WSU Policies and Procedures Manual

Chapter 8 / Student Policies and Procedures

Additional information: Available online: http://webs.wichita.edu/inaudit/ch_8.htm (accessed August 8, 2016)
CHAPTER 8 / STUDENT POLICIES AND PROCEDURES

8.01 / Student Employment Policy
8.02 / Regular Student Employment (Most Recent Revision Date: October 1, 2007)
8.03 / Federal Work Study (Most Recent Revision Date: May 6, 2003)
8.04 / Graduate Assistantships (Most Recent Revision Date: July 14, 2012)
8.05 / Student Code of Conduct (Most Recent Revision Date: July 17, 2013)
8.06 / First-Year Students Residence Hall Living Requirements (Effective Date: July 14, 1998; Revision Date: April 15, 2014)
8.07 / Financial Aid Awards (Effective Date: December 1, 1999)
8.08 / International Students Mandatory Health Insurance (Effective Date: October 20, 2000; Most Recent Revision Date: March 25, 2016)
8.09 / Vacated
8.10 / Notice of Nondiscrimination (See Section 3.02)
8.11 / Prohibiting Sexual Harassment of Students (Rescinded December 9, 2015, refer to Section 8.16 below)
8.12 / Prohibition of Retaliation (See Section 3.19 which applies to students, employees and visitors)
8.13 / Student Travel (Effective Date: September 1, 2004)
8.14 / Meningitis Vaccination for Students Living in University Residence Halls (Effective Date: February 1, 2006; Revision Date: January 18, 2011)
8.15 / Tuberculosis Prevention and Control (Effective Date: October 1, 2006; Revision Date: October 1, 2011)
8.16 / Sexual Misconduct, Relationship Violence and Stalking Policy for Students (Effective Date: September 11, 2015; Revision Date: March 25, 2016)
8.17 / Missing Students (Effective Date: February 1, 2009)
8.18 / Eschewing Campus/Workplace Violence (Effective Date: February 13, 2009; Revision Date: January 18, 2011)
8.19 / Parental Notification (Effective Date: April 15, 2010; Revision Date: January 18, 2011)
8.20 / Compliance with ADA/Section 504 - Students (Rescinded July 11, 2016, refer to Section 3.47)

Policy manual sections lacking an effective date were in effect before the manual was first adopted, July 1, 1997.
8.01 / Student Employment Policy

Student employees are those persons whose primary role at Wichita State University is the pursuit of a course of academic study and who, incidental to that primary role, are employed by WSU to work on campus. Categories of student employment include: Regular Student Employment, Federal Work-Study, and Graduate Assistantship. Student employment is considered a type of financial aid and should be used to enhance the recruitment and retention of students. A person may not be employed as university support staff or as an unclassified employee simultaneous to student employment.
8.02 / Regular Student Employment

Student employment funded from general use or non work-study restricted use money is considered regular student employment.

Enrollment Requirements:
Minimum enrollment requirements pertain to credit hours at Wichita State University. Failure to maintain enrollment requirements will result in termination. The employing department is responsible for monitoring the student's compliance with enrollment requirements and must terminate employment at the end of the payroll period in which it becomes known enrollment has not been maintained.

Eligibility Requirements - Academic Year:

1. Maintain minimum enrollment of 6 credit hours when working 16-30 hours per week, or maintain minimum enrollment of 3 credit hours when working 15 hours or less per week.
2. International students must maintain lawful F-1 or J-1 status in order to be eligible for employment. Generally, that requires undergraduate students to maintain 12-credit-hour minimum enrollment as an undergraduate, and 9-credit-hour minimum enrollment as a graduate student, each semester employed. International students who are enrolled in fewer credit hours must demonstrate eligibility, pursuant to certain exceptions provided for in F-1 and J-1 regulations, by presenting acceptable proof (provided by the Office of International Education) to the Office of Human Resources that they continue to maintain proper F-1 or J-1 status. In addition to maintaining lawful F-1 or J-1 status, international students will be subject to the same eligibility requirements for student employment as resident students.

Eligibility Requirements - Summer:

1. Admitted to the University as a first semester freshman or graduate student, or
2. Have maintained enrollment in a minimum of 6 credit hours during the preceding spring semester if not employed as a regular student employee or have maintained enrollment in the minimum credit hours to meet academic year eligibility requirements as listed above, or
3. Maintain continuous enrollment in a minimum of 2 credit hours during the summer session.
4. F-1 and J-1 students must comply with 1, 2, or 3.

Employment Eligibility Verification:
All offers of employment must include notification that employment is subject to proof-of-employment eligibility as required by the Immigration Reform and Control Act of 1986. No person may be added to the payroll until an I-9 form and release consent form have been completed. See the Initiation of Employment Policy at Section 3.20 of this manual.

Maximum Hours of Work - Academic Year:

1. No more than 30 hours per week while classes are in session and should not exceed 40 hours per week during finals week and break periods.
2. F-1 and J-1 students - no more than 20 hours per week while classes are in session and should not exceed 40 hours per week during finals week or break periods.

Maximum Hours of Work - Summer:
1. Should not exceed 40 hours per week.
2. F-1 and J-1 students - should not exceed 40 hours per week.

The Office of Human Resources will monitor hours worked and notify the employing department(s) of any violation. The Office of Human Resources will also assess overtime payments to the department (proportionately when more than one department is involved). If a student has more than one student employee appointment, the total scheduled hours per week must not exceed the limit of all appointments combined.

**Benefits:**
Persons employed under regular student employment are exempt from social security deductions while enrolled. Social security will be deducted when employed but not enrolled during the summer. Worker's compensation coverage is also provided for student employees. Student employees are not eligible for other employment benefits.

**Wage Rates:**
A person shall not be compensated at less than the federal minimum wage.

**Pay Period:**
Pay periods will begin on Sunday and end two weeks later on Saturday. Paychecks will be issued two weeks later on Friday. If Friday (payday) is a holiday, paychecks will be issued on the closest preceding work day.

**Timesheets:**
Students must keep a daily record of hours worked during employment on a timesheet or time card

**Grievance Procedures:**
Students who have an employment dispute should try to resolve the problem with the immediate supervisor (when person is not the department budget officer) then the budget officer and/or budget review officer. If these efforts are unsuccessful, students should contact the Vice President for Student Affairs or designee for assistance with resolving the problem. Decisions of the Vice President for Student Affairs on employment disputes are final except in cases involving sexual harassment. When sexual harassment in employment is alleged, a person must use the Sexual Harassment of Students Policy located at Section 8.11 of this manual.

**Recruitment:**
All vacancies for student employment must be listed with Career Services for a minimum of one class day. Additional recruitment sources may be utilized as needed.

**Employment Procedures:**
1. Departments must complete a Student Employment Authorization form to place a student employee on the payroll. Departments are responsible for obtaining from the student the following forms and documents, completed and signed:
   a. Substance Abuse Policy Affirmation Form
   b. INS I-9 (A social security card may not be used as evidence of employment eligibility for a noncitizen. Employment may not begin any earlier than the date the I-9 is signed.)
   c. Copies of identification for I-9 Form
   d. Consent to Release I-9 Form
   e. New Hire Report Form
   f. W-4 Tax Form
   g. State of Kansas Employees Oath (must be notarized)
   h. Employee Information Form
   i. Americans with Disabilities Status Form (optional)

   These completed and signed forms should be attached to the Student Employment Authorization form and forwarded to Payroll in the Office of Financial Operations and Business Technology.
2. The Office of Human Resources will distribute copies of the Student Employment Authorization Form. White original will go to the Office of Financial Operations and Business Technology for processing to the student payroll. Yellow copy is returned to the department. The Office of Human Resources will ensure that a person meets all eligibility requirements and is not scheduled to work more than the maximum hours allowed. When the office determines a person is in violation of requirements, the employing department(s) will be notified of the need to resolve the problem.

**Change of Status and Termination:**
Any change of status in salary or funding account must be processed through a Change of Status form. Terminations must be processed through a Change of Status form also.

1 This policy does not apply to Graduate Assistantships. See Section 8.01 for an explanation of the categories of student employment and Section 8.04 relating specifically to Graduate Assistantships. See Section 13.10 for more information about student employee payroll and the student FICA exemption.

**Revision Date:**
May 1, 2001
November 8, 2006
October 1, 2007
8.03 / Federal Work-Study

Purpose of the Program:
The purpose of the Federal Work-Study (FWS) Program is to promote part-time employment opportunities for financially eligible undergraduate and graduate students in order to help offset the students' cost of education. Federal funds are made available to the University that enable students with FWS awards to be hired by on-campus departments, or work in the public interest for a public or private nonprofit organization. Students are awarded FWS funds based on financial need. The FWS program is mutually beneficial to both the students and University offices, as the University pays 25% of the eligible students' gross earnings and the federal government pays the remaining 75%. This type of funding for on-campus departments helps to supplement limited office budgets.

Eligibility Requirements - Academic Year:

1. To be eligible for the FWS program, a student must complete the Free Application for Federal Student Aid (FAFSA) and have a FWS award included in their financial aid package. The FAFSA can be submitted in either an electronic or paper format. Paper applications can be picked up from the WSU Office of Financial Aid, Room 203, Jardine Hall. Students can also apply through the internet by accessing FAFSA on the Web by going to www.fafsa.ed.gov. WSU's application priority date is March 15; students applying after this date are less likely to receive a notice of approval due to limited funds. Students must reapply each academic year for FWS funds.

2. If the student is eligible for need-based federal work study funds, the student will receive an award notice from the WSU Office of Financial Aid that will include a federal work-study award. Students who do not have financial need, according to the federal formula, will not be awarded federal work-study funds.

3. Students must maintain at least half-time enrollment (6 credit hours for undergraduates; 5 credit hours for graduates) during the fall and spring semesters. Failure to maintain minimum enrollment requirements will result in termination. The employing department is responsible for monitoring students' compliance with enrollment requirements and must terminate employment at the end of the payroll period in which it becomes known enrollment has not been maintained.

Eligibility Requirements - Summer:

1. Summer allocations are made in two parts because the new fiscal year begins during the summer term. Federal regulations prohibit individual student work-study awards being carried from one fiscal year into the next. The first summer allocation is based on the student's financial need analysis, as established from the FAFSA submitted for the academic year just completed. The second summer allocation is based on the student's financial need analysis, established from the FAFSA submitted for the upcoming academic year.

2. A student cannot be awarded FWS for the second part of the summer session until she or he has completed a new FAFSA, and the WSU Office of Financial Aid has received the appropriate need analysis and determined that the student's aid status is complete. (For example, the Office of Financial Aid may request a student tax form or an affidavit of nonsupport for a student's file. The Office of Financial Aid must receive these items before an award can be made.)

3. Students may be employed on the FWS program during the summer even if they are not enrolled in summer classes, provided they are pre-enrolled the following fall semester. (Note: students who can earn FWS wages...
during the summer session and are not enrolled may have a portion of those earnings counted as a resource when determining their aid eligibility for the upcoming academic year.)

Employment Eligibility Verification:
All offers of employment must include notification that employment is subject to proof-of-employment eligibility as required by the Immigration Reform and Control Act of 1986. No person may be added to the payroll until an I-9 form and release consent form have been completed.

Maximum Hours of Work - Academic Year:
Students may work up to twenty (20) hours per week when school is in session during the academic year, and may not exceed forty (40) hours per week during finals and break periods.

Maximum Hours of Work - Summer:
Students may work up to forty (40) hours per week during the summer session. The Office of Human Resources will monitor hours worked and notify the employing department(s) of violation. The Office of Human Resources will also assess overtime payments to the department (proportionately when more than one department is involved.)

Benefits:
Persons employed through the FWS program are exempt from social security deductions while enrolled. Social security will be deducted when employed but not enrolled during the summer. Worker's compensation coverage is also provided for FWS students. FWS student employees are not eligible for other employment benefits.

Wage Rates:
A person shall not be compensated at less than the federal minimum wage nor more than 2.5 times the federal minimum wage per hour. Requests for wages above the highest rate per hour must be approved in advance by the employing budget officer, budget review officer, vice president for the employing department and the Office of Financial Aid. The total amount a student may earn on FWS is referred to as their allocation. This amount is based on his or her financial need. The federal government subsidizes 75 percent of the student's earnings, and the employing department is responsible for the remaining 25 percent. The total amount the student earns must not exceed his or her FWS allocation.

If the student reaches his or her maximum FWS allocation or the FWS authorization end-date is reached, the student may continue employment with the employing department provided the department assumes 100 percent of the salary costs. This situation would require the employing department to initiate a Change of Status form (OHR 134) to switch the student from FWS to regular student employment.

Pay Period:
Pay periods will begin on Sunday and end two weeks later on Saturday. Paychecks will be issued two weeks later on Friday. If Friday (payday) is a holiday, paychecks will be issued on the closest preceding work day.

Timesheets:
Students must keep a daily record of hours worked during employment.

Grievance Procedures:
Students who have an employment dispute should try to resolve the problem with the immediate supervisor (when person is not the department budget officer) then the budget officer and/or budget review officer. If these efforts are unsuccessful, students should contact the Vice President for Student Affairs or designee for assistance with resolving the problem. Decisions of the Vice President for Student Affairs on employment disputes are final except in cases involving sexual harassment. When sexual harassment in employment is alleged, a person must use the Sexual Harassment of Students Policy located at Section 8.11 of this manual.

Recruitment:
All vacancies through the FWS program must be listed with Career Services for a minimum of one class day. Additional recruitment sources may be utilized as needed.

Employment Procedures:
1. Departments should check WSU Student Employment Pre-Approval (STUE) screen in CICS2 to verify whether student is FWS eligible and available for employment.

2. Departments must complete a Student Employment Authorization form (OHR 133) to place a student employee on the payroll. Departments are responsible for obtaining from the student the following forms and documents, completed and signed:

   a. Substance Abuse Policy Affirmation Form
   b. INS I-9 (A social security card may not be used as evidence of employment eligibility for a noncitizen. Employment may not begin any earlier than the date the I-9 is signed.)
   c. Copies of identification for I-9 Form
   d. Consent to Release I-9 Form
   e. New Hire Report Form
   f. W-4 Tax Form
   g. State of Kansas Employees Oath (must be notarized)
   h. Employee Information Form
   i. Americans with Disabilities Status Form (optional)

When hiring a previously employed student, departments should check the WSU Student Employment Pre-Approval (STUE) FORMS screen to verify if the forms listed above are already on file. If so, those forms do not have to be completed. These completed and signed forms should be attached to the Student Employment Authorization form and forwarded to Payroll in the Office of Financial Operations and Business Technology.

3. The Office of Human Resources will distribute copies of the Student Employment Authorization Form. White original will go to the Office of Financial Operations and Business Technology for processing to the student payroll. Yellow copy is returned to the department. The Office of Human Resources will ensure that a student meets all eligibility requirements and is not scheduled to work more than the maximum hours allowed. When the Office of Human Resources determines a student is in violation of requirements, the employing department(s) will be notified of the need to resolve the problem.

**Change of Status and Termination:**
Any change of status in salary or funding account must be processed through a Change of Status form. Terminations must also be processed through a Change of Status form. Each FWS student must be terminated when she or he is no longer working for a department, has used all of the allocation, or she or he is no longer a eligible.

**Revision Date:**
May 1, 2001
May 6, 2003
8.04 / Graduate Assistantships

This policy covers three types of graduate assistantship appointments. Those types are defined below and include Graduate Teaching Assistantships (GTA), Graduate Research Assistantships (GRA) and Graduate Staff Assistantships (GSA).

I. TYPES OF GRADUATE ASSISTANTSHIPS

Graduate Teaching Assistants (GTA):
The primary function of a graduate teaching assistant (GTA) is either to provide direct instruction or to assist instruction. Both functions require GTAs to have the latitude to make independent decisions, use judgment and exercise discretion when dealing with student matters. GTAs providing direct instruction have responsibility for specific courses, sections, or laboratories. They usually are instructors of record for courses to which they are assigned. GTAs whose role is indirect instruction assist faculty members who are the instructors of record for the courses. In either case, the main purpose and responsibility of GTAs is to impart knowledge or training to students at Wichita State University.

GTAs who provide direct instruction are expected to follow departmental teaching guidelines, lesson plans, or syllabi. Responsibilities may include literature review; preparation of course lectures, laboratory/computer assignments, and/or course materials; monitoring of attendance; and preparing, administering and grading of daily assignments, examinations and clinical supervision. GTAs may be given the authority by their departments to assign final course grades.

GTAs who provide indirect instruction may help faculty members prepare lectures, course materials, quizzes and tests, and supervise or coordinate recitations, problem solving sessions or laboratory sections. The student may monitor classroom examinations written by the instructor. If assigned to grade test papers, or other types of examination, this must be included as a part of the overall GTA assisting position and cannot be the only duty assigned.

Graduate Research Assistants (GRA):
The primary function of a graduate research assistant (GRA) is to assist faculty members in their scholarly and/or creative activities. Duties may include basic scientific research using laboratory facilities, computer programming or operation, data collection, correlation and preliminary interpretation of data, statistical analysis of data and writing preliminary reports, bibliographical work, or assisting musicians or artists in their creative endeavors. GRAs have the latitude to make decisions involving judgment and/or discretionary choices when collecting data, performing experiments, operating equipment, or assisting in studios or laboratories. GRAs may be needed to order supplies and equipment, maintain inventories, or trouble-shoot equipment and experiments. GRAs are obliged to follow department research guidelines or experimental protocols established by the faculty member in charge of the scholarly activity. GRAs may assist with experiments at field locations.

Graduate Staff Assistants (GSA):
The primary function of a graduate staff assistant (GSA) is to assist in non-teaching and non-research activities. Specific duties of the GSA vary widely, depending on the administrative or academic unit to which they are assigned, but should be at a level to make use of their education and abilities. Although GSAs may assist in various offices, their function is to perform more than the usual receptionist / secretary duties. Computer data entry, record maintenance, reports and survey preparation, correlating data, and answering specific questions are some of the duties GSAs will typically perform. Some GSAs may have musical performance as their principal assignment. GSAs responsibilities may also include interacting with students, faculty, administrators, alumni, and visitors to the University. For this reason GSAs
have the latitude to make decisions involving judgment and/or discretionary choices in accomplishing these duties.

II. LEVELS OF ASSISTANTSHIPS

Assistantship levels are based on the approximate number of hours per week needed to complete the assignment and are expressed as percentages of a full-time appointment (EFT), where 1.0 EFT is equivalent to 40 hours per week. Eligibility for certain benefits is based on the assistantship level.

<table>
<thead>
<tr>
<th>Typical Assistantship Levels</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>EFT</strong></td>
</tr>
<tr>
<td>.50</td>
</tr>
<tr>
<td>.40</td>
</tr>
<tr>
<td>.25</td>
</tr>
<tr>
<td>.12</td>
</tr>
</tbody>
</table>

III. BENEFITS

1. **Stipends.** The actual dollar amount of an assistant stipend varies according to the length of the appointment, the number of hours per week required by the appointment, and the funding base within each program area. Assistantships for twenty hours of work per week for a nine-month period typically range from $5,000 to $12,000.

2. **Payroll Period.** Payroll checks are issued biweekly according to the University payment cycle for the appointment period. Actual beginning date of the graduate assistant appointment may not coincide with the actual date of reporting. If Friday (payday) is a holiday, paychecks will be issued on the closest preceding workday.

3. **Non-Resident to Resident Tuition.** Non-resident graduate assistants (GTA, GRA, and GSA) who have an appointment of .40 EFT (approximately 16 hours per week assignment) or greater, are eligible, pursuant to regulations promulgated by the Kansas Board of Regents, for waiver of non-resident tuition to resident tuition. This tuition waiver is for the actual semester of appointment and does not include waiver of student fees. Graduate assistants must provide service from the 20th day of the semester through the remainder of the semester to be eligible for the non-resident to resident tuition waiver.

**Summer.** Graduate students who were granted a waiver of non-resident tuition to resident tuition in the preceding fall and spring semesters also receive this benefit in the summer, whether or not they hold a summer appointment.

In order to be eligible for a waiver of non-resident tuition to resident tuition in the summer, graduate assistants who were not granted this waiver in the preceding fall and spring semesters must hold an appointment for at least four weeks during the summer months, June, July, and August.

4. **Waiver of In-State Tuition.** Graduate teaching assistants (GTAs) are eligible for full or partial waiver of in-state tuition (for courses numbered 500 and above), according to the following table, pursuant to budget instructions from the Kansas Board of Regents:

<table>
<thead>
<tr>
<th>EFT</th>
<th>APPROX. HOURS / WEEK</th>
<th>GTA-direct instruction</th>
<th>GTA-indirect instruction</th>
</tr>
</thead>
<tbody>
<tr>
<td>.50</td>
<td>20</td>
<td>100%</td>
<td>75%</td>
</tr>
<tr>
<td>.40</td>
<td>16</td>
<td>75%</td>
<td>55%</td>
</tr>
<tr>
<td>.25*</td>
<td>10</td>
<td>50%</td>
<td>35%</td>
</tr>
</tbody>
</table>

http://webs.wichita.edu/inaudit/ch8_04.htm[6/16/2016 2:02:36 PM]
Non-resident GTAs holding appointments which total less than .40 EFT are responsible for the balance of their tuition assessed at the non-resident rate, since they do not qualify for the waiver of non-resident tuition to resident tuition.

This waiver is granted for the actual semester of appointment and does not include waiver of student fees. Graduate teaching assistants must be employed from the 20th day of the semester through the remainder of the semester to be eligible for in-state tuition waiver.

**Summer.** To be eligible for an in-state tuition waiver during the summer, graduate teaching assistants must hold an appointment for at least four weeks during the summer months.

5. **University Sponsored Health Insurance.** The University will contribute toward the cost of the University-sponsored health insurance plan for eligible graduate assistants (GTA, GRA, or GSA). Eligibility is determined on a semester basis. To be eligible for University contributions, graduate assistants must hold an appointment, or a combination of appointments, totaling .50 EFT, for the specific semester (fall, spring or summer). The appointment must begin no later than the 20th day of the semester (fall or spring) or the 10th day for the summer and conclude at the end of the semester. Brochures outlining the costs and benefits of the University-sponsored health plans are available in the Student Health Center, Office of Human Resources, Office of Student Engagement and the Graduate School Office.

6. **Bookstore Discounts.** Graduate assistants are currently eligible for a 10% discount on textbooks at the RSC Bookstore. Presentation of a Shocker Card and a paid fee receipt or appointment notice are required at the time of purchase to receive the discount.

7. **Social Security.** Graduate assistants are exempt from social security deductions while enrolled. If graduate assistants are employed, but not enrolled during the summer, social security will be deducted. Questions regarding deductions should be directed to the Payroll Office, Jardine Hall 201.

8. **Workers Compensation.** The University provides coverage through state workers compensation self-insurance fund. Questions regarding this coverage should be directed to the Office of Employee Relations and Training in the Office of Human Resources.

**IV. ELIGIBILITY AND OTHER REQUIREMENTS**

**Academic Requirements for Graduate Assistantships - Academic Year:**
To be eligible for a graduate assistantship during the academic year, graduate students must:

- be admitted to, or have current status in, the Graduate School in a degree program in good academic standing (not on probation), and must maintain good academic standing (not placed on probation) throughout the period of appointment.
- enroll as a full-time student (nine credit hours in fall or spring) during each semester of appointment. The chair or graduate coordinator of the department may grant an exception to allow graduate assistant to be enrolled in 6-8 hours in fall or spring.

**Academic Requirements for Graduate Assistantships - Summer:**
To be eligible for graduate assistantship during the summer, graduate students must:

- be admitted to, or have current status in, the Graduate School in a degree program in good academic standing (not on probation), and
- be enrolled in at least three credit hours during the summer. (Enrollment may be waived if the graduate student held an appointment as a graduate assistant during the preceding spring semester.)

**Non-compliance:**
Failure to maintain enrollment or to comply with academic requirements will result in termination. The appointing department is responsible for monitoring the student's compliance with enrollment and academic requirements and must terminate the appointment at the end of the payroll period in which it becomes known enrollment or academic requirements have not been maintained.

**Maximum Hours of Work - Academic Year:**
Domestic students and international students on F-1 and J-1 visas may work no more than 20 hours per week while classes are in session and no more than a total of 40 hours per week during finals week and break periods. The total of 20 hours per week consists of any combination of campus work including assistantships, work-study, hourly student employment, cooperative education, curricular practical training and internships.

**Maximum Hours of Work - Summer:**
Summer appointments must not exceed 40 hours per week.

**Graduate Assistants with Teaching Responsibilities:**
All prospective graduate teaching assistants shall have their English competency assessed prior to being considered for any employment having classroom or laboratory instructional responsibility and/or direct tutorial responsibilities. The following shall be used to implement this policy:

1. All prospective graduate teaching assistants must be interviewed by and have their competency in spoken English assessed by no fewer than three University personnel, one of whom shall be a student. An oral interview shall be conducted either face-to-face or by mediated means.

2. Any prospective graduate teaching assistant whose first language is not English shall be required to achieve a minimum score of 23 on the TOEFL or a minimum score of 50 on the SPEAK to be eligible for an appointment without spoken English language remediation.

3. All prospective graduate teaching assistants who do not meet the above requirements shall not be assigned teaching responsibilities nor other tasks requiring direct instructional contact with students.

4. An exception will be made for courses taught in sign language.

5. A report detailing the process for interviewing graduate teaching assistants, whose first language is not English, including the composition of the interview team and scores from the TOEFL or SPEAK for each individual hired will be submitted to the President/CEO of the Board every other year.

**Visas:**
International students on F-2 visas are not eligible for appointment until they receive an F-1 status.

**Orientation Workshop:**
Newly hired GTAs are required to participate in the annual GTA Orientation Workshop sponsored by the Graduate School. This workshop normally takes place before the beginning of fall classes. Follow-up workshops during the academic year may be scheduled as well. The purpose of the workshop is to prepare graduate students for their role in providing instruction to WSU students. Failure to attend may lead to revocation of appointment.

V. APPOINTING GRADUATE ASSISTANTS

**Recruitment:**

1. The Graduate School aims for the GA population at WSU to represent the diversity of students in the general population, and encourages conscious and affirmative efforts to recruit and appoint members of the protected classes.

2. When possible and appropriate, vacancies for graduate assistantships should be advertised for a minimum of two weeks.
3. Vacancies should be listed with Office of Career Services, the Graduate School and other offices and agencies as appropriate to effect diversity within the Graduate School, and posted on the departmental bulletin board.

4. Vacancy announcements should include:

- a statement that admission to full or conditional standing in a graduate degree program is required
- a statement that students admitted on probation or placed on probation after admission are not eligible
- the start date and length of appointment
- responsibilities (teaching, research, etc.)
- required qualifications
- procedure for applying (to include submission of an application letter)
- application deadline
- to whom the application should be sent
- notification deadline
- statement of the University's nondiscrimination policy from the Office of Equal Employment Opportunity

**Review of Applications and Selection Criteria:**

Graduate assistantship applications are reviewed according to previously established criteria, such as academic records, experience, time available for work by applicants, financial need, relationship of assistantship work to the student's program, special abilities of the student (such as foreign language or computer skills, experience in operating research equipment). Applicants will not be considered if they fail to submit an application letter that addresses their qualifications relative to the appointment qualifications. All applicants should be officially notified in writing of the decision about their application as soon as possible after decisions are made.

**Appointment Eligibility Verification:**

All offers of appointment must include notification that the appointment is subject to proof of appointment eligibility as required by the Immigration Reform and Control Act of 1986. All appointees must have a valid social security number. No one may be added to the payroll until the following documents are on file in Human Resources:

- I-9 (Social security card may not be used as evidence of employment eligibility for non-citizens. Employment may not begin any earlier than the date the I-9 is signed.)
- I-9 Release Consent Form
- Substance Abuse Policy Affirmation Form
- W-4
- Oath (Must be notarized)
- Employee Information Form
- ADA Form (optional)
- New hire report

**Multiple Assistantship Appointment Guidelines:**

Multiple assistantship appointments occur when a student is appointed to more than one assignment (e.g., GTA and GRA or GRA and GSA) during a single semester. Multiple assistantships cannot require a student to work beyond the maximum number of 20 hours per week. In general, the award of multiple assistantships to a single student must be guided by reasonable academic, ethical, and logical standards of conduct and education.

No graduate assistant appointments are permitted for a period when the recipient would also be employed full-time outside the University unless:

- The provider of funding for the fellowship/assistantship or scholarship specifically allows such employment.
- The educational merits of the situation are attested to in writing to the college dean.
- The Budget Review Officer for the unit making the award specifically approves the arrangement.

**Appointment Deadlines:**

Graduate assistants may be appointed at any time based on departmental, unit or project director needs and availability of funding. The date of appointment may affect eligibility for certain benefits.
WSU is a signatory to a national agreement establishing a policy regarding acceptance of assistantship offers. Students who accept an assistantship offer from an institution on or after April 15 must obtain a written release from this institution before accepting a different assistantship offer. For offers extended on or after April 15, students should be advised that the offer is contingent upon release from any existing assistantship commitment. After accepting a WSU assistantship offer, students are required to obtain a written release from the appointing department or unit before accepting a different WSU offer.

Appointment Offer:
The appointment offer will include all conditions of service listed on the Graduate Teaching/Research Assistant Appointment Authorization form. All appointment offers must indicate that the offer is contingent upon providing verification for employment eligibility as required by the Immigration Reform and Control Act of 1986 and approval from the Graduate School. The Graduate Teaching/Research Assistant Appointment Authorization form is available from Human Resources.

Graduate Assistant Appointment Notice:
In order to appoint a graduate assistant, the appointing department must submit a Graduate Teaching/Research Assistant Employment Authorization form (OHR 131). After approval, the Graduate School will send a Graduate Assistant Appointment Notice to the recommended graduate assistant for signature. After approval, Human Resources will distribute a copy of the Appointment Authorization form to the department.

The Graduate School will assure that a person meets all eligibility requirements and is not scheduled to provide service for more than the maximum hours allowed. When the Graduate School determines a person is in violation of requirements, the appointing department will be notified of the need to resolve the problem.

Reappointment:
Conditions and procedures for reappointment should be made clear to graduate assistants at the time the offer of a position is made; however, there should be no expectation or indication of reappointment. Graduate assistants should be informed if reapplication is required, and whether the application will be given priority or considered on an equal basis with new applicants. Other considerations for reappointment include the academic standing of the graduate assistant, clearing of conditions of admission, progress toward a graduate degree, the results of formal evaluation of performance, and any performance review documentation that appraised how the assistant discharged his/her duties.

VI. EVALUATION OF GRADUATE ASSISTANTS

Change of Status and Termination:
Any changes of status in salary, funding account, or termination must be processed through a Change of Status form (Form 132, available from Human Resources). If a graduate assistant's employment is terminated before the completion of the appointment period, the tuition benefits also terminate and the student is responsible for personal payment of the tuition for that semester.

Should it become necessary to consider the termination of a graduate assistant prior to the end of the appointment period, any such consideration must be communicated to the person involved as early as possible. The concerns, which form the basis for consideration, should be spelled out in the communication.

The department/unit should describe types of behavior that can lead to termination of the appointment. Should there be reason to terminate a graduate assistant before the end of the appointment period, the Department Budget Officer, Budget Review Officer and Dean of the Graduate School must approve the termination in writing before the graduate assistant is notified.

Performance Expectations:
Departments or units employing graduate assistants will provide information about responsibilities, expectations, workspace, support services, etc. Departmental policies and procedures should be described and discussed and matters such as method of payment, remission of tuition (if applicable) and resignation should be addressed. Standards of professional behavior expected in carrying out the terms of the appointment should be made in writing. Graduate
assistants should be informed that their assistantship can be terminated prior to expiration of the period of service if the terms of the appointment are not met.

**Performance Evaluation:**
Departments and other units hiring graduate assistants are responsible for assessment of their performance. Procedures for making such assessments should be clearly spelled out and communicated to graduate assistants in writing. Performance assessment is an ongoing activity throughout the term of the appointment. Should problems with performance arise during the period of the assistantship, the responsible official in the appointing unit should meet with the graduate assistant and any other involved faculty or unit personnel and review the situation with specific directions and conditions issued in writing relative to continuation of the appointment. The extent of the formality of such reviews depends upon the seriousness of the problem. Personnel matters related to a graduate assistant appointment, such as performance assessment, must be done in confidential settings with concern for the individual involved as well as for the appointing unit.

**Grievance Procedures:**
Graduate assistants will be notified in writing of all decisions that affect their status as assistants. This will include advance notification of evaluation procedures and a summary of the evaluation.

The graduate assistant will be notified in writing of any complaints received by the faculty supervisor. Department Chair, Academic Dean or Graduate Dean concerning the graduate assistant's performance of duties. The graduate assistant will be given an opportunity to respond to such complaints.

If discipline or termination is recommended, the graduate assistant may initiate a grievance to appeal the decision through the channels specified in the policy. At every step in the grievance or appeal process, the graduate assistant will be provided a fair and impartial process. Opportunity will be provided for academic judgment and procedures to resolve problems within the academic community.

Graduate assistants who have an employment dispute should try to resolve the problem first with the immediate supervisor, then the department chair or college dean. If those efforts are unsuccessful, students should contact the Dean of the Graduate School for assistance in resolving the problem. The decisions of the Dean of the Graduate School on employment issues are final. The guideline of Grievance Procedures for Graduate Students is available in the Graduate School Office, Jardine Hall, Room 107.

In cases involving sexual harassment, refer to the University policy on Prohibiting Sexual Harassment located at Section 3.06 of the WSU Policies and Procedures Manual.

**VII. IMPLEMENTATION**

This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Dean of the Graduate School shall have primary responsibility for publication, dissemination and implementation of this University policy.

**Revision Date:**
September 9, 1998
September 13, 2001
March 12, 2003 effective August 4, 2003
June 15, 2007
July 14, 2012
8.05 / Student Code of Conduct

Click here for the full text. (see pages below.)

Effective Date:
June 8, 2014

Revision Date:
November 1, 2004
November 8, 2006
February 1, 2007
July 14, 2007
July 14, 2008
January 18, 2011
July 17, 2013
8.05 / Student Code of Conduct

Purpose

To set forth comprehensive and informational guidelines relative to Student conduct and Student conduct procedures.

Preamble

Wichita State University is a learning community comprised of Students, Faculty and Staff where freedom of inquiry and freedom of expression are valued. Important aspects of attending the University as a Student are having respect for the rights of others in the community, conducting oneself in a manner that is compatible with the University’s mission and taking responsibility for one’s actions. In addition to exhibiting appropriate maturity and self-control, Students, as members of the University community are expected to conduct themselves in accordance with established standards of behavior and social interaction.

To fulfill its functions of promoting and disseminating knowledge, the University has authority and responsibility for maintaining order and for taking appropriate action.

As members of the WSU community, Students should:
- Accept responsibility for personal behavior and appropriately challenge the behavior of others
- Respect individual differences
- Behave in a manner that is honest and upholds the standards of Wichita State University
- Be an engaged member of the Wichita State University community

The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change and respect for the rights and responsibilities of all individuals. This Code of Conduct is designed for the promotion and protection of such an environment.

Definition of Terms

1. “Appeal Officer” is the Vice President for Student Affairs, or designee, and has jurisdiction to review cases, based on written request, and make a decision to uphold, modify or reverse the decision of a Hearing Board or Conduct Officer.
2. "Code" means the WSU Student Code of Conduct. The most current version of the Code may be found on the Wichita State University website: http://webs.wichita.edu/inaudit/ch8_05.htm.
3. “Complainant” is the person or entity that submits or presents allegations against a Respondent.
4. “Conduct Board Hearing” is a Hearing conducted by the Hearing Board.
5. “Conduct Hearing” is a meeting with the Respondent conducted by a Conduct Officer to determine whether the Respondent has violated the Code and, if so, to impose sanctions.

6. "Conduct Officer" is the Director or designee authorized to investigate, conduct the Hearing, and assign sanctions to Respondents found to have violated the Code.

7. "Day" refers to any day the University is open for official business (usually Monday through Friday).

8. “Director” refers to the Director of Student Conduct and Community Standards.

9. "Faculty" means any person hired by the University in a Faculty appointment to teach, conduct research or provide academic service.

10. "Hearing" refers to both a Conduct Hearing and a Conduct Board Hearing.

11. "Hearing Board" is a group of persons authorized by the Directors to determine whether a Respondent has violated the Code and to impose sanctions.

12. "Housing and Residence Life" means all residence facilities owned, leased or controlled by Wichita State University (current examples of University Housing include, but are not limited to, Shocker Hall and Fairmount Towers).

13. "Member of the University Community" includes any person who is a Student, Faculty, University Official or any other person employed by the University. A person's status in a particular situation shall be determined by the Director.

14. "Organization" refers to any Recognized Student Organization, Greek letter Organization, athletic team (sports clubs, cheer/dance, intercollegiate team, independent varsity sports, etc.), or non-recognized group (SGA, SAC or other group in process of meeting RSO standards) that is assembled and conducts business or participates in University-related activities.

15. "Policy" is defined as the written guidelines of the University as found in, but not limited to: the Housing and Residence Life Handbook, Graduate/Undergraduate Catalogs, WSU Policies and Procedures Manual, and Board of Regents policies. The most current version of the WSU Policies and Procedures Manual is located on the WSU website at http://webs.wichita.edu/inaudit/tablepp.htm. In cases of conflict, Board of Regents policies shall be considered as controlling.

16. “Prehearing Conference” is a meeting scheduled by a Respondent with a Conduct Officer to review policies and procedures related to the Code.

17. “Respondent” is a Student or Organization who responds to an alleged violation(s) of the Code.

18. "Staff" are unclassified or university support staff non-faculty employees at WSU.

19. "Student" includes all persons who are admitted and/or enrolled in credit or non-credit courses at WSU.

20. "University" means Wichita State University (or "WSU").

21. "University Official" includes any person employed by the University, performing their assigned responsibilities.

22. "University Premises" includes all land, buildings, facilities, and other property in the possession of, owned, used, leased or otherwise controlled by the University (including adjacent streets and sidewalks).
Jurisdiction
The Student Code of Conduct governs individual and group Student behavior.

1. University jurisdiction for violations of the Code encompasses:
   a) Conduct that occurs on University Premises or at a University-sponsored or related event.
   b) Conduct that occurs on premises owned, used by or under the control of an Organization.
   c) Conduct that occurs in or on shuttle buses, state vehicles, or other vehicles owned, used by or under the control of the University/State of Kansas;
   d) Off-campus conduct that seriously threatens the safety or well-being of other Wichita State University Students, Faculty, or Staff or University property or that adversely affects the University community or the pursuit of its objectives.
   e) Conduct that is addressed and/or prescribed by Chapter 19 of the WSU Policies & Procedures Manual relating to University computing and information technology resources.
   f) Conduct that occurs while earning any type of academic credit.
   g) Conduct that occurs during a Student’s enrollment at the University. The University may proceed with the conduct process in cases of alleged conduct violations after the Student is no longer an enrolled Student, if the alleged conduct occurred during the Student’s enrollment.

2. Housing and Residence Life: Students residing in Housing and Residence Life are required to abide by the Code and Housing and Residence Life Policies. The Director of Housing and Residence Life or designee reserves the right to remove from Housing and Residence Life or relocate a Student who is charged with a Code violation pending a Hearing.

3. Academic Colleges, University Departments, or Special Programs: Students are responsible for following guidelines, policies and procedures set forth by academic colleges, University departments, or special programs.

4. Organizations: All Organizations are required to abide by the Code and policies outlined in the Student Organization Handbook issued by the Student Involvement office.

Student and Organization Prohibited Conduct
Any Respondent found to have committed, or to have attempted to commit, any act of misconduct described below is subject to conduct sanctions outlined in Section XIV.

Abuse/Assault
Physical abuse, verbal abuse, threats, intimidation, coercion, bullying, stalking, domestic violence, retaliation, discrimination and/or other conduct which threatens or endangers the health or safety of another person is prohibited.
Abuse of the Student Conduct Procedures
Engaging or participating in abuse of the Student conduct procedures is prohibited, including but not limited to:

a. Falsifying or misrepresenting information before a Conduct Officer or Hearing Board.
b. Obstructing, disrupting or interfering with the orderly conduct of a Conduct Hearing.
c. Instituting a conduct complaint knowingly without cause or initiating a false report/complaint.
d. Attempting to discourage an individual's proper participation in, or use of, the Student conduct procedures.
e. Attempting to influence the impartiality of a member of the Hearing Board or Conduct Officer prior to, during, and/or after a Conduct Hearing.
f. Harassing (verbal or physical) and/or intimidating a member of the Hearing Board or Conduct Officer prior to, during, and/or after a Conduct Hearing.
g. Failing to complete and/or comply with the assigned conduct sanctions according to the specified guidelines.
h. Influencing or attempting to influence another person to commit an abuse of the Student conduct procedures.

Academic Dishonesty
Students who compromise the integrity of the classroom are subject to conduct action on the part of the University. Violations of classroom standards include:

a. Cheating in any form, whether in formal examinations or elsewhere.
b. Plagiarism, using the work of others as one's own without assigning proper credit to the source.
c. Misrepresentation of any work done in the classroom or in preparation for class.
d. Falsification, forgery, or alteration of any documents pertaining to academic records.

A standard of honesty, fairly applied to all Students, is essential to a learning environment. Students violating such standards must accept the consequences; penalties are assessed by the course instructor or other designated people. Serious cases may result in discipline at the college or University level and may result in suspension or dismissal. Dismissal from a college for academic dishonesty constitutes dismissal from the University.

Students accused of abridging a standard of academic honesty may utilize established academic appeal procedures. (See the Student Academic Honesty Policy at Section 2.17 of this manual.)

Alcohol/Alcoholic Beverages
Possession, use, manufacture, sale, or distribution of any form of alcoholic beverage (including cereal malt beverage) is not allowed on University Premises except as expressly permitted by University Policy. (See the Cereal Malt Beverage and Alcoholic
Liquor Policy at Section 11.07 of this manual). University Officials reserve the right to confiscate or require Students and/or guests to dispose of alcohol in the presence of University Officials.

Alcohol consumption can often lead to other violations of the Code. Evidence in a violation may indicate that the Student’s behavior was substantially altered as a result of the consumption of alcohol. The abuse of alcohol by any Student, whether or not of legal drinking age, and any inappropriate behavior that results from consumption of alcohol, including the ability to exercise care for one's own safety or the safety of others due in whole or in part to alcohol consumption, is considered a violation of the University alcohol Policy. The consumption of alcohol is not considered an excuse for misconduct.

For the purpose of this section, individual Students or Organizations may be held responsible if alcohol is consumed by a “guest” of legal age or a minor who is a visitor or participant in an event/activity sponsored by their Organization. In addition, the host may be held responsible for the actions of guests who have consumed alcohol.

In addition, Organizations are required to abide by state laws and University policies concerning alcoholic beverages. Organizations are required to have their activities approved in writing by the group’s Faculty/Staff advisor.

An Organization is responsible for ensuring that alcohol consumption in association with an Organization event does not detrimentally affect the health and well-being of those attending the event and is responsible for ensuring that no person under the age of 21 possesses or consumes alcoholic beverages at the event.

For events that are not Bring Your Own Beer/Alcoholic Beverage (BYOB), the University requires Organizations to utilize third party vendors in accordance Student Involvement policies for events where alcohol is present.

Only Recognized Student Organizations may hold events involving alcoholic beverages off-campus that meet the following conditions:

1. All events must be registered 10 Days prior to the event with the Student Involvement office using the RSO Registration Form for Events with Alcohol.
2. 15 Days prior to an event with alcohol, Organizations must arrange a pre-event risk management meeting with the Center for Student Leadership.
3. A Third Party Vendor Agreement Form, which can be obtained from the Student Involvement office, must be submitted with all registration documents. All events must utilize wristband as indicators of legal drinking age. Wristbands can be obtained free of charge from the Student Involvement office.
4. Organizations may not advertise events involving alcohol that includes but not limited to, BYOB, drink specials, etc.
5. No alcoholic beverage may be purchased using any Organization’s funds, or Student activities fees; nor may the purchase of alcohol for members or guests be undertaken or coordinated by any member in the name of, or on behalf of the Organization. The purchase or use of bulk quantity or common sources of such alcoholic beverages (kegs, punches or cases) are prohibited.

6. Open events, meaning those with unrestricted access to non-members of the Organizations that are not utilizing third party vendors, where alcohol is present are prohibited.

7. No members, collectively or individually shall purchase alcohol for, serve to, or sell alcoholic beverages to any person under the age of 21.

8. No Organization may enter into an agreement to co-sponsor an event with an alcohol distributor, or tavern (tavern defined as an establishment generating more than half of the annual gross sales from alcohol) where alcohol is present.

9. No event shall include any form of “drinking contest” or encourage the rapid/excessive consumption of alcohol in the activity or its promotion.

Advertisement or Sponsorship of Activities, Events, or Programs Involving Alcohol by Students or Organizations

a. Advertising or publicity of alcohol is not allowed in connection with student events, student activities, student projects or Organizations. Prohibited are words, symbols, logos, pictures or drawings that denote alcoholic beverages or the drinking of alcoholic beverages. Exempt from this are units promoting alcohol awareness/harm reduction educational campaigns.

b. Sponsorship of University and University-related activities, events or programs by companies or entities that provide alcoholic beverages and products is prohibited.

c. Promotional materials may not promote alcohol as the central theme or focus of the activity, including, but not limited to, the usage of terms such as “happy hour” or other language promoting drink specials.

Assisting a Violation
Assisting, hiring or encouraging another person to commit an act that violates the Code is prohibited.

Bribery and Associated Acts
Bribery, attempted bribery, acceptance of a bribe, or failure to report a bribe is prohibited. Acting or attempting to get money or anything else of value by violence, misuse of authority or improper threats is not allowed.

Committing Acts of Dishonesty
Include but are not limited to the following:
a. Engaging or participating in cheating; or plagiarism; forgery; or other forms of dishonesty. (Students committing acts of academic dishonesty are also subject to academic sanctions. See section on Academic Honesty.)
b. Tampering with the election of any Organization.
c. Attempting to represent the University, an Organization, or any recognized University body without the explicit prior consent of the officials of that group.
d. Using an identification card that does not belong to you, and/or allowing someone to use your identification card.

Cruelty to Animals
Injuring or destroying any animal on University Premises is prohibited. This Policy does not apply to laboratory animals maintained by the University and/or to research approved by the Institutional Review Board.

Damage/Destruction of Property
Engaging or participating in acts of unauthorized possession, use, removal, defacing, tampering, damage, or destruction of University owned or leased property, equipment, programs or materials is prohibited. This also includes property, equipment, programs, or materials belonging to any Member of the University Community, guest, visitor, or contractor.

Demonstration and Picketing
Participating in a campus demonstration in contravention of University policies on First Amendment activities is prohibited. This includes riotous behavior which is defined as a disturbance with the intent to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. (See the Use of University Campus by Non-University Groups for First Amendment Activities Policy at Section 11.12 and the Use of University Campus by University Groups for First Amendment Activities Policy at Section 11.13 of this manual).

Demonstration of Psychological or Physical Harm
Any Student who demonstrates intent to harm herself/himself or otherwise poses a danger causing psychological or physical harm to self or others will be counseled by the Vice President for Student Affairs or designee, who will determine what action needs to be taken. Any Student who attempts to physically harm herself/himself or others will not be allowed to return to classes or the University residential community until such time as an appraisal has been made by a mental health professional designated by and/or approved the Vice President for Student Affairs or designee; failure to cooperate with this directive may result in immediate medical withdrawal of the Student. Any Student who demonstrates intent to harm herself/himself or others will be encouraged to contact a parent or guardian; provided, however, that should an appropriate University Official determine that the situation constitutes a medical emergency relating to the health and welfare of the Student, the Student's parent or guardian will be contacted by the University.
Disruptive Behavior
Disruptive behavior is defined as behavior that unreasonably interferes with classroom or other University activity or with the legitimate activities of any Member of the University Community. Examples of disruptive behavior include but are not limited to: public drunkenness, inciting riot, disturbance of the peace, loitering, fighting/physical altercations, obstructing traffic, abusiveness toward other individuals, use of obscene or abusive language, loud or unreasonable noise.

Drugs and Drug Paraphernalia
Students shall not manufacture, possess, use, deliver, sell, or distribute any controlled substance in violation of state law or federal law. Possession of drug paraphernalia is also prohibited.

Substances prohibited under the Code shall include, but are not limited to: marijuana, hashish, amphetamines, barbiturates, cocaine, heroin, lysergic acid (LSD), methaqualone, morphine, pentazocine, peyote, phencyclidine, and anabolic steroids, unless prescribed by a medical doctor.

Falsification of Records
Any Student who, for purposes of fraud or misrepresentation, falsifies, forges, defaces, alters, or mutilates in any manner any official University document or representation thereof may be subject to discipline. Some examples of official documents include, but are not limited to: identification cards, program requests, change slips, receipts, meal cards, parking permits, financial aid forms, applications, contracts, transcripts of credits, library documents, petitions for reclassification of residency status.

Fire and Safety
Committing acts or creating an environment which impedes on the safety of the University community is prohibited. Such acts include but are not limited to:

a. Tampering with or misusing any fire equipment, safety equipment, or any devices designed to provide a safe environment.
b. Failing to follow emergency procedures in case of actual emergency or in case of emergency procedure drills.
c. Interfering with the response of University or municipal officials to emergency calls.
d. Creating a fire hazard.
e. Engaging in any activity which might disturb or endanger the safety of others or damage University property.
f. Making false reports regarding an emergency including but not limited to: bomb threat or fire.
g. Failing to report a fire or other emergency situation to authorities.
h. Committing acts of arson.
i. Possessing or using inflammable materials or hazardous materials on University property without proper authorization.
Gambling
Conducting, organizing or participating in any illegal gambling activity on University property is prohibited.

Harassment
Harassment, an intentional act, or series of acts, which is extreme or outrageous, or calculated to cause severe embarrassment, humiliation, shame or fright, or which is intended to intimidate or ridicule is prohibited. To constitute harassment, the conduct must be of such a nature that a reasonable person would not tolerate it.

Hazing
The University strictly prohibits any form of hazing. Hazing is an act or acts involving any activity which endangers the health or safety of a person, or subjects him or her to onerous, degrading or hazardous tasks, for the purpose of admission into, or affiliation with any Organization. Said acts are considered hazing regardless of an individual's willingness to participate in the activity.

Examples of hazing include, but are not limited to: paddling, creating excessive fatigue, work sessions, behavior or activities that promote physical or psychological intimidation/gaming, embarrassment, discomfort, harassment, wearing apparel which is conspicuous or intended to embarrass the wearer, public stunts, acts of buffoonery, any act(s) that are morally degrading, humiliating games/events, encouraging illegal or abusive use of alcohol/drugs, or acts that in any way distracts from an individual’s academic pursuit.

Improper Distribution of Printed Materials
Posting, affixing, or otherwise attaching written or printed messages or materials, e.g. posters, signs, handbills, brochures, or pamphlets, on or in unauthorized places including but not limited to trees, shrubbery, sidewalks, buildings, and lawn areas of the University is prohibited. (See the Poster/Flyer Policy for University Grounds and Facilities Policy at Section 11.10 of this manual).

Improper Response to a Request from a University Official
Refusal of any Student while on University Premises to comply with an order from authorized officials to leave such premises or cease behavior that violates the Code is prohibited.

It is the responsibility of each Student to answer promptly all written notices from University Officials. Failure to respond in a timely manner will be construed as a waiver of the Student's right to respond and, in appropriate circumstances, may result in disciplinary action on the part of the University.

Keys/Unauthorized Entry
Possessing, duplicating or using keys (including electronic card access) to any University building or facility without authorization by appropriate University Officials or
committing an act of unauthorized entry into or use of University building or facilities is prohibited.

**Misrepresentation of Self**
Knowingly withholding information or giving false information verbally or in any document or materials submitted to any Member of the University Community is prohibited.

**Misuse of Computers**
Students are subject to all computer lab policies. Violations of these ethical standards and unauthorized or inappropriate use of computers is prohibited. Misuse includes but is not limited to:

a. Unauthorized entry into a file, to use, read, or change the contents or for any other purpose.
b. Unauthorized transfer of a file.
c. Unauthorized use of another's identification and password.
d. Use of computing facilities to interfere with the work of another Member of the University Community.
e. Use of computing facilities to send obscene or abusive messages.
f. Use of computing facility to interfere with normal operations of the University computing system.
g. Unauthorized entry into or use of University facilities or property, entry or occupation at any unauthorized time, or any unauthorized or improper use of any University property, equipment or facilities prohibited.
h. Damaging or altering records or programs.
i. Furnishing false information.

(See the Acceptable Use Policy at Section 19.01 and the University Information Technology Systems Relative to E-mail Policy at Section 19.05 of this manual.)

**Misuse of Communication Technology**
No Student shall misuse or abuse, or assist in the misuse or abuse of communication technology at the University. Misuse includes but is not limited to:

a. any form of communication technology used to harass or threaten any person or persons, or
b. any form of communication technology used to disrupt the normal operations or activities of any person, Organization, or the University.
c. any unauthorized use of communications technology.

Communication technology includes, but is not limited to: computers; cell phones; programmable calculators; pagers; personal data assistants (PDA’s), headsets; video cameras; electronic mail; social media; or printers.
Sexual Misconduct

Committing acts of sexual misconduct is prohibited. It is the Policy of the University that sexual misconduct by a Member of the University Community will not be tolerated. This Policy applies to all members of the University community: Students, Staff and Faculty.

Sexual misconduct encompasses "Sexual Exploitation," "Sexual Harassment," "Non-Consensual Sexual Contact," and "Non-Consensual Sexual Intercourse," and the legal definitions of sexual assault contained in state and federal law. Sexual misconduct can occur between strangers or acquaintances, including people involved in an intimate or sexual relationship. Sexual misconduct can be committed by men or by women, and it can occur between people of the same or different sex.

"Effective Consent" means words or actions that show an active, knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Effective consent cannot be gained by force, by ignoring or acting in spite of the objections of another, or by taking advantage of the incapacitation of another, where the actor knows or reasonably should have known of such incapacitation. Effective consent is also lacking when the activity in question exceeds the scope of effective consent previously given.

"Sexual Exploitation" means taking sexual advantage of another person without effective consent, and includes, without limitation, causing or attempting to cause the incapacitation of another person; causing the prostitution of another person; electronically recording, photographing, or transmitting intimate or sexual utterances, sounds or images of another person; allowing third parties to observe sexual acts; engaging in voyeurism; distributing intimate or sexual information about another person; and/or knowingly transmitting a sexually transmitted infection, including HIV, to another person.

“Sexual Harassment” means unwelcome conduct (sexual advances, requests for sexual favors, written or spoken sexual expressions, or physical behavior of a sexual nature) under any of the following circumstances:

1. Submission to such conduct is either an implied or expressed condition for instruction, employment, or other campus activity.
2. Submission to or rejection of such conduct is used as a basis for evaluation.
3. Such conduct has the purpose or effect of unreasonably interfering with performance or creating an intimidating, hostile, or demeaning environment.

A Student who is sexually assaulted is strongly encouraged to report the information to the WSU Police Department and/or law enforcement officials of the city or county. The victim can contact the Office of Student Affairs if he or she does not wish to report the offense to the police or if he or she desires assistance in notifying such authorities. If the University is informed of an alleged act of sexual misconduct, the University is obligated to investigate the occurrence and to proceed with the conduct process if the alleged individual is a Student.
Services are available on campus to assist the victims of sexual assault on an immediate and ongoing basis. Victims should seek medical attention immediately as it is important that medical evidence be preserved for the investigation of the incident. Medical follow-up is provided by Student Health Services or local hospitals. Counseling support is available through the Counseling and Testing Center, the Office of Multicultural Affairs, the Office of Student Conduct and Community Standards, and the Wichita Area Sexual Assault Center.

Students who wish to seek a change in housing arrangements are encouraged to contact Housing and Residence Life. Changes will be accommodated as reasonably available. Academic assistance is provided through the dean’s office of the Student's academic college. Other assistance is available through the Office of Student Affairs and Student Conduct and Community Standards.

(See the Prohibiting Sexual Harassment Policy at Section 3.06, the Prohibiting Sexual Harassment of Students Policy at Section 8.11 and the Sexual Assault Policy at Section 8.16 of this manual.)

**Smoking**
Smoking, including E-cigarettes is prohibited in all buildings to provide a smoke-free environment for Students, Faculty, Staff and visitors. Smoking within a ten foot radius outside of any doorway, open window or air intake leading into any building or facility is also prohibited. (See the Smoking Policy Section 11.08 of this manual.)

**Solicitation**
Engaging in unauthorized canvassing or solicitation is not allowed.

**Theft**
The unauthorized taking, embezzlement, misappropriation, possession, or attempt to do same, of property owned or maintained by the University, by any person on University Premises, or by any person attending a University-sponsored event is not allowed. Attempted or actual theft of and or damage to property of the University or property of Member of the University Community or other personal or public property is prohibited.

**Violation of Federal or State Laws, County or City Ordinances**
University conduct procedures may be instituted against a Student charged a violation of a law or ordinance and is also a violation of this Code (if both violations result from the same factual situation) without regard to the pendency of civil or criminal litigation in court or criminal arrest and prosecution. Proceedings under this Code may be carried out prior to, simultaneously with, or following civil or criminal proceedings off-campus. Determinations made or sanctions imposed under the Code shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of the Code were dismissed, reduced, or resolved in favor of or against criminal law defendant.
When a Student is charged by federal, state, or local authorities with a violation of law or ordinance, the University will not request or agree to special consideration for that individual because of his or her status as a Student. If the alleged offense is being processed under the Code, however, the University may advise off-campus authorities of the existence of the Code and of how such matters will be handled within the University community. The University will fully cooperate, to the extent permitted and consistent with the law, with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of Student. Members of the University Community, acting in their personal capacities, remain free to interact with governmental representatives as they deem appropriate.

Violation of Program and Department Policies, Rules or Regulations
Students are expected to comply with all policies, rules and regulations that are specific to various departments and facilities on campus.

Weapons
Ammunition and weapons, as defined below, are prohibited on University Premises unless in the possession of a law officer. Engaging or participating in unauthorized possession or use of explosives, firearms, weapons, or other hazardous objects or substances is not allowed. Weapons, explosives and other hazardous objects or substances covered by this regulation shall include, but not be limited to the following:

a. Any object or device which will, is designed to, or may be readily converted to expel bullet, shot or shell by the action of an explosive or other propellant;
b. any handgun, pistol, revolver, rifle, shotgun or other firearm of any nature, including concealed weapons licensed pursuant to the Personal and Family Protection Act, and amendments thereto;
c. any BB gun, pellet gun, air/CO2 gun, stun gun or blow gun;
d. any explosive, incendiary or poison gas (A) bomb, (B) mine, (C) grenade, (D) rocket having a propellant charge of more than four ounces, or (E) missile having an explosive or incendiary charge of more than 1/4 ounce;
e. any incendiary or explosive material, liquid, solid or mixture equipped with a fuse, wick or other detonating device;
f. any tear gas bomb or smoke bomb; however, personal self-defense items containing mace or pepper spray shall not be deemed to be a weapon for the purposes of this Policy;
g. any knife, commonly referred to as a switch-blade, which has a blade that opens automatically by hand pressure applied to a button, spring or other device in the handle of the knife, or any knife having a blade that opens or falls or is ejected into position by the force of gravity or by an outward, downward or centrifugal thrust or movement;
h. any straight-blade knife of four inches or more such as a dagger, dirk, dangerous knife or stiletto; except that an ordinary pocket knife or culinary knife designed for and used solely in the preparation or service of food shall not be construed to be a weapon for the purposes of this Policy;
i. any martial arts weapon such as nun chucks and throwing stars;
j. any longbow, crossbow and arrows or other projectile that could cause serious harm to any person;
k. all fireworks;
l. any operative animal trap or device that is used to ensnare animals (with the exception of mist nets used to snare birds or devices used by Physical Plant personnel or the University Police Department to control wild animals on campus).

(See the Prohibiting Weapons on University Property Policy at Section 11.19 of this manual.)

**Student Conduct Procedures**

I. Reporting an Incident
   a. Any individual can report an incident by submitting a written complaint to the Student Conduct and Community Standards Office or through the online reporting system. The written complaint will be shared with the Respondent during the conduct process.

II. Initial Review by Conduct Officer
   a. The Conduct Officer shall make an initial determination as to whether there is sufficient basis to believe that a violation of the Code may have occurred and if there is jurisdiction to consider the complaint under the Code.
      i. To assist in making this initial determination, the Conduct Officer may interview the Complainant and/or other witnesses, or request additional information from the Complainant.
   b. If the Conduct Officer determines there is insufficient information to believe a violation of the Code has occurred, the case will be closed.
   c. If the Conduct Officer determines there is sufficient information to believe a violation of the Code may have occurred, the Conduct Officer will:
      i. Notify the Respondent, in writing, of the alleged violations of the Code and of the opportunity to meet with the Conduct Officer, in a Prehearing Conference, to review the conduct process and procedures.
      ii. When a Student Organization is a Respondent, the president will act as the representative of the Organization throughout the conduct process. The president may designate this responsibility to another officer of the Organization by notifying the Conduct Officer Director in writing at least three (3) Days prior to the scheduled Hearing.
      iii. Notifications shall include the following:
         1. The date of the complaint; the alleged Code violation(s); a brief summary of the alleged conduct; the time, date and location of the Hearing; and the contact information for the Conduct Officer assigned to the case.
         2. Information about the option of a Prehearing Conference.
a. The purpose of the Prehearing Conference is to insure that the Respondent is sufficiently familiar with the Code (including the conduct regulations and process) in order to accurately prepare and present a response to the alleged violations. The Respondent is responsible for scheduling a Prehearing Conference by the deadline provided in the notification. A Prehearing Conference must be scheduled no later than three (3) Days prior to the Conduct Hearing or Conduct Board Hearing.

iv. The Conduct Officer may interview witnesses and review documentation in preparation of the Hearing.

d. If the Conduct Officer determines, after initial review, the alleged conduct may justify expulsion or suspension, the Hearing shall be conducted by a Hearing Board, unless the Respondent or Complainant requests a Conduct Hearing. A request for a Conduct Hearing must be submitted at least three (3) Days prior to the scheduled Hearing.

e. Cases that will not result in suspension or expulsion shall be conducted as a Conduct Hearing.

f. During initial review period, the Respondent may admit the charges or decline to contest such charges, although not actually admitting guilt. The Conduct Officer will explain to the Respondent the potential consequences of such action.

III. Student Rights and Responsibilities

a. The Respondent shall be presumed not to have violated the Code unless it is proven that it is more likely than not that a violation of the Code has occurred.

b. The Respondent and Complainant are entitled to have an advisor present through the process. The advisor may be a parent, attorney, or other designee. Respondents or Complainants who wish to bring an attorney shall notify the Student Conduct and Community Standards Office three (3) Days prior to the Hearing so that a representative of the University General Counsel’s Office may be present to advise the Conduct Officer or Hearing Board. Neither advisor nor counsel may speak for or appear in lieu of the Respondent, Complainant, Conduct Officer or Hearing Board.

c. The Respondent and Complainant shall have the right to bring forth witnesses or provide written evidence of the alleged conduct violation.

d. The Respondent may schedule an appointment with the Director to review the documentation related to the complaint prior to the Hearing.

e. Hearings are scheduled a minimum of five (5) Days from the date of Hearing notification to allow the Respondent sufficient time to prepare a response.

f. Any request for a postponement of the Hearing, with reasons to support the request, must be submitted in writing prior to the scheduled Hearing to the Conduct Officer, who will determine whether a delay will be granted.
g. In the event the University needs to postpone the date of a Conduct Hearing, the Respondent shall be notified prior to the scheduled Hearing. The Respondent will receive a notification of the new Hearing at least five (5) Days prior to the new Hearing date.

h. Respondents are expected to give priority to requests made by a Conduct Officer. Failure to be present for the scheduled Hearing may result in a decision based on the information in the complaint and any subsequent investigation.

IV. Hearing Information

a. If at any point during the conduct process the Conduct Officer determines there is insufficient information to proceed, a case may be dismissed.

b. If at any point during the conduct process, prior to the Hearing, the Conduct Officer determines additional violations may exist, the Respondent shall be notified in writing of any such additional violations prior to the Hearing. This may result in the Hearing being rescheduled.

c. If additional information is revealed during the Hearing which may result in further violations of the Code, the Conduct Officer or Hearing Board chair shall notify the Respondent in the Hearing.

d. If information provided leads to the possibility of suspension or expulsion, the Conduct Officer will conclude the Conduct Hearing without a decision and refer the complaint to the Hearing Board. The Respondent may waive the right to appear before a Hearing Board and request a new Conduct Hearing.

e. All Hearings will be recorded. The recording remains a part of the official conduct file and will be used for the appeal process.

f. The Conduct Officer or Hearing Board chair has the discretion to limit admissibility of evidence or testimony based on relevance, repetition, and credibility. The rules of evidence do not apply to Hearings.

g. In Hearings that involve a crime of violence, as defined in the Jeanne Clery Disclosure of Campus Security Policy and Campus Crime Statistics Act (Clery Act), the Conduct Officer will inform the Complainant of the outcome, including any sanctions, in writing, within five (5) Days of conclusion of the Hearing.

V. Conduct Hearing Process

a. Cases referred for Conduct Hearing shall be heard by the Conduct Officer. The Conduct Officer shall review all available information with the Respondent at the Conduct Hearing, which will include:
   i. An opportunity to review the complaint.
   ii. A summary of the fact-finding investigation which has taken place.
   iii. A reasonable opportunity for the Respondent to reflect upon and respond, verbally or in writing, to the allegations made in the complaint and any subsequent investigation.
   iv. An explanation of the applicable conduct procedures, including the Student's right to request an appeal.
b. Following the conclusion of the Conduct Hearing:
   i. The Conduct Officer shall determine if it is more likely than not that a violation of the Code has occurred based on all information presented.
   ii. The Conduct Officer shall inform the Respondent of the decision, in writing, within five (5) Days of conclusion of the Conduct Hearing.
   iii. The written decision will include a statement of the charges; the Conduct Officer’s determination; the sanction to be imposed, if any; and information about the appeal process.

VI. Hearing Board Membership
a. The Hearing Board will include: two (2) Faculty, two (2) Students, and two (2) Staff. In addition, a University Conduct Officer not previously involved with the incident or investigation shall serve as an advisor of the Hearing Board as a non-voting member.
b. One (1) Student member shall be appointed by the Student Government Association; one (1) Student member shall be appointed by a Housing and Residence Life governing board. Faculty shall be appointed by the Faculty Senate, and Staff shall be appointed by the Director.
c. Quorum for the Hearing Board is a minimum of three (3) members, one (1) of whom must be a Student. A quorum is necessary to convene a Conduct Board Hearing.
d. Selections and appointments to the Hearing Board shall be for two (2) academic years.
e. All selected Hearing Board members will be required to attend a training session. Only trained members can hear cases.
f. The Director may remove a Hearing Board member if the Director reasonably determines there is a conflict.

VII. Conduct Board Hearing Process
a. Cases referred for a Conduct Board Hearing will be heard by the Hearing Board as established in section V above.
b. Two or more Respondents may be asked to participate in a joint Hearing if they are alleged to have taken part in the same incident, act, event, or series of related acts. The alleged conduct violation(s) need not be identical for participation in a joint Conduct Board Hearing.
c. In situations involving two or more Respondents, any Respondent may choose to have the case heard independently of the other Respondents. The request must be submitted in writing to the Student Conduct and Community Standards Office at least three (3) Days prior to the scheduled Hearing. The Conduct Officer will schedule a separate Conduct Board Hearing.
d. Respondent, Complainant or any member of the Hearing Board may request a recess. Recesses should be kept short and to a minimum. If recesses become excessive in number or in length, the person asking for a
recess may be asked to provide a reason for the request. The Hearing Board chair may approve or deny a request for a recess.

VIII. **Conduct Board Hearing Procedures**

a. The Hearing Board chair begins the Hearing by introducing the parties involved and reading the alleged violation(s) of the Code.

b. Witnesses are notified that they are to be truthful and that matters presented in a Hearing shall be kept confidential, unless disclosure is required by applicable laws and/or University policies. Witnesses will remain outside the Hearing room until called to appear before the Hearing Board.

c. The Complainant presents an opening statement. (5 minute limit)

d. The Respondent presents an opening statement. (5 minute limit)

e. The Complainant presents witnesses and/or information in the order that he/she chooses.

f. Following each witness, the Respondent is given an opportunity to question that witness. An opportunity for further questioning of the witnesses by the Complainant and Respondent is provided as deemed necessary or appropriate by the chair.

g. Following the completion of the questioning of each witness by the Complainant and the Respondent, the Hearing Board may question the witness.

h. At the conclusion of the Complainant's presentation, the Respondent presents witnesses and/or information.

i. Following each witness, the Complainant is given an opportunity to question that witness. An opportunity for further questioning of the witnesses by the Complainant and Respondent is provided as deemed necessary or appropriate by the chair.

j. Following the completion of the questioning of each witness by the Complainant and the Respondent, the Hearing Board may question the witness.

k. If documentary or tangible information is presented, the Complainant and the Respondent may comment on the information or item(s) at the time it is presented.

l. Following the completion of the Respondent’s case, the Hearing Board may recall any witnesses for further questioning.

m. The Complainant may give a closing statement. No new information is allowed to be introduced during Complainant's closing statement. (5 minute limit)

n. The Respondent may give a closing statement. No new information is allowed to be introduced during Respondent’s closing statement. (5 minute limit)

o. The formal Hearing is concluded.

p. At the conclusion of the Conduct Board Hearing, the Hearing Board shall deliberate in closed session. After deliberation and vote, the decision of
the Hearing Board will be forwarded to the Student Conduct and Community Standards Office.

q. Decisions by the Hearing Board shall be determined by a majority vote.
r. The Hearing Board chair shall advise the Respondent of the decision in writing within five (5) Days of the Hearing.

IX. Mediation

a. Some alleged Code violations may be resolved through mediation. Mediation is a voluntary process that utilizes an impartial, neutral third-party who acts as a facilitator to help the parties reach a mutually acceptable outcome.
b. Requests for a conflict to be resolved through mediation can be made in writing to the Director by either party. Requests must be made prior to a scheduled Hearing.
c. The Director will determine if the conflict can be reasonably handled by mediation instead of a Hearing.
d. All parties involved in the conflict must agree on utilizing mediation and will share any costs associated.

X. Confidentiality

Upon the conclusion of a Hearing, all documents pertaining to the complaint shall be returned to the Student Conduct and Community Standards Office for processing. These documents include, but are not limited to the following: incident reports, police reports, written statements, as well as any personal notes taken during the Hearing. The Hearing Board members are also required to refrain from discussing the outcomes of a Hearing beyond the confines of the Hearing.

XI. Appeals of Conduct Hearings

a. Respondent or Complainant, as applicable, are granted one (1) appeal request, which must be made in writing.
b. Appeal requests must be filed with the designated Appeal Officer, as stated in the outcome letter, no later than ten (10) Days following notification of the decision.
c. Except as required to explain the basis of new information, an appeal shall be limited to a review of the record of the initial Hearing and supporting documentation for one or more of the following purposes:
   i. To determine whether the original Hearing was conducted in conformity with prescribed procedures.
   ii. To determine whether the decision reached was reasonably supported by the record.
   iii. To determine whether the sanction(s) imposed were appropriate and reasonable for the Code violation(s).
   iv. To consider new information, it must be shown that such information and/or facts were not known or reasonably could not have been known to the Respondent or Complainant at the time of
d. The Appeal Officer shall render a decision which affirms, denies or modifies the original decision. The severity of the sanction shall not be increased. The Appeal Officer shall issue a written decision no later than ten (10) Days following receipt of the appeal.

e. When it becomes necessary to conduct further investigation or to remand the matter to the Conduct Officer or Hearing Board, the written decision will be transmitted no later than ten (10) Days following completion of the investigation or the subsequent decision of the Conduct Officer or Hearing Board. If additional investigation or further proceedings are necessary under this provision, Respondent and/or Complainant shall be given notice and an opportunity to respond.

XII. Temporary Conduct Suspension

a. The Vice President for Student Affairs may temporarily suspend a Respondent prior to a Hearing if the Vice President for Student Affairs determines that the Respondent's conduct presents a danger to himself/herself or the University community. Suspension may be imposed only (a) to ensure the safety and well-being of members of the University community or preservation of University property; (b) to ensure the Student's own physical or emotional safety and well-being; or (c) if the Student poses a definite threat of disruption of or interference with the normal operations of the University.

b. The Vice President for Student Affairs shall notify the Respondent of the temporary suspension in writing. The suspension will become effective immediately upon receipt of notice.

c. A Respondent who is temporarily suspended for an interim period shall be provided an opportunity to respond to the allegations no later than three (3) Days following the effective date of the temporary suspension.

i. The purpose of this response is to determine only if the suspension shall remain in place pending the outcome of the official Hearing.

d. Prehearing restrictions may include but are not limited to: A temporary residence hall suspension, mandate temporary room reassignment or other restrictions; restrictions to the privileges granted to Recognized Student Organizations, or other rights associated with an Organization; denied access to the residence halls and/or the campus (including classes) and/or all University activities or privileges for which the Student might otherwise be eligible.

e. Whenever a temporary suspension is imposed:

i. The Director or designee shall convene a disciplinary proceeding in a timely manner.

ii. The interim sanction may remain in effect until

1. The Vice President for Student Affairs determines that the reasons for imposing the temporary suspension no longer exists, or
2. A final outcome of the Conduct Hearing has been determined.

XIII. Emergency Contact/Parental Notification Process
If a Hearing results in a finding of an alcohol or drug violation, the following University Policy will be utilized to notify parents:

a. Parental/Legal Guardian Notification of Alcohol Violations
   i. First violation: Unless there are extenuating circumstances, the University will generally not notify parents or legal guardians of Students under the age of 21 of first time violations. Parents/legal guardians may be notified if any of the following occurs as a first violation:
      1. The Student demonstrates a reckless disregard for his or her personal safety or the safety of others while under the influence of alcohol;
      2. Medical attention is required for any person as a result of the Student’s alcohol-related behavior, including the Student;
      3. There is property damage;
      4. The Student operates a motor vehicle under the influence of alcohol;
      5. The incident involves another serious incident;
      6. The Student is arrested or taken into custody by University Police or other law enforcement entity while under the influence of alcohol or other drugs.
      7. The Student is charged with violating a federal, state, or local law related to the consumption, possession, sale, dispensation, use or distribution of alcoholic beverage;
      8. The Student’s violation results in a temporary or permanent separation from the University (e.g. suspension, expulsion, or termination of a housing contract, etc.).
      9. Other appropriate circumstances as determined by the Vice President for Student Affairs or designee.
   ii. Second and subsequent violations: The University will notify parents and legal guardians of all second and subsequent alcohol-related violations. For purposes of determining what constitutes a second or subsequent violation, multiple and related violations during a single incident will be treated as one violation. Alcohol-related violations occurring prior to the implementation of this parental/legal guardian notification Policy will not be considered.

b. Parental/Legal Guardian Notification of Drug Violations
   i. The University will notify parents or legal guardians of Students under the age of 21 who are in violation of the drug and paraphernalia policy.
c. **Guidelines and Principles for Parental/Legal Guardian Notification**
   i. If the University chooses to notify a Student’s parent or legal guardian, it will be done in writing or by telephone. The notification will include that the Student has been found responsible for violating the Wichita State Student Code of Conduct alcohol and/or drug policies.
   ii. Prior to notification, the University will attempt to consult with the Student and, consistent with promotion of personal accountability, encourage the Student to advise his/her parent or legal guardian before the University sends its notification.
   iii. The University will notify the Student's parent or legal guardian only after (i) the Student has been found responsible for violating the Wichita State Student Code of Conduct alcohol and/or drug policies and (ii) time for the appeal process has expired.
   iv. The University will keep a record of the parental/legal guardian notification in the Student’s discipline file.
   v. The Director or designee will be responsible for notifying parents or legal guardians.

XIV. **Sanctions**

a. **Expulsion:** Permanent separation of the Respondent from the University. An indication of expulsion may appear on the Respondent's transcript. The expelled Respondent shall not participate in any University-sponsored activity and shall be barred from University Premises.

b. **Suspension:** Separation of the Respondent from the University for a specified period of time not exceeding four (4) semesters or two (2) years. An indication of suspension may appear on the Respondent's transcript. A suspended Respondent shall be barred from the University Premises and shall not participate in any University-sponsored activity, except where prior approval has been granted by the Director.

c. **Probation:** Probation is the conditional continuation of a Respondent for a specified period of time. This status implies that further violation of the Code may result in other sanctions being imposed which may include suspension or expulsion.

d. **Warning:** A warning is a written statement of Respondent’s guilt for a violation of the Code with caution that further violations may result in additional sanctions.

e. **Housing Contract Termination:** Students living on Housing and Residence Life property violating Policy the Code are subject to conduct action which could result in the termination of the contract at the expense of the resident.

f. **Other Sanctions:** Other sanctions may be applied to cover specific situations or conditions. Sanctions that suspend a Respondent’s privileges shall have a set time of duration indicating when and under what
conditions the Respondent may regain the privilege. Other sanctions may include but are not limited to:

i. Restitution or replacement of lost, damaged, or stolen property.
ii. Payment for damage or personal injury.
iii. Suspension of privileges from University sponsored events.
iv. Suspension of privileges to use certain University facilities.
v. Suspension of privileges to represent the University.
vi. Suspension of privileges to occupy an office in a recognized Student Organization.
vii. Community service work to be assigned.
viii. Referral for alcohol or drug abuse counseling or education.

XV. **Student Conduct Records**

a. The Director may place a hold on a Student's academic and other institutional records should the Student refuse to respond to, or comply with, the conduct procedures or sanctions imposed in accordance with these rules.

b. Conduct records of Students or Organizations found to have violated the Code shall be retained as directed by the Retention of University Records Policy in Section 20.23 of this manual.

c. If the final determination is that no violation has occurred, then all documentation relating to that charge shall be purged from the record, which is kept in the Student Conduct and Community Standards Office.

d. Conduct records designated as permanent shall not be voided without unusual and compelling justification.

e. Conduct records are considered to be educational records and are not open to the public.

XVI. **Interpretation and Revision**

a. Any question of implementation/application of the Code shall be referred to the Director or designee for final determination.

b. The Code shall be reviewed every three (3) years under the direction of the Director.

c. The Director is that person designated by the University President to be responsible for the administration of the Code.

XVII. **Implementation**

a. This Policy shall be included in the *WSU Policies and Procedures Manual* and shared with appropriate constituencies of the University.

b. The Vice President for Student Affairs and the Director of Student Conduct and Community Standards shall have primary responsibility for the publication and distribution of this University policy.
8.06 / First-Year Students Residence Hall Living Requirements

Purpose:
To state University policy with regard to requirement that designated first-year students must live in a University residence hall.

Preamble:
Studies demonstrate that students who live in campus residence halls have a greater opportunity for success with regard to their college experience and are more likely to remain in school to earn their degree. In support of the success of students who come to Wichita State University, the University has implemented a requirement that designated first-year students must live in a University residence hall.

Policy Statement:

1. All first-year students,1 including undergraduate international students and Intensive English students, unless otherwise eligible for an exemption under provision two of this policy statement, must live in Shocker Hall or Fairmount Towers during their first two semesters at Wichita State University.

2. First-year students who meet one or more of the following criteria are exempt from this policy:
   a. twenty-one (21) years of age or older;
   b. married;
   c. live in the greater Sedgwick County area2 with a parent, legal guardian, grandparent, aunt or uncle;
   d. live in Greek housing authorized by a national chapter recognized by the University; and/or
   e. take less than twelve (12) credit hours per semester.

3. Students who believe they qualify for an exemption must submit the Freshman Exemption Form along with proof of eligibility to Housing and Residence Life. Students will receive written notification of the decision of Housing and Residence Life. Students may submit one appeal of this decision to the Housing and Residence Life Committee pursuant to procedures adopted by that Committee.

1 For purposes of this policy, "first-year students" shall be defined as: all undergraduate students who are newly enrolled at Wichita State University.

2 For purposes of this policy, the "greater Sedgwick County area" shall include all of Sedgwick County and the following cities: Andover, Augusta, Belle Plaine, Benton, Douglas, Mulvane, Newton, North Newton, Potwin, Rose Hill, Sedgwick, Towanda and Whitewater.

Implementation:
This policy will be included in the WSU Policies and Procedures Manual and shall be shared with the Director of Housing and Residence Life for dissemination and implementation.

Effective Date:
July 14, 1998
CHAPTER 8

TABLE OF CONTENTS
8.07 / Financial Aid Awards

Purpose:
Establish procedures relating to the determination of a student's cost of attendance for purposes of financial aid awards.

Preamble:
Federal and state regulations require that all financial aid awards take into account any and all resources (other than employment) when determining the amount of money available to meet a student's cost of attendance.

Policy Statement:
1. The Provost and Senior Vice President or designee shall develop and implement procedures which are designed to ensure compliance with federal and state regulations regarding financial aid awards and to make certain, to the extent reasonably possible, that a student is not placed at risk of overpayment of financial aid funds.

2. The Provost and Senior Vice President or designee shall review the implementing procedures as required or appropriate, but minimally at least annually, to assure compliance with federal and state regulations.

3. The procedures developed by the Provost and Senior Vice President or designee pursuant to this policy statement shall be applicable to affiliated corporations of the University as well as the student government association.

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Provost and Senior Vice President shall have primary responsibility for publication, dissemination and implementation of this University policy.

Effective Date:
December 1, 1999
8.08 / International Students Mandatory Health Insurance

Purpose:
To set forth University requirements for acquisition and maintenance of minimum levels of medical insurance coverage for certain Wichita State University students.

Preamble:
In order to make certain that non-immigrant international students attending Wichita State University have access to adequate medical care and to provide sufficient financial resources for such students to be able to afford such medical care and to address a possible need to return to their home country, it is deemed appropriate that non-immigrant international students be required to maintain minimum levels of insurance protection.

Policy Statement:
1. Wichita State University requires that all non-immigrant international students have a specified minimum amount of medical insurance protection for every semester they are enrolled as a student at Wichita State University.

2. Each non-immigrant international student must obtain and maintain medical insurance, from a company authorized to do business in the United States, with the following minimum coverages:
   a. Basic injury and sickness benefits consistent with requirements of the Patient Protection and Affordable Care Act;
   b. Major medical coverage consistent with requirements of the Patient Protection and Affordable Care Act;
   c. Coverage to provide for medical evacuation of the student to the student's home country; and
   d. Coverage to provide for repatriation of the student's remains to the student's home country in case of death.

3. Failure to obtain and maintain such coverages during the student's time of enrollment will be grounds for discipline up to and including expulsion.

4. Student Health Services may, at its discretion, waive one or more of the above requirements based on overall medical coverage and/or Visa status. Each semester the Office of International Education will notify students via email regarding dates waiver and insurance information will be accepted. No waivers will be issued after the end date. To request a waiver, students should follow the process found at http://wichita.edu/medicalinsurance.

Implementation:
This policy shall be included in the *WSU Policies and Procedures Manual* and shared with appropriate constituencies of the University.

Effective Date:
October 20, 2000

Revision Date:
January 7, 2013
March 25, 2016
8.13 / Student Travel

Purpose:
The purpose of this statement is to set forth University policy with regard to travel by University students.

Preamble:
It is recognized that students of the University often travel on behalf of the University and/or travel to serve as representatives of the University. This policy is intended to provide guidance on how such travel should be handled and arranged in an effort to protect the mutual interests of such students and the University.

Policy Statement:

1. University-sanctioned student travel occurs when the destination activity or event is away from the University's campus and all the following criteria are met:
   a. University resources are used to fund the travel, in whole or in part.
   b. A vehicle owned or leased by the University is used for the travel and/or public or commercial transportation is used.
   c. A University employee, serving in his or her official capacity, approves the travel.
   d. A University-Sanctioned Student Travel Registration Form that lists all travelers is completed, signed by a University employee serving in his or her official capacity, and submitted to the Office of the Vice President for Student Affairs at least one week prior to the departure date.

2. All applicable University policies and state and federal laws must be followed during the University-sanctioned travel.

3. Travel by students that does not meet the criteria set forth above will not be considered as University-sanctioned travel. This policy does not apply to the Intercollegiate Athletic Association, Inc. for the purpose of participation in intercollegiate athletic contests, or travel on behalf of the Wichita State University Union Corporation.

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Vice President for Student Affairs shall have primary responsibility for publication, dissemination and implementation of this University policy.

Effective Date:
September 1, 2004
8.14 / Meningitis Vaccination for Students Living in University Residence Halls

Purpose:
The purpose of this statement is to set forth University policy with regard to meningitis vaccinations for students living in University residence halls in response to and in compliance with the requirements of Board of Regents policy.

Preamble:
In September of 2005, the Kansas Board of Regents adopted a policy mandating all state universities to put in place policies and procedures effective as of the fall semester of the 2006-2007 academic year requiring that all incoming students residing in University housing be vaccinated against meningitis. This policy statement is intended to comply with Regents policy.

Policy Statement:

1. Each first-time resident of a University residence hall shall be required to complete and submit either a:

   a. Proof of Meningitis Vaccination within fifteen (15) days of occupancy of a University residence hall. This documentation must be in the form of an official vaccination record.

   b. Meningitis Waiver Form indicating the wish to refuse to be immunized against meningitis within fifteen (15) days of occupancy of a University residence hall.

2. Any first-time resident who does not complete and submit a Proof of Meningitis Vaccination or a Meningitis Waiver Form within fifteen (15) days of occupancy of a University residence hall shall be referred to the Associate Vice President for Student Affairs and Dean of Students.

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Vice President for Student Affairs shall have primary responsibility for publication, dissemination and implementation of this University policy.

Effective Date:
February 1, 2006

Revision Date:
January 18, 2011
8.15 / Tuberculosis Prevention and Control

Purpose:
The purpose of this statement is to set forth University policy with regard to the implementation of a tuberculosis prevention and control plan at the University in compliance with state law.

Preamble:
The Kansas Legislature has passed legislation and the Kansas Department of Health and Environment has promulgated implementing regulations imposing requirements for college and university students who were born in or lived in or traveled in countries certified by the Centers for Disease Control and Prevention as areas where tuberculosis is a health risk. See K.S.A. 65-129e and K.S.A. 65-129f.

Policy Statement:

1. The Student Health Center shall communicate and update information to the University community about countries which have been identified as a country where tuberculosis is a health risk.

2. The Director of the Student Health Center shall be responsible for implementing the requirements of K.S.A. 65-129e and K.S.A. 65-129f and rules and regulations promulgated by the secretary of health and environment and shall be the designated official responsible for the oversight and implementation of the University's Tuberculosis (TB) Prevention and Control Plan.

3. The University's Tuberculosis Prevention and Control Plan shall include the following elements:
   A. Each "high-risk" student shall be subject to evaluation and testing prior to attending any class at Wichita State University.
   B. Evaluation and testing may include one or more of the following components, as determined to be necessary by officials at the Student Health Center:
      i. Tuberculin skin testing;
      ii. interferon gamma release assay;
      iii. chest radiograph;
      iv. sputum evaluation;
      v. physical exam; or
      vi. review of signs of symptoms.
   C. A "high-risk" student is any undergraduate or graduate student enrolled at Wichita State University who meets any of the following conditions:
      i. Has signs and symptoms of active Tuberculosis;
      ii. Has been in contact with a person who has been diagnosed with active Tuberculosis; or
      iii. Has traveled, resided in for more than three (3) months, or was born in any country where Tuberculosis is endemic.
D. The Student Health Center will notify the Kansas Department of Health and Environment if any student is found to have Tuberculosis infection or active Tuberculosis disease.

E. The Student Health Center shall keep and maintain Tuberculosis evaluation records for each high-risk student.

F. The Student Health Center will provide the Vice President for Student Affairs with a report at the end of each semester regarding the number of "high-risk" students that were identified during the semester.

4. University students who fail to comply with requirements implemented by the Student Health Center in accordance with this policy statement shall be subject to administrative withdrawal from classes at the University.

5. Students are responsible for costs associated with any required evaluation.

**Implementation:**
This policy shall be included in the *WSU Policies and Procedures Manual* and shared with appropriate constituencies of the University.

The Vice President for Student Affairs shall have primary responsibility for publication, dissemination and implementation of this University policy.

**Effective Date:**
October 1, 2006

**Revision Date:**
October 1, 2011
8.16 / Sexual Misconduct, Relationship Violence and Stalking Policy for Students

Click here for the full text. [see pages below]

Effective Date:
September 11, 2015

Revision Date:
March 25, 2016
8.16 / Sexual Misconduct, Relationship Violence, and Stalking Policy for Students

Wichita State University is committed to the elimination of sexual misconduct, relationship violence, and stalking within the University community. These incidents may interfere with or limit an individual’s ability to benefit from or fully participate in the University’s educational programs. Additionally, these incidents may cause serious physical and/or psychological harm. Wichita State University maintains a comprehensive program to prevent these behaviors, provides resources to assist and support those who are involved in such incidents, and will respond promptly and equitably to reports of sexual misconduct, relationship violence, and stalking. The University has a responsibility to eliminate the behavior, prevent its recurrence, and address its effects on any individual and/or the community. Retaliatory actions against any individual involved in reporting or participating in the investigation of a complaint will not be tolerated.

I. Purpose:
This policy provides information regarding the University’s prevention and education efforts related to sexual misconduct, relationship violence, and stalking by students. The policy also explains how the University will proceed once it is made aware of possible sexual misconduct, relationship violence, and stalking by a student Respondent in keeping with institutional values and to meet the University’s legal obligations under Title IX and other applicable laws. This process will be used to resolve alleged sexual misconduct, relationship violence, and stalking violations in a prompt, fair, and impartial manner.

II. Education and Awareness
A. Awareness Programs
The Office of International Education; Office of Student Success; WSU Intercollegiate Athletic Association, Inc.; Office of Human Resources; Academic Affairs; and other offices may conduct orientation sessions for students and employees. During orientation sessions, each office is expected to provide safety information. Additionally, for students residing on campus, Housing and Residence Life staff members provide personal safety and residence hall safety programs and information.

The Counseling and Testing Center, Student Health Services, and Student Conduct & Community Standards office provide numerous harm-reduction presentations and educational materials throughout the University community. Presentation topics include alcohol and drug abuse, hazing, sexual misconduct, relationship violence, and stalking.

WSU Policy and Procedures Manual Section 3.33/Eschewing Campus/Workplace Violence and Section/8.18 Eschewing Campus/Workplace Violence describe annual training that is available to all University community members, including identifying and diffusing potentially violent or threatening situations.

B. Crime Prevention Programs
The University Police Department offers crime prevention programs, including sexual misconduct prevention programs. Additional information and resource referrals concerning personal safety and crime prevention information, including alcohol and drug abuse, sexual
misconduct, relationship violence, and stalking and other safety information is available from the University Police.

C. Safe and Positive Options for Bystander Intervention
Recognizing when an incident of sexual misconduct or relationship violence is occurring or is likely to occur is the first step to intervening. If you make the decision to intervene, do so safely – violence does not stop violence. If you cannot stop the act with your words, call law enforcement. Do not be afraid to ask other people for help with intervention. If the incident is occurring in the residence halls, ask Housing staff or a Resident Assistant for help. Participate in Campus Clarity’s “Think About It” online training to learn more safe and positive options for bystander intervention.

If an individual confides in you, listen respectfully and help identify others in whom they can confide. Ask what the individual needs to feel safe, encourage seeking medical attention and counseling, and encourage reporting the incident to law enforcement or a University official if the individual is comfortable doing so. Be a supportive, kind, understanding, and nonjudgmental person and you can be a positive force for the individual to seek the help that is needed to move forward.

D. Information on Risk Reduction
Offices under the auspices of the Vice President for Student Affairs and the Prevention Services Advisory Board offer programs to describe options to decrease perpetration and bystander inaction, and to increase empowerment for Complainants in order to promote safety and to help prevent conditions that facilitate violence. Such programs include alcohol and drug awareness programs, which explain that substance use and substance abuse increases the risk of sexual misconduct, and programs about safe and healthy choices. This programming is presented to recognized student organizations, including members of Fraternity & Sorority Life.

The Counseling and Testing Center delivers harm-reduction and educational programming to promote the awareness of sexual misconduct, relationship violence, and stalking. Additionally, the Counseling and Testing Center and University Police Department act in partnerships with the Wichita Area Sexual Assault Center and YWCA Women’s Crisis Center to provide sexual misconduct and relationship violence educational materials, services, and programming to the campus community.

E. Prevention and Awareness Programs and Campaigns
A variety of educational programs for University students and employees are offered to promote the awareness of sexual misconduct, relationship violence, and stalking. These programs are offered by:
   a. The Counseling and Testing Center;
   b. Housing and Residence Life;
   c. WSU Police Department ;
   d. Student Health Services;
   e. Selected academic courses;
   f. Student Involvement;
   g. Office of Human Resources;
   h. Student Conduct & Community Standards.
Primary prevention and awareness programs for all incoming students and new employees include mandatory online training programs. Prevention training is offered to identify risky or unacceptable conduct before it occurs. This training promotes positive and healthy behaviors that foster healthy, mutually respectful relationships and sexuality; encourages safe bystander intervention; and seeks to change behavior and social norms in healthy and safe directions. Awareness programs include community-wide or audience-specific programming which describes initiatives and strategies to prevent sexual misconduct, relationship violence, and stalking, and promote safety, and reduce perpetration of sexual misconduct.

III. Jurisdiction
This policy applies to sexual misconduct, relationship violence, and/or stalking that is committed by a University student or by a participant in a University program at the time the behavior occurs:

A. On University property;
B. Off campus, if:
   i. In connection with a University or University-recognized program or activity; or
   ii. In a manner that may pose an obvious and serious threat of harm to, or that may have the effect of creating a hostile learning or working environment for, any member(s) of the University community.

Additional alleged violations of Section 8.05/Student Code of Conduct that occur in connection with an alleged incident of sexual misconduct, relationship violence, and/or stalking will be resolved through this policy.

IV. Definitions
For purposes of this policy, the following terms have the definitions provided below. Please note that some of these terms may have different meanings in other contexts.

A. Sexual Misconduct – unwelcome conduct of a sexual nature that is committed without consent between people regardless of sex or gender. Sexual misconduct can include both intentional conduct and conduct that results in negative effects, even if those negative effects were unintended.
   i. Sexual Harassment – unwelcome conduct of a sexual nature. Sexual harassment includes unwelcome sexual advances, requests for sexual favors, and/or other verbal or physical conduct of a sexual nature. Sexual harassment can take two forms: quid pro quo and hostile environment.
      1. Quid Pro Quo Sexual Harassment occurs when submission to unwelcome conduct of a sexual nature is made explicitly or implicitly a term or condition of employment or participation in an academic program; or submission to or rejection of unwelcome conduct of a sexual nature by an individual is used as the basis for employment decisions or academic decisions affecting that individual, including but not limited to grades, pay, promotion, and transfers.
      2. Hostile Environment Sexual Harassment occurs when unwelcome conduct of a sexual nature has the purpose or effect of unreasonably interfering with a person’s work or academic performance or creates an intimidating, hostile, or offensive environment for working, learning, or living on campus, or in connection to an institutional program. The determination for whether an environment is “hostile” is often contextual and must be based on the circumstances.
   ii. Non-consensual Sexual Intercourse – vaginal or anal penetration by any body part or foreign object or oral copulation (mouth to genital contact or genital to mouth contact), however slight, by a person upon another person without consent.
iii. **Non-consensual Sexual Contact** – any intentional contact with the breasts, buttocks, groin, or genitals of another person without consent, including, but not limited to, touching another person or making another person touch you or themselves with any of these body parts.

iv. **Sexual Exploitation** – taking non-consensual or abusive sexual advantage of another person for one’s own advantage or benefit, or to benefit or provide advantage to anyone other than the person being exploited, when that behavior does not otherwise constitute one of the other aforementioned sexual misconduct violations. Examples of sexual exploitation include, but are not limited to, invasion of sexual privacy; prostituting another individual; non-consensual video or audio recording of sexual activity; distributing video or audio recordings or photographs of sexual activity without consent of the subject of the media; possession of child pornography; engaging in voyeurism; knowingly transmitting a sexually transmitted infection (STI) or the human immunodeficiency virus (HIV) to another individual; exposing one’s breasts, buttocks, or genitals in non-consensual circumstances; inducing another to expose one’s breasts, buttocks, or genitals; or soliciting sexual acts with a minor whether in person or electronically.

B. **Relationship Violence**
   i. **Dating Violence** – violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the Complainant. The existence of such a relationship shall be determined based on the Complainant’s statement, and with consideration of the length of the relationship, the type of the relationship, and the frequency of interaction between the persons involved in the relationship. Dating Violence does not include behaviors covered under the definition of Domestic Violence.

   ii. **Domestic Violence** – violence committed by a current or former spouse or intimate partner of the Complainant; by a person with whom the Complainant shares a child; by a person cohabitating with the Complainant; or by a family or household member (i.e., parent, child, or other persons related by blood, marriage, or prior marriage; or roommates or former roommates).

C. **Stalking** – engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for one’s own safety or the safety of others; or suffer substantial emotional distress. “Reasonable person” refers to a person under similar circumstances and with similar identities to the Complainant. “Substantial emotional distress” is defined as significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. Except in situations where the Respondent has been served with or notified of a protective or no contact order prohibiting contact with the Complainant, “course of conduct” is defined as two or more incidents over a period of time. Stalking includes, but is not limited to:
   i. acts in which the Respondent directly, indirectly, or through third parties;
   ii. by any action, method, device, or means;
   iii. follows, monitors, observes, surveils, threatens, or communicates to or about a person; or
   iv. interferes with a person’s property.

D. **Consent** – informed, knowing, and voluntary agreement to engage in a specific behavior. Consent must be clear and unambiguous for each person for the duration of any sexual contact. Consent to one sexual act does not imply consent to any other sexual act, nor does past consent to a sexual act imply ongoing or future consent. Silence or an absence of resistance does not in and of itself constitute consent. Consent can be revoked at any time. For all of these reasons,
sexual partners must evaluate consent in an ongoing fashion and should communicate clearly with each other throughout any sexual contact.

Consent cannot be obtained from someone who is asleep or otherwise physically or mentally incapacitated, whether due to alcohol, drugs, or other condition. Consent cannot be obtained by threat, coercion, or force. Agreement given under such conditions does not constitute consent. In order to give effective consent, one must be of legal age in the location of the sexual contact.

E. **Incapacitation** – lacking the physical and/or mental ability to make informed rational judgments. An incapacitated person cannot understand the “who, what, when, where, why, and/or how” of their sexual contact with another person or persons. This may have a variety of causes, including, but not limited to, being asleep or unconscious, having consumed alcohol or drugs, experiencing blackouts or flashbacks, or an intellectual or other disability.

F. **Retaliation** – an adverse action or threat of an adverse action taken against a Complainant, Respondent, or any individual or group of individuals involved in the complaint, investigation, and/or resolution of an allegation of sexual misconduct, relationship violence, or stalking; including any individual who attempts to intervene or prevent behavior prohibited by this policy. Retaliation can be committed by an individual or group of individuals, not just a Complainant or Respondent. Retaliation can take many forms including threats, intimidation, pressuring, continued harassment, violence, or other forms of harm to others. Any complaint regarding retaliation by a student should be reported to the Assistant Vice President for Student Advocacy, Intervention, and Accountability. Any complaint regarding retaliation by an employee or visitor should be reported to the Deputy Title IX Coordinator for Employees and Visitors. Retaliation is strictly prohibited and can result in disciplinary action up to and including termination of student status and/or employment.

G. **Respondent** – student, student group, or student organization whom allegedly violated University policy. There may be more than one respondent for an incident. In incidents involving student groups or organizations, the president, director, or other member of leadership will participate in the student conduct process on behalf of the group or organization. Student groups and organizations may not be represented by non-students, alumni, or inactive members in the student conduct process.

Complaints regarding employees or visitors as Respondents should be referred to the Deputy Title IX Coordinator for Employees and Visitors for resolution under the appropriate University policy. The behavior of Respondents who are both students and employees may subject to both Section 8.05/Student Code of Conduct and employment policies.

H. **Complainant** – individual or group who was subject to alleged misconduct as described in any University policy. There may be more than one complainant for an incident.

I. **Witness** – individual who is requested to participate in an investigation or a hearing because that individual may have information about the alleged misconduct. Witness names may be provided by the Complainant, Respondent, or others with knowledge of the matter.

J. **Reporter** – individual or group who reports sexual misconduct, relationship violence, or stalking who is not otherwise defined by this policy as a Complainant, Witness, or Respondent.

K. **Advisor** – an individual selected by a Complainant or Respondent to assist the Complainant or Respondent throughout the University process including, but not limited to, a parent, friend, faculty, member, advocate, or legal counsel. An advisor may advise and assist the Complainant or Respondent in preparation for any meetings, interviews, or hearings that may occur;
accompany the Complainant or Respondent through all student conduct process meetings, interviews, or hearings; or assist the Complainant or Respondent in preparing an appeal. An advisor may not participate in the student conduct process in any other capacity in reference to the same incident, including, but not limited to, serving as a Witness, Co-Complainant, or Co-Respondent. Advisors may not directly participate or make any type of representation or argument on behalf of a Complainant or Respondent in any aspect of the student conduct process including, but not limited to: meetings, interviews, or hearings. The availability of an Advisor to attend a student conduct process meeting, interview, or hearing shall not unreasonably interfere with or delay the proceedings.

L. **Assistant Vice President** – refers to the Assistant Vice President for Student Advocacy, Intervention, and Accountability or designee. The Assistant Vice President serves as the Deputy Title IX Coordinator for Students.

M. **Title IX Coordinator** – refers to the Title IX Coordinator, or designee, who is responsible for coordinating the University’s efforts in reference to its Title IX responsibilities, overseeing the University’s response to Title IX violations, and identifying and addressing any patterns or systemic problems.

V. **Rights of the Complainant and Respondent**

A. All Complainants and Respondents shall be entitled to the same rights in all investigations and resolution processes relating to reports of sexual misconduct, relationship violence, and/or stalking.

B. Complainants and Respondents will be advised of their rights, in writing, during their first meeting with the Assistant Vice President or designee.

C. Complainants and Respondents have the right to:
   i. Be notified of the alleged violations of University policy;
   ii. Be provided advanced notice of all meetings in which they are requested or entitled to participate and notified of the purpose of those meetings;
   iii. Be accompanied by an Advisor of the Complainant or Respondent’s choice throughout the investigation and resolution process;
   iv. Request reasonable accommodations from the Office of Disability Services or the Office of Human Resources (for employees) in order to ensure full and equitable participation in the investigation and resolution process;
   v. Be informed of the available resolution options;
   vi. Be informed of campus and community resources available for support and assistance;
   vii. Submit information, including the names of witnesses, for consideration in the investigation;
   viii. Be informed of all parties contacted to participate in the investigation and their relation to the alleged misconduct;
   ix. Review the complete case file upon request by scheduling an appointment with the Assistant Vice President or designee;
   x. Choose not to provide a statement or respond to questions during the investigation and resolution process;
   xi. Submit a written impact statement to be considered before a decision on consequences (if applicable) is rendered;
   xii. Request that an individual responsible for investigating or resolving an alleged violation be removed from the case on the basis of actual or perceived bias; and
   xiii. Request one appeal within the University’s process.
VI. Responsibilities of the Complainant, Respondent, and Witnesses

All Complainants, Respondents, and Witnesses who are members of the University community have the following responsibilities relating to investigating and resolving alleged misconduct:

A. Honesty
   All participants are expected to be honest and forthright in all communication relating to the investigation and resolution of allegations of misconduct. Providing false or misleading information is a violation of Section 8.05/Student Code of Conduct.

B. Communication & Responsiveness
   The University uses @wichita.edu e-mail addresses as its formal means of communication unless the individual’s @wichita.edu e-mail address is unavailable or inaccessorable, in which case alternative means of communication will be utilized including certified mail via the U. S. Postal Service or other expedient methods. Reasons @wichita.edu e-mail addresses may not be utilized include, but are not limited to: any party being in jail or having legal restrictions on internet use. Communication regarding an investigation and/or resolution process is deemed given when sent to an official @wichita.edu e-mail address. Students and employees are responsible for checking their University e-mail and responding to all requests for information or other responses within a timely manner. Failure to respond or appear by a given deadline may result in the process proceeding in an individual’s absence. Decisions will be made on the information that is available at the time the decision is made.

C. Preparation
   All parties are responsible for adequately preparing themselves for investigation and resolution meetings including reviewing applicable University policies and procedures. Students are also responsible for ensuring that their advisors are familiar with the appropriate policies and procedures. Failure to adequately prepare for a scheduled meeting will not be reason for delaying the meeting or other proceedings.

D. Adhere to Process
   Individuals are to refrain from disrupting the orderly process of the investigation and resolution process for alleged violations of University policy. No individual involved in the process other than the investigator or appeal officer may audio or video record any investigation or resolution meetings or other portions of the process without prior authorization from the Assistant Vice President. Any individual deemed to be disruptive may be removed from a meeting and/or charged with violating University policy.

VII. Reporting an Incident

The privacy of individuals involved in a report of sexual misconduct, relationship violence, or stalking will be protected to the extent permitted by law. All University employees who are involved in the University’s response, including the Title IX Coordinator, investigators, and all other parties, receive specific instruction about respecting and safeguarding private information. Throughout the process, every effort will be made to protect the privacy interests of individuals involved in a manner consistent with the need for a thorough review of the report.

Privacy and confidentiality have distinct meanings under this policy. Privacy generally means that information related to a report of misconduct will only be shared with a limited number of individuals. The use of this information is limited to those University employees who “need to know” in order to assist in the review, investigation, or resolution of the report. While not bound by confidentiality, these individuals will be discreet and respect the privacy of individuals involved in the process.
Information shared by an individual with designated campus or community professionals who are acting within the scope of their professional credentialing is considered confidential. These campus and community professionals include licensed health care professionals, ordained clergy, and attorneys who are required to follow professional rules of conduct and laws that control the disclosure of confidential information. These individuals are prohibited from breaking confidentiality unless there is an imminent threat of harm to self or others, are directed to do so by court order, are given consent, or disclosure is provided for by the professional rule of conduct or the law. Additionally, when a report involves suspected abuse of a minor under the age of 18, or the elderly, these confidential resources are required by state law to notify the Department of Children and Families and/or local law enforcement.

A. Confidential University Reporting Options
   An individual who seeks completely confidential assistance may do so by speaking with professionals who have legally protected confidentiality. On campus, confidential reports may be made to licensed health care professionals in the Counseling and Testing Center (316-978-3440) and Student Health Services (316-978-3620). Information shared with these resources will remain confidential and will not be shared with the University or anyone else without express, written permission of the individual seeking services.

B. Non-Confidential University Reporting Options
   In general, most University employees do not have legally protected confidentiality. Under Title IX, the University is required to take immediate and corrective action if a “responsible employee” knew or, in the exercise of reasonable care, should have known about sexual or gender-based violence or harassment that creates a hostile environment. A “responsible employee” includes any employee who:
   i. Has the authority to take action to redress the harassment;
   ii. Has the duty to report to appropriate school officials sexual harassment or any other misconduct by students or employees; or
   iii. A student could reasonably believe has the authority or responsibility to take action.

The University has designated the following individuals as Responsible Employees:
   i. Title IX Coordinator, Deputy Coordinators, Associate Coordinators, and designees;
   ii. Resident Assistants, Peer Academic Leaders, and Residence Hall administrators, including Assistant Residence Life Coordinators;
   iii. Deans, Associate Deans, Assistant Deans, and Chairs;
   iv. Directors of University offices, centers, institutes, and laboratories;
   v. President, Provost, all Vice Presidents, all Associate Vice Presidents, and all members of the President’s Executive Team or their designees;
   vi. Head Coaches, Assistant Coaches, Strength Coaches, and Volunteer Coaches;
   vii. Faculty and staff who supervise employees;
   viii. Office of Human Resources personnel;
   ix. Sworn law enforcement officers of the University Police Department and other University security personnel;
   x. Faculty/Instructors;
   xi. Student Organization Advisors;
   xii. All individuals who are designated as Campus Security Authorities.

Non-confidential reports regarding incidents in which a student is the Respondent should be made to the Assistant Vice President (316-978-6681). An online reporting form can be found at https://publicdocs.maxient.com/incidentreport.php?WichitaStateUniv. Reports or disclosures regarding incidents in which a student is the Respondent made to any responsible employee will be directed to the Assistant Vice President for further review.
Non-confidential reports regarding incidents in which an employee or visitor is the Respondent should be made to the Deputy Title IX Coordinator for Employees and Visitors (316-978-6123). Reports or disclosures regarding incidents in which an employee or visitor is the Respondent made to any responsible employee will be directed to the Deputy Title IX Coordinator for Employees and Visitors for further review.

C. **Law Enforcement Reporting Options**
The University encourages any individual who has experienced sexual misconduct, dating violence, domestic violence, stalking, or any other crime to make a report to the Wichita State University Police Department (WSUPD) (316-978-3450) if the incident occurred on campus, or to local law enforcement, for incidents occurring off campus. **Collection and preservation of evidence relating to the reported sexual misconduct or other crime is essential for law enforcement investigations.** Specifically, clothing worn before, after, or during an incident should be retained and the person involved should avoid showering or bathing until medical attention has been sought. Prompt reporting to law enforcement is especially critical for the collection of evidence. A member of the Counseling and Testing Center advocate team is available to assist students in making a report to law enforcement.

In cases where a Complainant filed a report with law enforcement, the University is committed to appropriate coordination with WSUPD and local law enforcement agencies and may, if requested and appropriate, share information with those agencies. The University will fulfill its legal and ethical obligation to take immediate and appropriate action to investigate sexual misconduct, dating violence, domestic violence, or stalking; even if there are other external processes or procedures pending in connection with the same reported behavior. In the event that law enforcement requests the University to temporarily suspend the fact-finding aspects of an investigation while the law enforcement agency gathers evidence, the University may comply with that request and will promptly resume its investigation upon notification from the law enforcement agency that its evidence gathering process is complete.

D. **Timeliness of Reports**
Individuals are encouraged to report sexual misconduct, relationship violence, or stalking as soon as possible after the incident occurs to maximize the University’s ability to respond promptly and effectively; however, the University does not limit the time for reporting. Prompt reporting allows for the University to obtain the most reliable information, be able to contact relevant witnesses (if any), and provide reasonable assistance and interim measures for affected parties. In all cases, a decision will be made on existing facts to determine if an investigation is necessary for compliance with legal requirements.

E. The University will maintain as confidential any protective or interim measures provided to the Complainant, to the extent that maintaining such confidentiality would not impair the ability of the University to provide such measures or interventions. In cases involving sexual misconduct, complete confidentiality cannot be assured due to the University’s legal obligation to investigate such incidents under Title IX.

VIII. **Amnesty for Alcohol and/or Other Drugs**
To encourage reporting of alleged sexual misconduct, relationship violence, and stalking violations, neither Complainants nor Witnesses will face referrals for actions under Section 8.05/Student Code of Conduct if they personally engaged in the unlawful or prohibited use of alcohol or drugs during the incident when the alleged violation occurred. Additionally, Respondents will not face additional referrals for actions under Section 8.05/Student Code of Conduct if they personally engaged in the unlawful or prohibited use of alcohol or drugs during the incident when the alleged violation occurred. Amnesty applies only to the personal use of alcohol or drugs and does not extend to other potential violations of Section 8.05/Student Code of Conduct or other University policy. For
example, if the Respondent provided alcohol or drugs to the Complainant as a means of facilitating the alleged violation, the Respondent may face additional action.

IX. University Response Procedures

A. Services and Support

Upon receipt of notice of alleged sexual misconduct, relationship violence, or stalking, the Assistant Vice President of Student Advocacy, Intervention and Accountability or designee will attempt to contact the Complainant to arrange a meeting to discuss available resources and resolution processes. During the meeting, the following will be covered with the Complainant:

i. Medical, mental health, advocacy, law enforcement, and other resources available to Complainants both on campus and in the surrounding community;

ii. Possible interim measures that are available (see section below);

iii. The obligation of the University to investigate every report of alleged sexual misconduct, relationship violence, and stalking both under federal law and out of concern for the safety of members of our campus community;

iv. The process for investigating and resolving alleged violations of sexual misconduct, relationship violence, and/or stalking;

v. The rights that the Complainant and the Respondent have in the process (see section III of this policy); and

vi. The right for the Complainant to request confidentiality and the process by which the request will be evaluated (see Section IX.C. of this policy).

After meeting with the Complainant, the Assistant Vice President or designee will inform the Respondent of the allegations if an investigation will commence and/or a need for contact with the Respondent by the University is deemed necessary. During the meeting, the following will be covered with the Respondent:

i. Medical, mental health, advocacy, law enforcement, and other resources available to Respondents both on campus and in the surrounding community;

ii. Possible interim measures that are available (see section below);

iii. The obligation of the University to investigate every report of alleged sexual misconduct, relationship violence, and stalking both under federal law and out of concern for the safety of members of our campus community;

iv. The process for investigating and resolving alleged violations of sexual misconduct, relationship violence, and/or stalking;

v. The rights that the Complainant and the Respondent have in the process (see section V. of this policy); and

vi. The right for the Complainant to request confidentiality and the process by which the request will be evaluated (see Section IX.C. of this policy).

B. Interim Measures

The Vice President for Student Affairs, in consultation with the Title IX Coordinator, will evaluate all reports to promptly determine the necessity of interim measures. The University may implement appropriate interim measures for the individuals involved and for the larger University community based on the information provided in the report and at no cost to the Complainant. Interim measures may be put in place or modified at any point after a report is received and can be implemented even if a formal investigation is not able to proceed. Such interim measures include, but are not limited to assistance in the following categories:

i. Administrative directives for no contact;

ii. Academic;

iii. Housing;

iv. Transportation;

v. Employment;
Interim measures may be implemented at a later time, even if originally declined, and any put into effect will remain in place until the institution determines that they are no longer necessary.

When the actions of a student or member(s) of a student group or organization present an ongoing threat to the health, safety, or well-being of others; disrupt the University community; or endanger University, public, or private property; the Vice President for Student Affairs may implement interim measures that restrict access for the Respondent pending the outcome of an investigation and resolution process. These interim measures may include, but are not limited to:

1. Restricted access to campus property and/or facilities;
2. Restricted access to participation in University programs or activities;
3. Restricted access to Housing & Residence Life facilities, including dining halls;
4. Restricted ability to participate in academic activities, including classes, internships, co-ops, etc.;
5. Restricted access to campus employment;
6. Administrative leave with pay for student employees; or
7. Any other restriction that can be tailored to the involved individuals to achieve the goals of this policy.

The Vice President for Student Affairs will notify the Complainant and Respondent in writing of any interim measures. The measures will take place immediately upon notification to both parties. The Respondent will have three (3) University business days to submit a written request for a Show Cause Hearing to the Vice President for Student Affairs. Upon receipt of a request, the Vice President or designee will conduct a Show Cause Hearing within three (3) University business days if the interim measures should be lifted, modified, or kept in place. This is a final decision regarding interim measures unless there are exceptional circumstances that come to light during the investigation.

In circumstances in which there is a conflict of interest or perception of bias on behalf of the Vice President for Student Affairs, or in cases in which the Vice President for Student Affairs is otherwise unable to perform these duties, decisions regarding interim measures will be made by the Associate Vice President for Academic Affairs.

C. Decision to Investigate and Requests for Confidentiality and/or No Formal Action

If the Complainant is willing to participate in the investigation, the University will proceed as described in the Investigation section below.

A Complainant may request that the University maintain confidentiality and/or take no formal action regarding a report of sexual misconduct, relationship violence, or stalking; however, such a request may greatly impact the institution’s ability to investigate, and in most cases, the University will be unable to resolve the matter through the student conduct process. Additionally, some interim interventions—such as an administrative directive for no contact—cannot be implemented if the Complainant’s identity cannot be known.

Requests for confidentiality and/or no formal action will be referred to the Title IX Coordinator for review. The University will make every effort to honor confidentiality and/or no formal action requests; however, there are instances when such a request will not be able to be granted.
Circumstances in which a confidentiality and/or no formal action request may be denied include, but are not limited to:

- existence of past or concurrent complaints against the Respondent;
- the institution is aware of past arrests or disciplinary action involving the Respondent;
- significant physical injury resulting from an alleged violation of sexual misconduct, relationship violence, or stalking;
- the reported use of a weapon during the commission of an alleged violation of sexual misconduct, relationship violence, or stalking; or
- the reported use of force during the commission of an alleged violation of sexual misconduct, relationship violence, or stalking.

In all cases, the final decision on whether, how, and to what extent the University will conduct an investigation, and where other measures will be taken in connection with any allegation of sexual misconduct, relationship violence, or stalking, rests solely with the Title IX Coordinator.

D. Investigation
When a decision to investigate has been made, the Assistant Vice President or designee will conduct a prompt, thorough, and impartial investigation of the reported behavior. All investigators have received specific annual training on the issues related to sexual misconduct, relationship violence, and stalking, and how to conduct an investigation that protects the involved parties’ safety and promotes accountability. The University strives to avoid any conflict of interest or bias on the part of any individual responsible for investigating and/or resolving alleged misconduct. Any party who wishes to express concerns about a conflict of interest or bias should notify the Title IX Coordinator in writing. In instances where a conflict of interest or perceived bias on the part of the Title IX Coordinator occurs, the notification should be made to the Deputy Title IX Coordinator for Employees and Visitors or the University President.

In most cases, the review will involve conducting a fact-finding investigation, which includes meeting separately with the Complainant (if participating), Respondent, Reporter (if applicable), and relevant Witnesses; and reviewing other pertinent information. At any time during the course of an investigation, the Complainant, Respondent, or any Witness may provide a written statement; other supporting materials including, but not limited to, electronic communication, photographs, or video or audio recording; or the names of other potential witnesses. Additionally, the investigator may determine through other means that it is necessary to speak with another individual and seek out that person independently. The investigator may need to conduct multiple interviews in order to follow up or clarify information provided by others. In general, the Complainant’s prior sexual history, with any individual including the Respondent, is not relevant and will not be considered as evidence during the investigation. Prior sexual history between the parties may be relevant to assess the manner and nature of communication between the Complainant and Respondent.

The University will inform the Complainant and the Respondent at regular intervals of the status of its investigation. Occasionally, a different or less formal response to the report may be warranted and will be determined by the Title IX Coordinator; however, mediation will not be used to resolve any complaints of non-consensual sexual intercourse or non-consensual sexual contact. Either party may elect to end an informal process to pursue the formal process at any time during the resolution of the complaint.

E. Standard of Proof
The investigator will make a finding using the preponderance of the evidence standard. This
standard requires that the information supporting a finding of responsibility be more convincing than the information in opposition to it. Under this standard, individuals are presumed not to have violated Section 8.05/Student Code of Conduct unless a preponderance of the evidence supports a finding that a violation occurred.

F. Time Frames
The University seeks to resolve all reports within 60 days of the initial report. Extenuating circumstances may arise that require the extension of time frames, including extension beyond 60 days. Extenuating circumstances may include the complexity and scope of the allegations, the number of witnesses involved, the availability of the parties or witnesses, the effect of a concurrent criminal investigation, any intervening academic break or vacation, or other unforeseen circumstances.

In general, a Complainant and Respondent can expect that the process will proceed according to the time frames provided in this policy. In the event that the investigation and resolution exceed this time frame, the University will notify all parties of the reason(s) for the delay and the expected adjustment in time frames. Best efforts will be made to complete the process in a timely manner by balancing principles of thoroughness and fundamental fairness with promptness.

G. Investigation Finding and Outcome Notification
At the conclusion of the investigation, the investigator will compile a written investigative report. Before the report is finalized, the Complainant and Respondent will both be given an opportunity to review their own statement and, to the extent appropriate to honor due process and privacy considerations, the participating Complainant and Respondent may also be provided with a summary of other information collected during the investigation. The alleged violations of University policy will be included in the investigative report. A Complainant or Respondent must submit any comments about their own statement, or on any investigation summary that might be provided; and/or an impact statement to be considered when determining interventions and/or consequences (if applicable) to the investigator within five (5) University business days after the statement or summary was provided for review. This deadline may be extended at the discretion of the Assistant Vice President under exceptional circumstances. A deadline extension request must be submitted in writing.

Following the receipt of any comments or statements submitted, or after the five (5)-day comment period has lapsed without any submissions, the investigator will address any identified factual inaccuracies or misunderstandings, as appropriate, and then make a determination regarding the alleged policy violation(s).

The final investigative report will include the following:
- A summary of the investigation;
- The investigator’s findings;
- The investigator’s rationale in support of the findings;
- The investigator’s recommendation for interventions and/or consequences (if applicable); and
- The investigator’s rationale in support of the recommended interventions and/or consequences (if applicable).

The investigator will submit the final investigative report to the Assistant Vice President. The Assistant Vice President will make a determination regarding appropriate interventions and/or consequences (if applicable) and notify the Complainant and Respondent simultaneously in
writing of the case outcome. Interventions and/or consequences (if applicable) become effective upon the written notification of the Assistant Vice President’s decision and are not stayed until the conclusion of the appeals process. If a Complainant has chosen not to participate in the University’s review of the reported behavior but desires to be notified of the outcome, the University will notify the Complainant. If a Complainant has expressed, in writing, that the Complainant does not wish to be notified of the outcome, the University will honor that request. In such instances, the University will not send the notification itself to the Complainant, but may proceed with any necessary follow-up regarding consequences for the Respondent (if applicable) or other process matters.

X. **Process Outcomes & Consequences**

Students, student organizations, and student groups who are found to have violated University policy will receive disciplinary consequences appropriate to the current violation(s) and in consideration of any prior conduct history and/or mitigating or aggravating circumstances. Consequences may be issued individually, or a combination of consequences may be issued. In the case of student groups and organizations, if a consequence issued by a national or other governing body exceeds that of the University, the University may concur with that consequence.

The following consequences are specific to violations of Section 8.05/Student Code of Conduct.

A. **Consequences for Individual Students**

*Written Warning* – Official notification of unacceptable behavior and violation(s) of University policy. Any further misconduct may result in more serious disciplinary consequences.

*Disciplinary Probation* – The student is deemed not in good conduct standing with the University. The duration of any probationary period will be determined by the resolution body on a case-by-case basis. Any further violations of University policy while on probation may result in more serious consequences being imposed. Some of the restrictions that may be placed on the student during the probationary period include, but are not limited to: participation in student activities, representation of the University on athletic teams or in other leadership positions, eligibility to receive any University award or honorary recognition, entrance into University residence halls or other areas of campus, participation in a study abroad program, or University computer and network usage.

*Deferred Suspension* – The student will be officially suspended from the University, but the suspension will be deferred, meaning that the student may continue to attend classes at this time. The suspension will be automatically enforced for failure to complete any assigned consequences by the deadline and/or for any subsequent violation of University policy, unless the Assistant Vice President determines otherwise in exceptional circumstances. If the student is found responsible for any subsequent violation of Section 8.05/Student Code of Conduct, the student will be automatically suspended for the length of the original deferred suspension in addition to the other consequences imposed for the subsequent violation. Some of the restrictions that may be placed on the student during the deferred suspension period include, but are not limited to: participation in student activities, representation of the University on athletic teams or in other leadership positions, eligibility to receive any University award or honorary recognition, entrance into University residence halls or other areas of campus, participation in a study abroad program, or University computer and network usage. The duration of any deferred suspension period will be determined by the resolution body on a case-by-case basis.

*Suspension* – The student is required to leave the University for a designated period of time.
During the suspension period, a student may not attend classes (either in person or online), or participate in University-related activities, whether they occur on or off campus. The student may not be present on University premises unless authorized in writing in advance under conditions approved by the Assistant Vice President. A student may be withdrawn from any classes in which the student is currently enrolled and will not be eligible for a refund. A registration and records hold will be placed on the student’s account until the conclusion of the suspension period. If the student is an on-campus resident, the student’s contract with Housing & Residence Life will also be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period. The student must successfully complete all assigned educational consequences prior to the conclusion of the suspension period, or the suspension will remain in effect until they are completed. The student must meet with a member of the Student Conduct & Community Standards staff during the last month of the suspension period in order to initiate the removal of the registration and records hold.

**Expulsion** – The student will be separated from the University without the possibility of graduation or future enrollment. The student may not be present on University premises unless authorized in writing in advance under conditions approved by the Assistant Vice President. A student may be withdrawn from any classes in which they are currently enrolled and will not be eligible for a refund. A permanent registration hold will be placed on the student’s account. If the student is an on-campus resident, the student’s contract with Housing & Residence Life will also be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period.

**Withholding of Transcripts or Degree** – The University may withhold copies of student transcripts or awarding a degree otherwise earned until the completion of the process set forth University policy, including the completion of all consequences imposed, if any.

**Revocation of Admission and/or Degree** – Admission to the University or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University policy in obtaining the degree from or gaining admission to the University or for other serious violations committed by a student prior to graduation.

**Restitution** – The student is required to pay for the loss of, damages to, or injury to University, personal, public, or private property, provided that such payment shall be limited to the actual cost of repair or replacement of such property.

**Loss of University Privileges** – The student is restricted from accessing specific University privileges including, but not limited to: parking on campus, participation in student activities, holding a student leadership position, participation in a study abroad program, and University computer and network access.

**Residence Hall Transfer or Removal** – The student will be placed in another room or residence hall or restricted from living on campus for a specified or indefinite period of time. If a student is restricted from living on campus, the student’s Housing and Residence Life contract will be terminated and the student will be responsible for paying any remaining fees for the duration of the original contract period.

**No Contact Order** – The student is prohibited from intentional direct or indirect contact with another person or group or their property via any means, including, but not limited to: personal
contact, electronic communication (e.g. text messages, social media, etc.), telephone, or through third parties.

No Trespass Order – The student is prohibited from being on any campus property and/or entering specific University facilities.

Knowledge Attainment Activities – activities designed to increase a student’s knowledge in areas related to the violation(s) committed including, but not limited to: attending workshops, researching a specific topic, interviewing a professional in a specific field, etc.

Restorative Activities – activities designed to repair harms caused and give back to others or the larger community including, but not limited to: community restitution service, letters of apology, educational presentations, etc.

Wellness Activities – activities designed to address student’s wellness in areas including social, emotional, financial, physical, academic, and environmental wellness including, but not limited to: substance use assessments, counseling assessments, meeting with an academic advisor, meeting with a Student Involvement staff member, etc.

Reflective Activities – activities designed to allow the student to reflect on one’s own behavior choices and the impact of those choices on the student and others, including potential future impacts if the same choices continue.

B. Consequences for Student Groups and Organizations

Written Warning – Official notification of unacceptable behavior and violation(s) of University policy. Any further misconduct may result in more serious disciplinary consequences.

Disciplinary Probation – The student group or organization is deemed not in good conduct standing with the University. The duration of any probationary period will be determined by the resolution body on a case-by-case basis. Any further violations of University policy while on probation may result in more serious consequences being imposed. Some of the restrictions that may be placed on the student group or organization during the probationary period include, but are not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.

Deferred Suspension – The student group or organization will be officially suspended from the University, but the suspension will be deferred, meaning that the student group or organization may continue to function at this time. The suspension will be automatically enforced for failure to complete any assigned consequences by the deadline and/or for any subsequent violation of University policy, unless the Assistant Vice President determines otherwise in exceptional circumstances. If the student group or organization is found responsible for any subsequent violation of Section 8.05/Student Code of Conduct, the student will be automatically suspended for the length of the original deferred suspension in addition to the other consequences imposed for the subsequent violation. Some of the restrictions that may be placed on the student during the deferred suspension period include, but are not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the
organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.

**Suspension** – The student group or organization is no longer recognized by the University for a designated period of time. During the suspension period, a student group or organization may not conduct any formal or informal business, or participate in University-related activities, whether they occur on or off campus. This includes, but is not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding. Re-recognition is possible but not guaranteed and will only be considered after the end of the suspension period and based on meeting all re-recognition criteria and obtaining clearance from the University. Any evidence that members of a student group or organization have attempted to sustain an unofficial student group or organization will result in individual charges and will postpone the group or organizations ability to be re-recognized or registered in the future. Any further violations of University policy while on suspension will result in more serious consequences being imposed.

**Expulsion** – The student group or organization will permanently lose its University recognition and/or registration and is ineligible to utilize University resources including facilities and financial support.

**No Contact Order** – The student group or organization is prohibited from intentional direct or indirect contact with another person or group or their property via any means, including, but not limited to: personal contact, electronic communication (e.g. text messages, social media, etc.), telephone, or through third parties.

**Recommendation for Charter Revocation** – The University will submit an official request to the national or other governing organization to revoke the charter for a student group or organization.

**Restitution** – The student group or organization is required to pay for the loss of, damages to, or injury to University, personal, public, or private property, provided that such payment shall be limited to the actual cost of repair or replacement of such property. University funds may not be used to pay restitution.

**Loss of University Privileges** – The student group or organization is restricted from accessing specific University privileges including, but not limited to: ability to host a party or philanthropy event, eligibility to receive any University award or honorary recognition, participate in intramurals, represent the University and any travel in connection with such representation, participate in recruitment/intake or receive a new member class, maintain membership or representation of the organization on the governing council, utilize University facilities/grounds, participate in competitions, or receive future institutional funding.

**Knowledge Attainment Activities** – activities designed to increase members’ knowledge in areas related to the violation(s) committed including, but not limited to: attending workshops, researching a specific topic, interviewing a professional in a specific field, etc.

**Restorative Activities** – activities designed to repair harms caused and give back to others or the larger community including, but not limited to: community restitution service, letters of apology, educational presentations, etc.
**Wellness Activities** – activities designed to address members’ wellness in areas including social, emotional, financial, physical, academic, and environmental wellness including, but not limited to: risk management workshops, assessment and revision of risk management practices, financial management training, communication or teambuilding workshops, leadership or values congruence workshops, etc.

**Reflective Activities** – activities designed to allow the student group or organization to reflect on its members’ behavior choices and the impact of those choices on the group/organization and others, including potential future impacts if the same choices continue.

XI. **Appeals**

Either party may submit an appeal request of the Assistant Vice President’s decision to the Dean of Student Life within five (5) University business days. The five (5) day period begins on the first University business day following the date on the decision letter. Once an appeal request is received, the other party will be notified and provided with an opportunity to review the submitted appeal request and submit a written response within three (3) University business days, or by the original appeal submission deadline, whichever is greater. Deadlines may be extended at the discretion of the Dean of Student Life under exceptional circumstances. A deadline extension request must be submitted in writing. The Assistant Vice President will also provide a written response for review by the Dean of Student Life after reviewing all submissions from the Complainant and/or Respondent. All supporting information from the Complainant and/or Respondent for the appeal request must be submitted by the specified submission deadline in order to be considered by the Dean of Student Life. Upon receipt of all documents, the Dean of Student Life will conduct an efficient and narrow review of the file limited to the grounds identified by the initiator of the review. Appeal requests may be filed on one or more of the following grounds:

i. A procedural or substantive error occurred that significantly affected the outcome of the case.

ii. There is new, relevant information that was not available at the time of the investigation that, if available, could have significantly affected the outcome of the case. This does not include statements from a Complainant or Respondent who chose not to participate in the investigation.

A great degree of deference is given to the original decision. The presumption is that the investigation and decision processes were appropriately conducted and the burden is on the individual requesting the appeal to prove that the appeal has merit. Appellate reviews are reviews of the record only. There are no additional meetings with the Complainant and/or Respondent unless there are exceptional circumstances as determined by the Title IX Coordinator, in which case the Dean of Student Life must offer both the Complainant and the Respondent the same opportunity to discuss the case. Upon review of the record, the Dean of Student Life may respond as follows:

i. Determine the appeal lacks standing and is dismissed, in which case the original decision stands;

ii. Determine that the appeal has standing and remand the case back to the original investigator to consider new information or reevaluate previous information; or

iii. Determine that the appeal has standing and remand the case to a new investigator with specific corrective instructions.

The Dean of Student Life’s decision is considered the final University decision and will be communicated simultaneously in writing to both the Complainant and Respondent. The Dean of Student Life will strive to review and respond to the appeal request within ten (10) University
business days of receipt of all documentation.

In circumstances in which there is a conflict of interest or perception of bias on behalf of the Dean of Student Life, or in cases in which the Dean of Student Life is otherwise unable to perform these duties, appeal decisions will be made by the Associate Vice President for Academic Affairs.

XII. **Student Records**

A. **Holds**

Student Conduct & Community Standards, the Dean of Student Life, and/or the Vice President for Student Affairs may place a hold on a student’s transcript, registration, and/or diploma in any of the following situations:

1. A student has committed a violation of Section 8.05/Student Code of Conduct culminating in suspension or expulsion;
2. A student has been given interim restrictions pending an investigation and resolution of allegations of misconduct;
3. A student has failed to schedule or attend a required University meeting or hearing;
4. A student has failed to complete one or more consequences by the assigned deadline; or
5. A student with severe behavioral problems is no longer attending the University, and it is the determination of the Vice President for Student Affairs or designee that a review of the student’s file and meeting with the student occur prior to the student’s re-enrollment.

B. **Record Retention**

Student conduct records, including investigation records, are maintained electronically by Student Conduct & Community Standards for a minimum of seven (7) years from the date that the matter is closed. A record is considered closed when the following criteria have been met:

i. It is determined that the student, student group, or student organization was not in violation of University policy; or
ii. The student, student group, or student organization was in violation of University policy; and
iii. All periods of probation, deferred suspension, or suspension and all associated consequences have been completed; or
iv. A student, student group, or student organization has been expelled from the University.

If a student remains enrolled after the seven-year retention period has lapsed, the record will be maintained until the student graduates or is no longer enrolled at the University. When a student proceeds directly from one academic program into another academic program (e.g. undergraduate study to graduate study), the records will be maintained until the completion of the final academic program. Records of incidents culminated in deferred suspension, suspension, or expulsion will be permanently maintained by the University.
C. Access to Records
Student Conduct & Community Standards does not make copies of conduct files or audio recordings. If a student wishes to review the student’s own conduct file or recorded investigation interview, the student may do so by scheduling an appointment with Student Conduct & Community Standards.

In instances when the student lives more than 150 miles from campus, a redacted copy of the conduct file may be provided upon request and at the expense of the requestor. Payment must be received prior to the release of the records. Reasonable costs for making copies, transcribing audio recordings, and/or staff time spent redacting personally identifiable information of other students may be included in calculated costs. This provision only applies to the student’s location, not that of an advisor and/or family member.

D. Records of Other Entities
Police reports may be obtained by contacting the records department at the law enforcement agency which issued the report. In the State of Kansas, police reports are not considered public records; therefore, limited information will be accessible upon request.

XIII. Offices and Roles
A. Title IX Coordinator
The Title IX Coordinator is responsible for overseeing the University’s response to Title IX reports and complaints and identifying and addressing any patterns or systemic problems revealed by such reports and complaints.

Dr. Natasha M. Stephens
Title IX Coordinator
Grace Wilkie Hall, Room 223
Phone: (316) 978-5177
Natasha.Stephens@wichita.edu

B. Deputy Title IX Coordinator for Students
The Deputy Title IX Coordinator for Students is responsible for overseeing the education, outreach, and resolution process related to Title IX reports and complaints that name a student as the Respondent.

Mandy Hambleton
Assistant Vice President for Student Advocacy, Intervention, and Accountability
170 Grace Wilkie Annex
Phone: (316) 978-6681
Fax: (316) 978-3037
Mandy.Hambleton@wichita.edu

C. Deputy Title IX Coordinator for Employees and Visitors
The Deputy Title IX Coordinator for Employees and Visitors is responsible for overseeing the education, outreach, and resolution process related to Title IX reports and complaints that name an employee or visitors as the Respondent.
Matthew Johnston  
Associate Director for Human Resources  
113A Human Resources Center  
Phone: (316) 978-6123  
Fax: (316) 978-3201  
Matthew.Johnston@wichita.edu

D. Student Conduct & Community Standards  
The Student Conduct & Community Standards staff is responsible for protecting the rights, safety, and well-being of members of the campus learning, working, and living environment. This is achieved through providing a procedurally-sound, legally-compliant, developmentally-focused, and student-centered accountability process for reviewing and responding to student and student organization behavior.

Student Conduct & Community Standards  
170 Grace Wilkie Annex  
Phone: (316) 978-6681  
Fax: (316) 978-3037

E. Dean of Student Life  
The Dean of Student Life serves as the appellate authority for alleged violations of Section 8.16 Sexual Misconduct, Relationship Violence, and Stalking Policy for Students.

Christine Schneikart-Luebbe  
Associate Vice President/Dean of Student Life  
210A Rhatigan Student Center  
Phone: (316) 978-3149  
Fax: (316) 978-3002  
Christine.Luebbe@wichita.edu

F. Office of the Vice President for Student Affairs  
The Vice President for Student Affairs implements interim measures and has the authority to issue No Trespass Notices.

Dr. Eric Sexton  
Vice President for Student Affairs  
231 Rhatigan Student Center  
Phone: (316) 978-3021  
Fax: (316) 978-3366  
Eric.Sexton@wichita.edu

XIV. Access to Assistance and Resources  
A comprehensive listing of contact information for on- and off-campus assistance and support resources for Complainants and Respondents can be found at www.wichita.edu/care.

XV. Acknowledgements  
Portions of this policy have been adapted from The National Center for Higher Education Risk
Management (NCHERM) Group Model Developmental Code of Student Conduct and the Association for Title IX Administration Gender-Based and Sexual Misconduct Model Policy and are used here with permission. Additionally, Student Conduct & Community Standards wishes to acknowledge the following institutions for their example, inspiration, and assistance in developing this policy:

A. Florida State University
B. Indiana University
C. Occidental College
D. Ohio University
E. Rider University
F. Texas Christian University
G. University of Florida
H. University of Massachusetts, Lowell
I. University of Michigan
J. University of South Carolina

Approved August 2015

Revised February 2016
8.17 / Missing Students

Purpose:
The purpose of this statement is to set forth University policy with regard to situations where the University becomes aware that a student is absent for a certain length of time.

Preamble:
The Higher Education Opportunity Act of 2008 requires that certain universities establish a missing student notification policy for students residing in on-campus housing.

Policy Statement:

1. All students living in on-campus housing (Shocker Hall and Fairmount Towers) must identify and provide confidential contact information to the Director of Housing and Residence Life or the Director's designee. Each student will be responsible for keeping the confidential contact information updated and current. The security of the contact information will be maintained by the Director or the Director's designee.

2. If University Housing and Residence Life officials reasonably determine or believe there is justification to investigate the welfare or missing status of a student living in on-campus housing, a report concerning their missing status will be filed with the University Police Department. A student living in on-campus housing will not be considered missing if they have provided information about their intended whereabouts. A student living in on-campus housing will not be considered missing if they are gone during recognized University holidays and/or breaks.

3. If the University Police Department's investigation determines that a student for whom a report has been filed has been missing for more than twenty-four (24) hours, the University Police Department will notify the Director of Housing and Residence Life or the Director's designee. The Director or designee will notify the Vice President for Student Affairs to determine how best to make contact in accordance with paragraph 4 of this policy statement.

4. If the missing student is under the age of eighteen (18) and not emancipated, the University is required to contact the missing student's parent[s] or guardian[s]. If the missing student is emancipated or eighteen (18) years of age or older, the University will contact the confidential contact person provided by the student pursuant to paragraph 1 above.

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Vice President for Student Affairs shall have primary responsibility for publication, dissemination and implementation of this University policy.

Effective Date:
February 1, 2009
8.18 / Eschewing Campus/Workplace Violence

Purpose:
The purpose of this statement is to set forth University policy with regard to the prevention, deterrence and response to workplace violence.

Preamble:
It is recognized that it is important that the University have a comprehensive policy statement, in supplementation of the State of Kansas Workplace Violence Policy that is consistent with best practices in campus violence prevention.

Policy Statement:

1. Wichita State University emphatically supports a violence-free workplace and campus.

2. The University is committed to taking all reasonable steps necessary to seek to avoid and prevent acts of violence and deter acts of violence on campus, and to be prepared to respond to acts of violence that may occur on campus, in spite of all such efforts.

3. Immediate threats or situations of immediate concern should always be directed to the University Police Department or local, state or federal law enforcement authorities.

4. Faculty and staff who want to report concerns about their personal safety, the personal safety of a co-worker or any concern about a possible act of violence on campus should notify their supervisor, the Dean of their College, the Office of Human Resources, the Office of Academic Affairs, the University Behavior Intervention Team, the University's General Counsel, the University Police Department or local, state or federal law enforcement authorities.

5. Students who want to report concerns about their personal safety, the personal safety of a fellow student or any concern about a possible act of violence on campus should notify a faculty member, the Chair of their Department, the Dean of their College, a member of the Residence Life Staff, the Director of Student Conduct and Community Standards, the University Behavior Intervention Team, the International Students Office, the Office of Student Affairs, the Office of Academic Affairs, the University's General Counsel, the University Police Department or local, state or federal law enforcement authorities.

6. The University is committed to identify, investigate, assess, manage and attempt to resolve identified concerns and/or to prevent and avoid any workplace violence, to the extent reasonably and practicably possible.

7. Individuals are encouraged to report any concerns about violence or the possibility of violence on campus and no retaliatory actions shall be taken against those who report a concern in good faith and/or who cooperate with an investigation about any such report.

8. All reports and any follow-up investigations deemed necessary and appropriate will be confidential to the extent permitted by applicable state and federal laws and to the extent consistent with a fair, comprehensive and thorough investigation and follow-up.

9. The filing of false reports or information is prohibited and any person who knowingly or carelessly submits a false report will be subject to discipline, up to and including suspension or expulsion from the University and/or termination.
of employment, subject to all applicable University policies.

10. The University will, as appropriate, consider declaration of a crisis situation, thereby activating all crisis response mechanisms provided for by University policy and the University's Emergency Operations Plan until such time as an end of the crisis is formally declared and announced. As a part of the crisis response, the University will identify resources and services that are available to help recover from crisis situations.

11. The University will provide and make available annual training to students, faculty and staff on procedures for identifying, reporting and addressing concerns of violence, said training to address and cover the following topics:

   a. Applicable University policies
   b. Identifying potentially violent or threatening situations
   c. Defusing volatile or threatening situations
   d. Reporting emergent concerns
   e. Where and how to report developing concerns
   f. Responsibility for cooperating with investigations
   g. Processes used to investigate and address concerns
   h. Support services to assist with recovery from a crisis involving violence

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The General Counsel and the Vice President for Administration and Finance shall share responsibility for publication, dissemination and implementation of this University policy.

Effective Date:
February 13, 2009

Revision Date:
January 18, 2011

(Note: Because this policy applies directly to students and employees at Wichita State University, Eschewing Campus/Workplace Violence has also been included in Chapter 3, General Employment Policies, at Section 3.33.)
8.19 / Parental Notification

Purpose:
The purpose of this statement is to set forth University policy with regard to situations which would justify contacting a student's parents or guardian to provide information about the student.

Preamble:
The Family Educational Rights and Privacy Act of 1974 (FERPA) places significant limitations upon colleges and universities' ability to share or provide information regarding an enrolled student. However, FERPA does recognize certain limited exceptions and this policy statement is intended to provide guidance and information as to when parental notification should be deemed to be justified and appropriate.

Policy Statement:

1. The University may choose to notify the parent or guardian of a University student, without the student's consent, when deemed to be appropriate and justified under the circumstances, including, but not necessarily limited to, the following circumstances:
   A. The University may disclose personally identifiable information from the education records of a student to the parent or guardian of the student in connection with an emergency if knowledge of the information is reasonably considered to be necessary to protect the health or safety of the student or other individuals. Disclosures for this purpose shall take into account the totality of the circumstances pertaining to the threat to the health or safety of a student or other individuals.
   B. The University may disclose personally identifiable information from the education records of a student to the parent or guardian of the student regarding the student's violation of any federal, state, or local law, or of any rule or policy of the University, governing the use of alcohol or a controlled substance if the University determines that the student has committed a violation with respect to that use or possession and the student is under the age of 21 at the time of disclosure to the parent or guardian.
   C. The University may disclose personally identifiable information from the education records of a student to parents of a dependent student, as defined in Section 152 of the Internal Revenue Code of 1986.

2. The Vice President for Student Affairs will be responsible for contacting a student's parent or guardian as provided by this policy statement. The Vice President for Student Affairs should, as feasible under the circumstances, consult with the University's General Counsel prior to proceeding with any notification to a parent or guardian.

3. The Vice President for Student Affairs will be responsible for developing a process to provide guidance and instruction with regard to implementation of this policy statement.

Implementation:
This policy shall be included in the WSU Policies and Procedures Manual and shared with appropriate constituencies of the University.

The Vice President for Student Affairs shall have primary responsibility for publication, dissemination and
implementation of this University policy.

**Effective Date:**
April 15, 2010

**Revision Date:**
January 18, 2011

(See also Security and Confidentiality of Student Records and Files at Section 3.12 of this manual.)