina General Statutes makes it unlawful for any person to manufacture, sell or deliver, or possess with intent to manufacture, sell or deliver those drugs designated collectively as “controlled substances.” The punishment includes a term of imprisonment as well as a substantial fine.

The federal law makes it unlawful for any person to manufacture, distribute, create, dispense or to possess with the intent to manufacture, distribute, or dispense controlled substances. Title 21 of the United States Code provides terms of imprisonment and fines for violations of this act. The nature of the offense and whether the person has committed any previous unlawful acts under this statute will determine the term of imprisonment as well as the amount of the fine.

The penalties for violations of alcoholic beverage regulations are found in Chapter 188 of the North Carolina General Statutes. Such penalties include terms of imprisonment and heavy fines.

C. Health Risks

Wake Forest University recognizes that the state of an individual’s overall health affects academic performance, job performance, and all facets of a student’s life. Excessive and/or harmful use of alcohol and substance abuse rank as one of the major health and economic problems in this society. The use of the stimulants—cocaine, crack and ice—includes such health risks as central nervous system dysfunctions, convulsions, hypertension, heart irregularities, nasal destruction, and a potential for sudden death. A longer-lasting paranoia and unpredictable violent behavior have been associated with the use of ice. Apathy, decreased visual perception, impaired psychomotor skills, and memory loss may be associated with the use of marijuana.

Alcohol is a sedative affecting the central nervous system. In addition to intestinal disorders and liver disease, the abuse of alcohol may lead to unpredictable behavior, the impairment of judgment, dangerous mob activities such as drinking games, and unwanted

sexual behavior (acquaintance rape). The misuse of alcohol has given rise to unwanted pregnancies and a greatly increased number of sexually-transmitted diseases.

D. Treatment and Rehabilitation Programs

The Substance Abuse Program, revised in March 1989 and April 1994, provides a protocol for counseling and treatment of a student identified as having a substance abuse problem. Consultation and assessment with a substance abuse counselor may be required following the report of an incident or the awareness of a problem involving drugs or alcohol misuse. The program sets forth the consequences of violating the treatment and rehabilitation plan. The continued or repeated abuse of substances following initiation into this program will constitute grounds for further disciplinary action by the University.

E. University Sanctions

Disciplinary proceedings against a student will be initiated in accordance with the conduct procedures of the appropriate undergraduate or graduate school. When there is a reasonable basis for believing that the person has violated this policy or North Carolina law pertaining to controlled substances and the alleged conduct is deemed to harm the interests of the University, disciplinary action will be instituted. It should be noted that though an offense may be the subject of legal action by the civil authorities, University officials are free to initiate disciplinary actions that may result in additional penalties.

Penalties

Penalties may range from written warnings with probationary status to expulsions from enrollment. A student convicted in criminal court of a drug violation will lose his/her eligibility for Federal student aid. The range of penalties is available through the Office of Financial Aid. The following minimum penalties will be imposed for the particular offenses described:

- **Trafficking in Illegal Drugs.** The term “trafficking” is used in its generic sense, not in its specific application to selling, manufacturing, delivering, transporting, or possessing controlled substances in specified amounts as referenced in Article 5, North Carolina Controlled Substances Act.

For the illegal manufacture, sale or delivery, or possession with intent to manufacture, sell or deliver, of any controlled substance identified in Article 5, North Carolina Controlled Substances Act, a student may be expelled.

As such, at Wake Forest University, all trafficking activities of any controlled substances have been determined to have a presumptive sanction of expulsion.

- **Illegal Possession of Drugs.** For a first offense involving the illegal possession of any controlled substance identified in Schedules I - V, Article 5, North Carolina Controlled Substances Act, the minimum penalty is suspension.

For a first offense involving the illegal possession of any controlled substance identified in Schedule VI, Article 5, North Carolina Controlled Substances Act, the minimum penalty is a combination of educational, therapeutic, and punitive sanctions.

For second or other subsequent offenses involving the illegal possession of controlled substances, progressively more severe penalties will be imposed, up to and including expulsion.

When a student has been charged by the University with a violation of policies concerning illegal drugs, he or she may be suspended from enrollment before initiation or completion of regular disciplinary proceedings, where the student's continued presence within the University community would constitute a clear and immediate danger to the health or welfare of other members of the University community. If such a suspension is imposed,

an appropriate hearing of the charges against the suspended person will be held as promptly as possible.

The Vice President for Campus Life will submit to the president of the University a report on campus activities related to illegal drugs for the preceding year. The president will forward this report to the Board of Trustees. The reports will include, as a minimum, the following: (1) a listing of the major education activities conducted during the year; (2) a report on any illegal drug-related incidents, including any sanctions imposed; (3) an assessment by the president of the effectiveness of the campus program and sanctions and; (4) any proposed changes in the policy on illegal drugs.

Use of Narcotic Detector Dogs

The University is committed to the health and safety of the University's students, faculty, staff and visitors. To this end, the University strives to take a proactive stance in minimizing the possession, use, sale or delivery of controlled or illegal substances on University property. To ensure a safe and secure environment the University will, on occasion, deploy a properly trained narcotic detector dog to locate controlled or illegal substances. The deployment of the narcotic detector dog will be at randomly chosen times and places as determined by the University Police Department. The narcotic detector dog will be used in compliance with local, state and federal laws. Examples of areas where the narcotic detector dog may be used, include, but are not limited to, any common area, locker rooms, athletic facilities, classrooms or parking lots. The narcotic detector dog may be deployed in privately occupied property such as rooms in residence halls or offices in academic or administrative buildings upon service of a legally obtained search warrant or with the consent of the occupant.

OTHER POLICIES

Greek Life Principles and Policies

National social Greek-letter sororities and fraternities comprise an integral part of the undergraduate campus community. Recognizing that membership in a sorority or fraternity can be of significant educational value, the University supports the concept that such membership offers a distinctive developmental option for students. The sororities and fraternities share responsibility with the University for facilitating the learning process for all students and for cultivating an environment that enriches their educational experiences.

To help guide and support the Greek-letter organizations in the pursuit of their ideals and the educational mission of the University, the Student Life Committee has established a series of Principles and Policies Governing Greek Life. Included in these principles and policies are statements regarding recruitment, new member education, group housing, race and sexual harassment issues. Copies of these principles and policies are available through the Office of the Dean of Students.

Hazing

Hazing Hotline 336.758.HAZE (4293)

A phone mailbox is available to members of the Wake Forest community who wish to report anonymously any student behavior which may be of a hazing nature. Such reports will be followed up by the Office of the Dean of Students and appropriate action taken.

Hazing Policy

Wake Forest University prohibits all forms of hazing which may result in physical and psychological harm to a person.

The anti-hazing policy contained here is that of Wake Forest University. Violators are subject to possible criminal action by governmental

authorities, in addition to being held accountable through the University's conduct process.

Hazing includes attempting to or recklessly or negligently causing physical or emotional injury. Hazing activities and behaviors include, but are not limited to, the following: the forced consumption of any substance, sleep deprivation, paddling or striking in any manner, performing calisthenics, personal servitude, conducting activities that do not allow time to meet academic commitments, requiring the violation of University policies, or federal, state or local laws, and any activity likely to cause embarrassment or humiliation.

Corrective Action

If a reasonable investigation determines that the organization planned, discussed, or carried out a hazing activity it may be organizationally penalized. Participation in hazing is prohibited and consent to being hazed is not an acceptable defense. Persons who may be found in violation of hazing can include those who implement or initiate hazing, anyone in a leadership role in the chapter, anyone who permits the hazing to occur within their residence (aiding and abetting), any new member who willfully participates in hazing activities during new member education, and any other victim(s) who knowingly and willfully consent to being hazed.

Reporting and Preventing Hazing

All members of the University community share the responsibility to prevent and report allegations of hazing. To avoid any errors in judgment, all Greek organizations must submit a detailed list of new member activities to the Office of the Dean of Students at the beginning of the new member education period.

Resources

Hazing Hotline 336.758-HAZE (4293)

Wake University Police 336.758.5591

Winston-Salem Police Department
336.773.7700

- Emergency (on campus)** 5911
Emergency (off campus) 911
University Counseling 336.758.5273
Residence Life & Housing 336.758.5185
Office of the Dean of Students
 336.758.5226

Student Complaints

Situations may arise in which a student believes that he or she has not received fair treatment by a representative of the University or has a complaint about the performance, actions, or inaction of the staff or faculty affecting a student. The procedure for bringing these issues to the appropriate person or body is outlined below. Students are encouraged to seek assistance from their advisers or another member of the faculty or staff in evaluating the nature of their complaints or deciding on an appropriate course of action.

A complaint should first be directed as soon as possible to the person or persons whose actions or inactions have given rise to the problem—not later than three months after the event. For complaints in the academic setting, the student should talk personally with the instructor. Should the student and instructor be unable to resolve the conflict, the student may then turn to the chair of the involved department for assistance. The chair (or dean) will meet with both parties, seek to understand their individual perspectives, and within a reasonable time, reach a conclusion and share it with both parties. Finally, a student may appeal to the Committee on Academic Affairs which will study the matter, work with the parties, and reach a final resolution.

Students having complaints outside the academic setting, and who have been unable to resolve the matter with the individual directly involved, should process the complaint in a timely manner through the administrative channels of the appropriate unit. Students uncertain about the proper channels are encouraged to seek advice from faculty advisers, deans' offices, or the Office

of the Dean of Students. Complaints which rise to the level of a grievance (as determined by the earlier steps in the process) may be heard as a final appeal before a committee chaired by an appropriate person chosen by the provost, which will include a representative of the faculty and a member of the student body. The grievance must be filed in writing. Grievances not deemed frivolous by the committee will be heard. The student may be assisted during the hearing by a member of the University community.

The complaint/grievance process outlined above is meant to answer and resolve issues arising between individual students and the University and its various offices from practices and procedures affecting that relationship. In many cases, there are mechanisms already in place for the reporting and resolution of specialized complaints (harassment and discrimination for instance), and these should be fully utilized where appropriate. Violation of student conduct rules or the honor system should be addressed through the conduct process specifically designed for that purpose.

The Family Educational Rights and Privacy Act

The Family Educational Rights and Privacy Act (FERPA) affords students certain rights with respect to their education records. They are:

1. Right to inspect and review the student's education records within 45 days of the day the University receives a request for access. Students should submit to the registrar, dean, head of the academic department, or other appropriate official, written requests that identify the record(s) they wish to inspect. The University official will make arrangements for access and notify the students of the time and place where the records may be inspected. If the records are not maintained by the University official to whom the request was submitted, that

official will advise the student of the correct official to whom the request should be made.

2. The right to request amendment of the student's education records that the student believes are inaccurate, misleading, or otherwise in violation of the student's privacy rights under FERPA. Students may ask the University to amend a record that they believe is inaccurate, misleading, or otherwise in violation of their privacy rights. The student should write the University official responsible for the record, clearly identify the part of the record they want changed, and specify the reason for the request. If the University decides not to amend the record as requested by the student, the University will notify the student of the decision and advise the student of his or her right to a hearing regarding the request for amendment. Additional information regarding the hearing procedures will be provided to the student when notified of the right to a hearing.
3. The right to provide written consent before the University discloses personally identifiable information contained in the student's education records, except to the extent that FERPA authorizes disclosure without consent. For example, FERPA permits disclosure without consent to school officials with legitimate educational interests. A school official is a person employed by the University in an administrative, supervisory, academic, research, or support staff position (including law enforcement personnel and health staff); a person serving on the Board of Trustees; a student serving on an official committee, such as a disciplinary or grievance committee, or assisting another school official in performing his or her tasks; or a person, company, or governmental unit with whom the University has contracted to perform duties or services involving education records. A school official has a legitimate educational interest if the official needs

to review an education record in order to fulfill his or her professional responsibility. Upon request, the University discloses education records without consent to officials of another school in which a student seeks or intends to enroll.

The following information regarding students is considered directory information: (1) name, (2) address, (3) telephone number, (4) electronic mail addresses, (5) date and place of birth, (6) major field of study, (7) enrollment status (undergraduate or graduate, full or part-time), (8) class level, (9) participation in officially recognized activities and sports, (10) weight and height of members of athletic teams, (11) dates of attendance, (12) degrees and awards received, (13) the most recent previous educational agency or institution attended by the student, and (14) other similar information such as a photograph. Directory information may be disclosed by Wake Forest University for any purpose in its discretion without the consent of the student. Students have the right to refuse to permit the designation of any or all of the above information as directory information. In that case, the information will not be disclosed except with the consent of the student, or as otherwise allowed by FERPA.

Any student refusing to allow disclosure of any or all of the designated directory information must file written notification to this effect with the University at the Office of the University Registrar, 110 Reynolda Hall. Forms are available at that office. If written notification is not filed, Wake Forest University assumes that the student does not object to the release of the directory information designated.

4. The right to file a complaint with the U.S. Department of Education concerning alleged failures by the University to comply with the requirements of FERPA. The name and address of the Office that administers FERPA is: Family Policy Compliance Office, U.S. Department of Education, 400

Maryland Avenue S.W., Washington, DC
20202-4605.

Administrative Withdrawal Policy

The **Board of Trustees** has empowered the president with the authority to suspend students from the University in “cases of clear and present danger to lives and property...and in instances of violence to persons....” Such suspensions are to be reviewed by the regular conduct bodies within 14 school days.

A student may be subject to administrative withdrawal from the University when, in the judgment of the Director of Student Health Service, the Director of the Counseling Center, or the Dean of Students and with the concurrence of the Vice President for Campus Life, the student:

- A. Engages, or threatens to engage, in behavior that poses a significant danger of causing imminent physical or psychological harm to others, or
- B. Directly and substantially impedes the activities of members of the University community, including other students, University employees, and visitors.

The standards and procedures to be followed are on file in the Offices of the Vice President for Campus Life and the Dean of Students.

No Contact Orders

1. No contact orders are issued in writing at the discretion of the Dean of Students or the Associate Dean, based on administrative review of a situation involving two or more Wake Forest students.
2. A no contact order is always mutual, that is two-way, and does not require agreement or even prior notice to, either or all parties.
3. The no contact order is issued when there is reason to believe that an order would be in the best interest of the involved parties and/or the community for promoting civility, safety and well-being.

4. A no contact order can be issued prior to or as a result of a hearing, or entirely outside of a hearing process for a specified or unlimited duration of time. No contact orders do not become part of a student’s conduct record unless the student violates the order as determined through the University’s conduct system. No contact orders prohibit all forms of communication between designated students, direct or indirect, written, electronic or through a third party.
5. No contact orders are not similar to court imposed restraining orders and do not guarantee that designated parties will avoid sightings or passing interactions on the campus or in the local community. In some circumstances, a no contact order may restrict a student from parts of the campus where he/she would not have to engage in required academic activities. Students who are concerned about personal safety should contact University Police.

Off-Campus Housing Policy

Upon registration each semester, undergraduate students who choose to live in off-campus housing in Winston-Salem must declare their residential address and their compliance with the University’s off-campus housing policy. Enrollment and registration for classes each semester are conditioned upon verification of compliance by the Office of Residence Life and Housing. Instructions and application forms may be obtained from the Office of Residence Life and Housing (Alumni Hall) or via their website.

Residential Noise Policy

The residential environment is one meant to be supportive of the academic mission and focus of the University. As such, noise or other activities which are excessively loud or bothersome to other people are strictly prohibited. As a result, “quiet hours” are in effect in all residential facilities daily (Sunday-Friday) from 10 p.m. to 8 a.m. and again on the weekends

from 2 a.m. to noon (Saturday and Sunday). Loud or excessive noise is strictly prohibited during these hours. Please note that any noise that is considered to be bothersome to others (i.e., noise that is generally above normal conversational level) will be considered loud and excessive. Personal amplification systems, including stereos and radios, may not at any time be played loudly, be placed in residence hall windows, or be used with the intention of entertaining persons outside the resident's or organization's room space. Sanctions and a detailed description can be found in the *Guide to Community Living*.

Bicycle Registration

The university requires that any bicycle owned, operated or stored on campus be registered. Registration stickers are available free of charge. This process is available online @ <http://police.wfu.edu/forms-pubs/bike/> The registrant will receive a sticker/permit with an identification number that will allow the University Police department to quickly identify the owner. This permit must be placed on the bicycle frame just below where the seat attaches to the frame.

- Bicycles must be parked in the fixed bicycle racks provided. They may not be parked on lawns or sidewalks, chained to trees, light poles, fences, benches, or other fixtures.
- Bicycles considered abandoned or improperly parked may be impounded by cutting and removing the locking devices, when necessary.
- Bicycles found on campus without a registration sticker will be confiscated by University Police.
- Bicycles that are not secured to approved bicycle racks will also be confiscated by University Police.
- FEE- Confiscation incurs a \$25 storage and recovery fee. Reimbursements will NOT be issued for locks removed or cut during the confiscation process.

University Police is not responsible for any damages that occur during the confiscation or storage process. If confiscated items are not retrieved within thirty days (30), they will be donated to a local non-profit charity. Disassembled bikes (or parts) will be removed. Students may not leave bikes attached to bike racks beyond the end of the spring semester. Any bike left after the end of the spring semester will be confiscated. The only exception to this policy is for students returning for summer classes. These students must arrange for their bike to be stored by University Police until they return for the start of summer session.

Sales and Solicitations

On-campus sales and solicitations must be operated or sponsored by a University-recognized student organization and must receive the proper authorization. Sales and solicitations in the residence halls must be approved by the Executive Director of Residential Services. Sales and solicitations in the Benson Center must be approved by the director of the Benson Center. Sales and solicitations in other public and common areas on campus must be approved by the Associate Director, Pro Humanitate Institute.

Campus Posting

All signs/posters/flyers displayed on campus must be in good taste, consistent with University policies, and must not contain sexist, racist, profane or derogatory remarks, or nudity. In addition, messages that contain abusive language, threats, fighting words, or obscenities will be removed. The University retains the right to deny posting of any materials on campus. Violators may be subject to fines and/or disciplinary procedures.

No reference to alcoholic beverages or bars may appear on any poster or sign. This includes, but is not limited to, BYOB or YOUR FAVORITE BEVERAGE.

All public notices or publicity materials posted on campus must be sponsored by a

recognized student organization or University department or otherwise be approved in advance by the Associate Director, Pro Humanitate Institute.

Public notices and publicity materials in residence halls must be submitted for approval by the Dean of Residence Life and Housing at least 24 hours in advance.

Organization banners, student organization symbols, and other large display items may not be posted on the exterior of residence halls without 72 hour advance written approval by the Dean of Residence Life and Housing.

No items may be placed on doors, door-frames, windows, glass, trees, sidewalks, railings, lamp posts or painted surfaces (including columns) in or around residence halls.

Students may not display items in or on exterior windows of their residence hall rooms.

Residence life and housing staff reserves the right to remove any items displayed in a common area or on a room door facing a hallway or common area or any postings that do not comply with the posting policy.

Groups posting must remove all information, banners, signs, flyers, etc. no later than 48 hours after the completion of the event.

Independent students may post in residence halls by contacting residence life and housing in advance for permission to do so.

- **For the distribution of flyers in Benson University Center:** contact Gale Newport (ext. 4869, newporgw@wfu.edu)
- **For flyer distribution on campus:** contact Mike Ford, Associate Director, Pro Humanitate Institute (ext. 5921, fordmg@wfu.edu)
- **For flyer distribution on cars:** call Regina Lawson, chief of University Police (ext. 6066, lawsonrg@wfu.edu)
- **For flyer distribution in residence halls:** call Donna McGalliard, executive director of residential services (ext. 5185, mcgalldp@wfu.edu)

Where you can post items:

- Bulletin boards
- Stone, brick, concrete and natural wood surfaces

Use only masking tape, Scotch tape, or thumb tacks and staples (bulletin boards only) to hang items. Duct tape is not permitted.

Where you cannot post items:

- Trees
- Sidewalks
- Iron railings
- Lamp posts
- Benches
- Painted surfaces
- Glass doors and windows
- Wait Chapel
- Outside the entrances to Reynolda Hall, Tribble Hall, the library, and the Benson University Center, and Scales Fine Arts Center

CHALKING is only permitted on the sidewalk between the Magnolia Court and the Benson University Center

For more information on posting materials, see the Office of Campus Life



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