

# Undergraduate Student Handbook

The official version of the Student Code of Conduct is located online  
<https://studentconduct.wfu.edu/undergraduate-student-handbook/>

Any changes or modifications reflected there supersede hard copy versions of the document and the PDF version.



WAKE FOREST  
UNIVERSITY

## Table of Contents

ACADEMIC AND SOCIAL CONDUCT OF UNDERGRADUATE STUDENTS .....	4
Introduction .....	4
THE WAKE FOREST UNIVERSITY HONOR CODE AND CONDUCT SYSTEM FOR UNDERGRADUATE STUDENTS .....	4
Honor Code .....	4
Student Code of Conduct .....	4
General Jurisdiction .....	5
Violations Under More Than One Policy .....	6
Statement on Expression .....	6
Definitions .....	6
UNDERGRADUATE STUDENT CONDUCT CODE: PUBLIC HEALTH EMERGENCY ADDENDUM .....	8
About .....	8
Policy .....	8
Student Conduct Process .....	9
Public Health Recommendations Sanction Framework Example .....	10
MINIMUM EXPECTATIONS .....	11
VIOLATIONS AND SANCTION FRAMEWORK .....	15
General Sanction Framework .....	15
Alcohol and Other Drug Sanctions .....	16
PROCEDURES .....	19
Filing a Report .....	19
Initial Review .....	19
Investigations .....	19
Notice of the Conduct Process .....	20
Resolution .....	20
Board of Investigators and Advisors .....	20
Summary Action .....	20
Decisions for Summary Actions .....	21
Formal Resolution (Administrative Hearing) .....	21
Decisions for Administrative Hearings .....	22
Appeal Procedures .....	23
Interim Action .....	23
Case Record .....	24

ORGANIZATIONAL MISCONDUCT .....	24
Organization Responsibility .....	24
Initial Review .....	24
Investigation .....	25
Notice .....	25
Formal Resolution .....	25
Sanctions .....	25
Appeals .....	26
OTHER UNIVERSITY POLICIES .....	27

## ACADEMIC AND SOCIAL CONDUCT OF UNDERGRADUATE STUDENTS

### Introduction

It is expected that all members of the Wake Forest community will strive to live in and to promote an environment that not only recognizes individuality, but also fosters collegiality, respect for the rights and privileges of others, and responsibility for individual and group actions. When undergraduate students fail to meet these expectations, the University, through a conduct system, will determine the nature and extent of infractions and impose appropriate sanctions.

According to the charter of the University, the Board of Trustees is ultimately responsible for the University and for its operation. Each student is responsible for his or her own conduct. The Board of Trustees has charged the faculty and the administration to set forth requirements for the orderly behavior of undergraduate students.

Students should be mindful of the University's expectations regarding their academic and social behaviors. The University will discourage violations by imposition of sanctions, including, but not limited to loss of on-campus housing, suspension, or expulsion, as defined by applicable policies and procedures.

### *The Wake Forest University Honor Code and Conduct System for Undergraduate Students*

The University conduct system for undergraduate students is primarily comprised of the Honor Code, the Code of Conduct, and The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures. As explained herein, the Honor Code is administered by the Office of the Dean of the College, the Code of Conduct is administered by the Office of the Dean of Students, and The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures is administered by the Title IX Office.

Other University policies, such as, but not limited to, the Policy on Ethical Use of Computing Resources and the Guide to Community Living, may set forth expectations regarding conduct of undergraduate students. Concerns regarding possible violations of those policies may be referred to the Office of the Dean of the College, the Office of the Dean of Students, and/or the Title IX Office for processing under the Honor Code, Code of Conduct, and/or The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures. The information provided in this Handbook will supersede any information regarding undergraduate student conduct and disciplinary matters that may be reflected in other publications to the extent that information is in conflict with the information provided herein.

### Honor Code

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

Alleged academic violations of the Honor Code will be heard by and in accordance with procedures set by the Honors and Ethics Council.

Alleged non-academic violations of the Honor Code will be heard by and in accordance with procedures set by the Office of the Dean of Students.

### Student Code of Conduct

In keeping with its historic concern for students, Wake Forest has a legitimate interest in student welfare in

and out of class, on campus and off campus. The Wake Forest University Undergraduate Student Code of Conduct (the “Code of Conduct”) is grounded in concern for student actions that are inconsistent with their obligations as members of the educational community. The Code of Conduct establishes standards of behavior that support the values of the University and uphold the best interests of students. When it has been determined that a student has violated these standards of behavior, appropriate sanctions will be imposed.

Alleged violations of the Student Code of Conduct will be heard by and in accordance with procedures set by the Office of the Dean of Students.

#### The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures

Wake Forest University expects all members of its community to act in respectful and responsible ways toward each other. Wake Forest is committed to providing programs, activities, and an educational environment free from discrimination on the basis of sex, sexual orientation, gender identity, and gender expression. For the University’s full non-discrimination policy, see <http://diversity.wfu.edu/about/policies>.

[The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures](#) describes prohibited conduct, establishes procedures for responding to reports of sexual misconduct as defined in that policy, and outlines resources available to students.

Alleged violations of The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures, when committed by individual students, will be reviewed and decided in accordance with the procedures set forth in The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures. Alleged violations of The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures, when committed by Student Organizations, will be reviewed and decided in accordance with the procedures set forth in The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures.

#### General Jurisdiction

Wake Forest University’s Student Handbook shall apply to undergraduate student conduct on Wake Forest University campus, at University sponsored activities, and to off-campus conduct that adversely impacts the University community and/or the pursuit of the University’s educational objectives. It applies without regard to whether the student’s residence is owned or leased by Wake Forest University. It is an expectation that reason and responsibility characterize student conduct at all events. The Student Handbook also applies to any undergraduate student on a study abroad program, whether operated by the University or another entity.

The University is concerned with the behavior of students beyond the physical boundaries of the campus, and undergraduate students and student organizations may be held accountable for behavior that occurs off campus as explained above. The University does not seek or support special treatment for its students who may be apprehended for violation of civil or criminal law.

The Student Handbook shall also apply even if the student withdraws from Wake Forest while a disciplinary matter is pending. The University does not lose jurisdiction over a pending matter due to a student’s withdrawal, and the University retains the right to withhold transcripts if a student attempts to transfer while a conduct matter is pending. The University also has the right to withhold the degree of a student who has satisfactorily completed the academic requirements but has a conduct matter pending.

Frequently, students attend or participate in events sponsored by or hosted by student organizations at other colleges or universities. Sometimes WFU student organizations co-sponsor events with groups or

organizations at other colleges or universities. Wake Forest undergraduate students and student organizations must adhere to Wake Forest University policies and rules on such occasions.

Where officials of another college or university notify Wake Forest of incidents giving rise to a possible violation of the Honor Code, Code of Conduct or The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures, the case will be processed through the appropriate Wake Forest conduct processes defined below.

#### Violations Under More Than One Policy

When a report alleges behavior that may violate more than one University policy, the offices responsible for administering the applicable policies will work together to determine how and when the processes under each applicable policy will proceed.

#### Statement on Expression

Wake Forest University is committed to diversity, inclusion, and the spirit of Pro Humanitate, and it strives to provide an environment conducive to understanding, fostering, and nurturing the values of mutual respect, dignity, responsibility, and open communication. Free speech and peaceable assembly are basic requirements of a university as a center for free inquiry and the search for knowledge and insight.

The University is committed to providing all students the right to openly dissent and to speak, write, listen, challenge, protest, and learn. Though the vibrant exchange of ideas may become contentious, such interactions, as part of the University's educational mission, can lead to changed perspectives, advanced knowledge, and informed action.

The rights afforded to students in this statement have limitations and involve a concurrent obligation on the part of students to maintain on the campus an atmosphere conducive to scholarly pursuits and to respect the rights of all individuals, including the right to be free of harassment or other behavior that diminishes a person's or group's dignity and which is prohibited under the Code of Conduct. Moreover, the exercise of these rights may not disrupt or obstruct the functions of the University or imminently threaten such disruption or obstruction.

#### Definitions

The term “**University**” means Wake Forest University.

The term “**student**” includes all persons taking undergraduate courses at the University, either full-time or part-time. Persons who withdraw after allegedly violating the Student Code, who are not officially enrolled for a particular term but who have a continuing relationship with the University or who have been notified of their acceptance for admission are considered “students” as are persons who are living in University residence halls, although not enrolled in this institution. This Student Code does apply at all locations of the University, including all study away and study abroad campuses.

The term “**faculty**” refers to persons who hold an academic appointment, whether tenured, tenure track or non-tenure track, or full or part-time.

The term “**University official**” refers to any person employed (e.g., Resident Advisers) or retained (e.g., food service staff) by the University, performing assigned administrative or professional responsibilities.

The term “**business day**” describes any day of the week, Monday through Friday, excluding University holidays or other closures.

The “**Judicial Council**” refers to the body established to hear appeals of Honor and Ethics Council hearings and Administrative Hearings. The Judicial Council consists of six faculty members, two members of the administration, and two students.

The “**Honor and Ethics Council**” refers to the body established to hear alleged violations of academic misconduct. The Honor and Ethics council consists of ten appointed faculty members, ten appointed

students, and one faculty chair. During a hearing, the chair will assign two students and two faculty to the panel.

The term “**hearing officer**” includes any person or persons authorized by the Dean of Students to manage conduct cases and to administer formal or informal resolution processes.

The term “**hearing panel**” includes the group of individuals who hear cases of alleged student misconduct within the administrative hearing process. The composition of the hearing panel is determined by the hearing officer, but will usually include one student, one faculty, and one staff member. A “**Panel Member**” refers to an individual on a Hearing Panel.

The term “**investigator**” includes any individual(s) authorized by the Dean of Students to conduct investigations of alleged violation(s) of standard(s) of behavior prior to a conduct process.

The term “**organization**” refers to the collective of any number of persons who have complied with the requirements for recognition by the University as a registered student organization. Additionally, “**organization**” also refers to the collective of any number of students who act as an organization. Student organizations referred to the conduct process will be represented by the president of that organization. The president may designate another active member to be the representative in their place.

The term “**Preponderance of the evidence**” indicates evidence as a whole that would lead a reasonable person to conclude that a fact is more likely than not.

The “**Board of Investigators and Advisers**” or “**BIA**” is a group of students who serve two purposes in the conduct process: (1) investigate academic cases and present the cases before the Honor and Ethics Council, and (2) advise responding students in all phases of an investigation, hearing, and appeal, in academic and nonacademic cases.

The “**Office of the Dean of Students**” refers to the named office and includes Student Conduct, Student Engagement and Campus Programs & Services.

The term “**University premises**” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University including adjacent streets and sidewalks.

### *Undergraduate Student Conduct Code: Public Health Emergency Addendum*

This addendum to the Undergraduate Student Conduct Code is in response to the current public health emergency and is intended to increase education, safety, and accountability among students. This addendum is effective July 1, 2020 and will remain in effect until further notice. Any revisions to this addendum will be communicated through email notice to Wake Forest students, faculty, and staff.

#### About

As members of the Wake Forest community, students are called upon to demonstrate respect and honor towards fellow peers, faculty, staff, and every other member of this community. As such, in a time of potential risk to the health and safety of our fellow Deacons, we must each be vigilant in our commitment to protecting, encouraging, and supporting each other. All members of the community are asked to respect the health and safety of others as they would respect their own, not of our own protection, freedom, expression, or understanding over that of our brothers and sisters (students, faculty, staff, and administrators). Because we do not know the vulnerabilities, responsibilities, fears, or comforts of the other members of our community, each of us must act out of an abundance of caution and to help keep others safe, comfortable, healthy, and flourishing. Together, we will create a community where each of us knows we are valued and even cherished.

As a community, we will hold ourselves and each other accountable for compliance with University requirements and expectations that are intended to help keep the Wake Forest community safe during this pandemic. Our community of honor and integrity will be reflected through our work to challenge and support each other, particularly if we witness fellow community members failing to follow public health recommendations.

#### Policy

##### ***Public Health Policies Non-Compliance***

Students must comply with all University policies and expectations that are implemented in response to the pandemic and that pertain to student conduct on-campus and off-campus. These policies and expectations may address guest policies, personal protective equipment, isolation requirements and more. These policies and expectations can be found at [ourwayforward.wfu.edu](http://ourwayforward.wfu.edu), and students are encouraged to visit this website frequently. The University's policies and expectations may be revised at any time. Should this occur, students will be sent an email notifying them of any substantial changes, and students will be expected to comply with such changes. Violations of these policies will be reported and handled through the student conduct process in the Office of the Dean of Students.

This addendum to the *Student Conduct Code* governs the behavior of undergraduate students. The jurisdiction of the *Undergraduate Student Conduct Code*, including this addendum, extends into virtual classrooms, meetings, and on and off campus activities.

Any situation where a student's conduct may present a danger or threat to the health or safety of themselves or others may result in immediate interim action, including transfer to online-only learning environments, removal from housing, suspension or expulsion, or other sanctions.

##### ***Quarantine/Isolation Policy***

Students who are suspected or confirmed to have COVID-19 or any condition requiring quarantine or isolation and who have been instructed by a health care provider or public health official to isolate must comply with those instructions. Students must remain in isolation until they receive clearance to do so by their medical provider or public health official. Students who have been advised by a health care provider or public health official



to quarantine themselves as a result of a potential exposure to COVID-19 must comply with this recommendation. The duration of and release from isolation and quarantine will be based on the current [CDC guidelines](#).

Those in violation of isolation or quarantine requirements will be subject to sanctions through the Student Code of Conduct process, including possible transfer to remote learning only, removal from on-campus housing, and/or suspension or expulsion.

### ***Maximum Group / Gathering***

Per the NC Executive Order in place as of the effective date of this policy, there are limitations on the number of individuals permitted to gather in indoor and outdoor spaces. These prohibitions on Mass Gatherings apply to social events held on and off campus. Students are allowed to gather for social purposes, so long as they do not exceed the mass gathering limit of 10 people indoors and 25 people outdoors. When doing so, students must continue to abide by social distancing requirements and wear face coverings.

Reports of off-campus parties exceeding large gathering limitations may result in student conduct charges for student groups and individuals. Students on the lease where the party is held will be charged through the student conduct process, whether or not they are present for the party. Sanctions may vary from educational activities, activities suspensions, to suspension or expulsion from Wake Forest.

### ***Failure to Comply***

Students must comply with all University policies and expectations implemented in response to the pandemic and that pertain to student conduct on and off campus. Examples include but are not limited to face covering requirements and expectations for daily symptom screenings. Failure to comply with these policies and expectations and to reasonable requests of Wake Forest employees and University Police may result in sanctions through the Student Code of Conduct process.

### **Student Conduct Process**

All students alleged to have violated public health policies and expectations have the rights outlined in the *Code of Conduct*. The conduct system at Wake Forest University is based on educational aspirations, community care and safety expectations, and our commitment to protecting, encouraging, and supporting each other. The conduct process and sanctions are based in this framework.

Because of the urgency of and safety concerns with public health, the process for resolving cases that pertain to conduct covered in this addendum will be addressed as follows:

- As quickly as possible after receipt of a report, the alleged student will receive a letter from the Office of Student Conduct with educational materials and allegations of behavioral concerns.
- The student must make all possible accommodations to make their scheduled hearing time.
- Alleged conduct violations related to public health emergencies will be heard in a virtual conference meeting. Violations which may result in suspension or expulsion will be heard as an Administrative Hearing.
- If a student is found responsible, sanctions will be effective immediately. Students will have the right to appeal as outlined in the *Code*.

Repeated, deliberate, and/or severe violations of policies related to public health, as determined through the *Code of Conduct* process, may result in sanctions up to and including removal from campus housing, suspension, or expulsion.

The Dean of Students or designee may impose immediate removal from the Department of Residence Life and Housing, without prior notice, if, in the determination of the Dean or designee, there is a need to protect

the safety and well-being of the campus residential population.

#### Public Health Recommendations Sanction Framework Example

The following examples demonstrate some violations and possible sanctions. The hearing officer may modify or add additional sanctions as deemed appropriate by the hearing officer given the circumstances of the violation.

<b>Violation</b>	<b>Possible Sanctions</b>
<i>Physical Distancing</i>	<ul style="list-style-type: none"> <li>● Educational Requirement</li> <li>● Disciplinary Probation</li> <li>● Requirement to move to remote learning</li> <li>● Activities Suspension</li> <li>● Trespass from Campus Locations</li> <li>● Removal from Housing</li> </ul>
<i>Guest Visitation</i>	<ul style="list-style-type: none"> <li>● Educational Requirement</li> <li>● Removal from Housing</li> <li>● Suspension or Expulsion</li> </ul>
<i>Use of Personal Protection Equipment</i>	<ul style="list-style-type: none"> <li>● Educational Requirement</li> <li>● Requirement to move to remote learning</li> <li>● Disciplinary Probation</li> </ul>
<i>Classroom Disruption</i>	<ul style="list-style-type: none"> <li>● Educational Requirement</li> <li>● Requirement to move to remote learning</li> <li>● Removal from Course</li> <li>● Disciplinary Probation</li> <li>● Suspension or Expulsion</li> </ul>
<i>Complicity</i>	<ul style="list-style-type: none"> <li>● Educational Requirement</li> <li>● Disciplinary Probation</li> <li>● Suspension or Expulsion</li> </ul>
<i>Failure to Comply:</i> attending classes, meetings, events, social activities when prohibited; choosing not to comply with public health guidance; choosing not to comply with University officials.	<ul style="list-style-type: none"> <li>● Trespass from Campus Locations</li> <li>● Requirement to move to remote learning</li> <li>● Removal from Leadership Position</li> <li>● Activities Suspension</li> <li>● Disciplinary Probation</li> </ul>

Sanction explanations can be found in the *Code of Student Conduct*. Questions about this addendum to the *Code of Student Conduct* should be addressed to the Office of the Dean of Students, 336.758.5226, deanofstudents@wfu.edu.

#### **Acknowledgements to:**

Lees-McRae College

Association for Student Conduct Administration

Georgetown University

University of Colorado University – Boulder

*Last Updated: July 7, 2020*

### *Minimum Expectations*

Wake Forest considers the behavior described in the following sections as inappropriate for the University community and in opposition to the institution's core values.

Any student or student organization found to have engaged in or attempted to engage in the following conduct is subject to the sanctions outlined in the Sanction Framework. When considering sanctions, the constellation of circumstances that gave rise to the misconduct will be considered.

1. **Abuse of the Conduct Process.** Deliberately abusing, misusing, or misleading the procedural aspects of the conduct process. Examples of this behavior include:
  - a. Destroying or concealing information during an investigation of an alleged policy violation;
  - b. Initiation of a student conduct code proceeding in bad faith;
  - c. Attempting to discourage an individual's proper participation in, or use of, the student conduct system; or
  - d. Attempting to influence the impartiality of a member of any hearing board outside of the hearing process.
2. **Alcohol.** The [Undergraduate Alcohol and Other Drug Policy](#) describes the University's position on student responsibility regarding the use of alcohol and other drugs. Students should pay special attention to the [University's Medical Amnesty policy](#) for additional information about seeking help for students in need of medical attention.

Violations of the Undergraduate Alcohol and Other Drug Policy will be addressed in accordance with the procedures set forth in this handbook.
3. **Bullying/Cyberbullying.** Repeated and/or severe actions that intimidate or intentionally harm or control another person physically or emotionally. Examples of bullying and cyberbullying include:
  - a. Sending mean or inappropriate text messages and emails;
  - b. Posting humiliating pictures of someone else online for others to see; or
  - c. Starting or perpetuating degrading rumors about another person.
4. **Complicity.** Helping or actively encouraging another person to engage in violations of University policy.
5. **Computing.** Violating the Wake Forest Computing Policies, found at <http://help.wfu.edu/public/is/information-technology-policies>.
6. **Contempt of the Conduct Process.**
  - a. Failure of a student responding to allegations to appear for a conduct hearing.
  - b. Disruption or interference with the orderly conduct of a formal or informal proceeding.
  - c. Failure to comply with the sanction(s) imposed under the Code of Conduct.
7. **Copyright Violations.** Federal law restricts the use of copyrighted video, audio, or computer material. Any organization or student using such material should be certain that its use conforms to law.
8. **Destruction or Defacement of Property or Grounds.** Attempted or actual damage to or destruction of University property or the personal property of another.
9. **Disorderly Conduct.** The [Statement on Expression](#) affirms the University's position on expression. This policy describes conduct which does not meet these expectations.

Disorderly conduct is behavior that unreasonably interferes with the ability of others to sleep, study, or participate in the activities of the University.

10. **Disruption or Obstruction of University Activities.** The [Statement on Expression](#) affirms the University's position on expression. This policy describes conduct which does not meet these expectations.

Disruptive conduct is speech or other forms of expression which: prevents or substantially impedes the normal operations of the University or a University function or activity, such as lectures, meetings, interviews, ceremonies, and public events; blocks the legitimate activities of any person on the campus or in any University building or facility; or violates other policies in the Code of Conduct.

11. **Failure to Comply with the Directions of University Officials.** Failure to comply with the directives of University officials or law enforcement officers during the performance of their duties and/or failure to identify oneself to these persons when requested to do so. Such conduct may include the failure to provide proper ID and disrespectful, uncooperative, abusive or threatening behavior.

12. **Fire Safety.** Violation of applicable local, state, federal or campus fire laws, codes and policies including, but not limited to:

- a. Intentionally or recklessly causing a fire which damages University or personal property or which causes injury;
- b. Failure to evacuate University premises during a fire alarm;
- c. Use of University fire safety equipment for an improper purpose; or
- d. Tampering with or improperly engaging a fire alarm or fire detection/control equipment while on University property.

13. **Harassment.** The [Statement on Expression](#) affirms the University's position on expression. This policy describes conduct which does not meet these expectations.

Harassment is any unwelcome and persistent or pervasive conduct directed toward an individual or against a group that is based on that person's or group's actual or perceived race, color, age, ethnicity, national origin, immigration status, socioeconomic status, political affiliation, veteran status, pregnancy status, genetic information, or religion. Behavior by an individual based on an individual's or group's gender, sexual orientation, gender identity, or disability is addressed under the University's Student Sexual Misconduct Policy or Student Disability Grievance Procedures. Behavior by a Student Organization based on an individual's or group's gender, sexual orientation, gender identity, or disability is addressed through the procedures in this Code of Conduct. The conduct may be verbal, nonverbal, written, electronic, or physical behavior and/or communication.

To constitute harassment, the unwelcome behavior or communication must have the purpose or effect of being sufficiently serious as to:

- a. create an intimidating, hostile, or demeaning educational, living, or work environment, or
- b. deny or limit a person's work performance or a student's ability to participate in or benefit from an educational program.

In addition, to constitute harassment, the conduct must include something beyond the mere expression of views, words, symbols, or thoughts that some person may find offensive. The conduct will be viewed from both a subjective (the complainant's) and an objective (reasonable person's) viewpoint, and take into consideration all surrounding circumstances. Such conduct does not need to be directed at or to a specific individual in order to constitute harassment, but may consist of generalized unwelcome and inappropriate behaviors or communications based on one or more of

the aforementioned protected categories.

14. **Harm to Others.** Intentionally or recklessly causing physical harm to or endangering the health or safety of any person.
15. **Hazardous Activity.** Creation of health and/or safety hazards, including, but not limited to, dangerous pranks, hanging out of or climbing from/on/in windows/balconies/roofs, and reckless driving.
16. **Hazing.** At Wake Forest University, students should be able to pursue avenues of involvement in campus life and group membership without exposure to harm or the loss of their dignity or worth. As such, hazing is defined as any action taken or situation created for the purpose of initiation, admission into, affiliation with, or as a means of maintaining continued membership or favor in a group or organization that:
  - a. endangers the mental or physical health or safety of a student;
  - b. unreasonably impedes upon a student's academic commitments;
  - c. demeans, disgraces, or degrades any student; or
  - d. violates other policies in the Code of Conduct.

A student's express or implied consent to the action(s) taken and/or situation(s) created are not considered a defense to a charge of hazing. Individuals or organizations that retaliate against anyone who acts to prevent, stop, or report hazing activity may also be charged with a violation of the Code of Conduct.

17. **Honor Code (non-academic violation)**

- a. **Stealing.**
  - i. The unauthorized taking, misappropriation, or possession of any property belonging to, owned by, or maintained by the University, an organization, or another individual, or
  - ii. The possession, retention, or disposal of stolen property.
- b. **Deception.**
  - i. Making a false statement to a University or other official, or
  - ii. Knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification or financial instruments

18. **Illegal Drugs or Other Drugs.** The Undergraduate Alcohol and Other Drug Policy describes the University's position on student responsibility regarding the use of alcohol and other drugs.

Violations of the Undergraduate Alcohol and Other Drug Policy will be addressed in accordance with the procedures set forth in this handbook.

19. **Off-Campus Disturbance.** Conduct or activity by students living in, hosting functions at, or attending functions at off-campus locations which unreasonably interferes with the rights of individuals. Students who are residents of off-campus rooms/apartments/houses must control the nature and size of activities carried out in or on their premises consistent with the standards of the University.
20. **Other University Policies.** Violating other published University policies or rules, including all Residence Life and Housing policies published in the Guide to Community Living.
21. **Public Health Emergency.** In response to the current public health emergency, there is an addendum to the Undergraduate Student Conduct Code. The addendum is intended to increase

education, safety, and accountability among students and student organizations. This addendum is effective July 1, 2020 and will remain in effect until further notice. Any revisions to this addendum will be communicated through email notice to Wake Forest students, faculty, and staff.

**22. Public Urination or Defecation.**

**23. Sex and Gender Discrimination and Misconduct.** The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures describes the expectations for all students regarding harassment, misconduct, and discrimination based on sex, sexual orientation, and gender identity and expression. All members of the Wake Forest community should review the entire policy and associated pages on the Title IX Office website. Violations of this policy committed by undergraduate students will be addressed in accordance with the procedures detailed in that policy. Violations of this policy committed by Student Organizations will be addressed in accordance with the procedures set forth in this handbook. When a report alleges violations involving both student(s) and Student Organization(s), the Dean of Students Office and the Title IX Office will work together to determine how and when the processes under each applicable policy will proceed.

**24. Threatening Behavior.** Written or verbal conduct that causes a reasonable expectation of physical, emotional, or psychological harm to the health or safety of any person or damage to any property.

**25. Unauthorized Access.** Unauthorized access to University premises (such as a building or a room or unauthorized possession, duplication or use of means of access (i.e. keys, cards, etc.) to any University premises or failing to report a lost Deacon OneCard or key.

**26. Unregistered Party.** Social functions that fail to comply with the University's requirements for registration.

**27. Violation of a University Policy or Law by a Guest.** Any violation of a University policy that is committed by an acknowledged non-student guests is the responsibility of the Wake Forest student host(s).

**28. Violations of Law.** Violating any federal, state, or local law or ordinances, as determined by the adjudication of the appropriate jurisdictional authority.

**29. Weapons.** Possession, use, or distribution of explosives (including fireworks and ammunition), guns (including air, BB, paintball, facsimile weapons and pellet guns), or other weapons or dangerous objects such as arrows, axes, machetes, nunchucks, throwing stars, or knives, including the storage of any item that falls within the category of a weapon in a vehicle parked on University property, except for authorized use in the Department of Military Science or authorized use by campus recreation.

### *Violations and Sanction Framework*

Sanctions resulting from Honor Code and Code of Conduct violations become part of a student's conduct record. Certain violation types and sanctions are deleted upon graduation. Certain violation types and sanctions are deleted upon graduation.

Sanctions are issued on a case-by-case basis and may not be reflected here, depending on the nature and severity of the violation, the presence of mitigating or aggravating circumstances, or whether the student has had a prior conduct violation.

The Office of the Dean of Students may place a hold on a student's record in cases of non-compliance.

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

#### General Sanction Framework

Any individual or combination of the below sanctions in this section may be applied to a student or student organization when found responsible for violating the Code of Conduct.

**“Behavioral Requirement or Educational Program”** This includes required activities including, but not limited to, mentoring, workshops, requirement to attend, present and/or participate in a program or sequence of programs related to the violation. The activities may be on campus, off campus, or on-line.

**“Community Service”** When connected or germane to the nature of the violation, assignment to work a specific number of hours at a community service site approved by the Office of Student Conduct. Community Service locations may exist on and off campus.

**“Restitution”** Compensation for damage caused to the University or any person's property. This could also include situations such as failure to return a reserved space to proper condition, labor costs and expenses. This is not a fine, but rather, a repayment for labor costs and/or the value of property destroyed, damaged, consumed, or stolen.

**“Restorative Actions”** Requirement to engage in actions that attempt to make amends for the negative impact of a violation and repair the harm that resulted from the misconduct. These actions may include activities such as letters of apology, drafting and implementing a plan of resolution, engaging in restorative justice conferences, or developing plans for reintegration.

**“Activities suspension”** is defined as: A period of time during which a student remains as an enrolled student and continues his/her academic work but will have participation in non-academic activities limited as identified by the hearing officer. This may include ineligibility to participate or hold office in any student organization at the University or to represent the university outside of the community. Participation in study abroad programs, attending conferences/retreats as part of a non-academic activity, or participation in intercollegiate athletics, student organizations, or intramural teams will also be considered. Work-study jobs are not suspended during this time. Any clarification concerning other activities that may be affected will be made by the Dean of Students or designee.

**“Disciplinary probation”** is defined as: A period of official censure and heightened scrutiny of the student's behavior during the period of probation: a further violation by a student while on disciplinary probation will result in increased sanctions up to and including suspension or expulsion. A student may be required to meet periodically with a dean (or other University official) during his/her period of probation.

**“University Housing Probation”** Official notice that, should further violations of the Student Conduct Code occur during a specified probationary period, the student may be immediately removed from University Housing. Regular probationary meetings may also be imposed.

**“University Housing Reassignment”** Reassignment to another University housing facility as determined

by the Department of Residence Life and Housing.

**“University Housing Suspension or Expulsion”** Removal from University housing for a specified period of time up to, and including, permanent removal. Conditions for re-admission to University housing may be specified. Under this sanction, a student is required to vacate University housing within 24-hours of notification of the action, though this deadline may be extended upon application to, and at the discretion of, the Dean of Residence Life and Housing. This sanction may be enforced with a trespass action if deemed necessary. This sanction may include a restriction to specified buildings or all University housing during the period of suspension or expulsion.

**“On-campus Living Requirement”** Removal from off-campus housing assignment to a University housing facility as determined by the Department of Residence Life and Housing.

**“Residency Requirement Extension”** Requirement to live on-campus beyond the specified residency requirement period. This requirement may be for a specified period of time up to a permanent extension throughout the duration of the student’s enrollment as an undergraduate student at the University.

**“Suspension Withheld”** The student has been suspended for a specified minimum period of time; however, the suspension is withheld as long as the student agrees to undergo other alternative sanctions such as drug testing or a specified educational program. This is a serious sanction since any additional violation of the Code of Conduct or breaking the terms of the agreement to complete educational sanctions will result in immediate separation from the community.

**“Suspension”** Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility may be contingent upon satisfaction of specific conditions noted at the time of the suspension. During the suspension period, the student is banned from university property, functions, events and activities without prior written approval from the Dean of Students or designee.

**“Expulsion”** Permanent separation from the University. The student is banned from university property and the student’s presence at any University sponsored activity or event is prohibited. This action may be enforced with a trespass action as necessary.

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

**“Withholding Degree”** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in this Student Conduct Code, including the completion of all sanctions imposed, if any.

#### Alcohol and Other Drug Sanctions

The sanctions listed above may be applied *in addition to* the alcohol and substance use prevention educational sanctions identified below.

**AlcoholEdu for Sanctions:** An online interactive alcohol and drug education program.

**BASICS Group:** A group-based intervention for alcohol and other drugs using a multi-faceted individual feedback report to inform behavior modification and goal-setting.

**BASICS 1:1:** A single-session, individualized intervention based in Motivational Interviewing for alcohol and other drugs using a multi-faceted individual feedback report to inform behavior modification and goal-setting.

**BASICS+:** A four-session, individualized intervention based in Motivational Interviewing for alcohol and other drugs using a multi-faceted individual feedback report to inform behavior modification and goal-setting.

**Formal AOD Assessment:** Formal assessment conducted by trained, licensed clinical staff regarding



problematic use of alcohol and/or other drugs. Includes referral to additional services/resources as indicated.

**Parental Notification:** In all instances of alcohol and other drug violations, a student's parents will be contacted by mail and/or phone.

### Alcohol and Other Drugs Sanctioning Framework

The following guidelines serve as a framework for use of the above identified alcohol and other drug offenses sanctions or programs. The hearing officer may modify or add additional sanctions as deemed appropriate by the hearing officer in his/her discretion.

Charge	First Offense	Subsequent Offense(s)
<p>Low-level alcohol and other drug violations:</p> <ul style="list-style-type: none"> <li>- Unauthorized Containers</li> <li>- Purchase or Attempt to Purchase while Underage</li> <li>- Underage Possession and/or Consumption</li> <li>- Public Display</li> <li>- Drinking Games</li> <li>- Non-criminal possession of illegal drugs (e.g., typically less than 1.5 ounces marijuana)</li> </ul>	<ul style="list-style-type: none"> <li>- AlcoholEdu for Sanctions</li> <li>- Drug testing, if applicable</li> <li>- Ethics Course</li> <li>- Outcome-based reflection</li> <li>- Parental Notification</li> <li>- Peer-to-Peer Conversation Program</li> </ul>	<ul style="list-style-type: none"> <li>- BASICS 1:1 (if student has already completed BASICS Group this year) and any recommended follow-up from BASICS facilitator (could include formal AOD assessment if BASICS reveals high-level use concerns)</li> <li>- BASICS Group and any recommended follow-up from BASICS facilitator (could include formal AOD assessment if BASICS reveals high-level use concerns)</li> <li>- Disciplinary Probation</li> <li>- Drug testing</li> <li>- Ethics Course</li> <li>- Outcome-based reflection</li> <li>- Parental Notification</li> <li>- Peer-to-Peer Conversation Program</li> </ul>

Charge	First Offense	Subsequent Offense(s)
<p>Mid-level alcohol and other drug violations:</p> <ul style="list-style-type: none"> <li>- Alcohol Misuse (when involving hospitalization)</li> <li>- Criminal Possession of Illegal Drugs, Prescription and/or Over-the-Counter Medication</li> </ul>	<ul style="list-style-type: none"> <li>- BASICS 1:1 and any recommended follow-up from BASICS facilitator (could include formal AOD assessment if BASICS reveals high-level use concerns)</li> <li>- BASICS+ (if student has already completed BASICS 1:1 this year) and any recommended follow-up from BASICS facilitator (could include formal AOD assessment if BASICS reveals high-level use concerns)</li> <li>- Disciplinary probation</li> <li>- Drug testing, if applicable</li> <li>- Ethics Course</li> <li>- Outcome-based reflection</li> <li>- Parental Notification</li> <li>- Peer-to-Peer Conversation Program</li> </ul>	<ul style="list-style-type: none"> <li>- Activities Suspension</li> <li>- Suspension Withheld</li> <li>- Drug testing</li> <li>- Ethics Course</li> <li>- Housing Restrictions</li> <li>- Outcome-based reflection</li> <li>- Parental Notification</li> <li>- Peer-to-Peer Conversation Program</li> <li>- Substance Use Assessment. AOD Assessment with referral to appropriate level of care (includes BASICS Group, BASICS 1:1, BASICS+, or treatment services as indicated)</li> <li>- Suspension</li> </ul>
<p>High-level alcohol and other drug violations:</p> <ul style="list-style-type: none"> <li>- Driving While Impaired</li> <li>- Illegal drug use (IV drug, crack, heroin, or methamphetamine use)</li> <li>- Sale or Distribution of Illegal Drugs, Prescription and/or Over-the-Counter Medication</li> </ul>	<ul style="list-style-type: none"> <li>- Activities Suspension</li> <li>- Disciplinary probation</li> <li>- Drug testing</li> <li>- Ethics Course</li> <li>- Housing restrictions</li> <li>- Parental Notification</li> <li>- Substance Use Assessment. AOD Assessment with referral to appropriate level of care (includes BASICS Group, BASICS 1:1, BASICS+, or treatment services as indicated)</li> <li>- Suspension</li> <li>- Suspension Withheld</li> </ul>	<ul style="list-style-type: none"> <li>- Expulsion</li> </ul>

## *Procedures*

### Filing a Report

Incidents of alleged violations of the Code of Conduct should be reported to the Office of the Dean of Students or a designee.<sup>1</sup> Any member of the University community may file a written report concerning alleged violations of the Code of Conduct. A written report should be prepared and directed to the Associate Dean of Students, Student Conduct. Any report should be submitted, either in paper or electronically, as soon as possible after the alleged event takes place. Reports should contain as much information as possible about the incident, including date, time, location, description of events and a list of individuals involved. Reports may also be made in person at the Office of the Dean of Students. Any delay in reporting may result in lost evidence or an inability to investigate the report.

The University considers the reporting and adjudication of Code of Conduct violations to be extremely important. While the University considers the expectations outlined in the Code of Conduct as a minimum standard of behavior, the University may extend limited immunity to students reporting incidents and/or assisting the parties from sanctioning for some University policy violations.

### Initial Review

After receiving a report, a preliminary review will be conducted by the Associate Dean of Students, Student Conduct, or designee, to understand the circumstances of the incident and to determine if the alleged behavior violates any policies detailed in the Code of Conduct. Reports that describe alleged behavior that does not violate any policy(s) may result in no action being taken. Likewise, lack of sufficient information in a report may result in no action being taken.

Before an investigation or hearing proceedings are initiated, the Associate Dean of Students, Student Conduct, or designee, may take preliminary action. These actions may include, but are not limited to:

1. Initiate any necessary and appropriate interim actions on behalf of a student.
2. Review the history of the students involved, the context of the incident(s) and the nature of the complaint, any potential patterns, and identify any witnesses.
  - a. If a member of the university community is reluctant to file a report, it will be determined whether the matter should still be pursued and whether there is sufficient information to warrant further investigation even without the participation of the person who reported the concern.
  - b. The students involved will be notified if the University intends to pursue the report, as well as the student's rights in the process, including any options to become involved as the investigation continues.

If the Associate Dean of Students, Student Conduct or designee is unable to determine whether the report should be further pursued following the completion of the initial review an investigator, assigned by the Associate Dean of Students, Student Conduct, may conduct an investigation.

### Investigations

An investigation may be conducted to determine if the facts alleged would constitute a violation and to determine what specific policy violations should serve as the basis for the complaint.

---

<sup>1</sup> Incidents of alleged violations of The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures should be reported in accordance with the requirements of that policy. Incidents of alleged violations of other University policies that may result in a proceeding under the Honor Code or Code of Conduct should be reported in accordance with the requirements of those policies or to the Office of the Dean of Students.

The assigned investigator(s) will take steps to ensure that a thorough, reliable and impartial investigation is completed by developing a strategic investigation plan, which may include a witness list and evidence list. A notice of investigation will be provided to the student(s) under investigation. The investigation will include an interview of the student(s) accused of committing a violation and any relevant witnesses. The investigator will complete a report that summarizes the investigation. The report may identify what happened, what policies are at issue, other individuals involved, documents or other information that would be relevant to determining at the hearing whether a violation of the policy occurred. Based on the investigative report, the Associate Dean of Students, Student Conduct will determine if charges are issued against a student.

#### Notice of the Conduct Process

When a report has been filed and has not been dismissed following the initial review or investigation, the student will receive written notification (sent via electronic mail to WFU student address) of the allegations from the Office of the Dean of Students. That notification will include the date of the report, the alleged conduct regulation violation(s), the assigned hearing officer, and an electronic link to the Code of Conduct.

#### Resolution

Upon either the conclusion of the investigation or upon the conclusion of the initial review, the process moves along a pathway to resolution. The process may be resolved either through a Summary Action meeting or Administrative Hearing. The Associate Dean of Students, Student Conduct, or designee, will determine which method for resolution is appropriate and assign a hearing officer to the case. When possible, cases are resolved through a Summary Action meeting. Factors that may be considered in determining whether an Administrative Hearing is appropriate include the severity and/or complexity of the incident and the student's prior conduct record.

For a Summary Action meeting, the student will be required to make an appointment with the assigned hearing officer. The student is responsible for arranging this requested meeting within the parameters stated in the notification. The student will also receive a brief summary of the alleged behavior. If the student fails to arrange the required meeting, a hold may be placed on the student's record.

For an Administrative Hearing, the student(s) will be notified of the designated hearing date, time, and location.

#### Board of Investigators and Advisors

The Board of Investigators and Advisors (BIA) provides students charged with a violation with a BIA member to guide the student through their assigned process. BIA members do not represent students in either an Administrative Hearing or Summary Action. Instead, they meet with students to explain the process, the charges assigned to the student, possible outcomes, and they answer any additional questions the student may have. For both Summary Action meetings and Administrative Hearings, the BIA member will attend the meeting or the hearing at the discretion of the student. At times when BIA members are not available, the Associate Dean for Student Conduct may work with students to secure appropriate representation. The BIA member is the only advisor a student may have present in the hearing.

Students scheduled for an Administrative Hearing will be assigned an advisor from the BIA. Students scheduled for a Summary Action meeting may request an advisor from the BIA.

#### Summary Action

If the Associate Dean of Students, Student Conduct, determines that the case may be resolved through a Summary Action, the assigned hearing officer and the student will meet to discuss the details of the incident. The student may review the case record in advance of the Summary Action, or may review the report at the beginning of the meeting. If requested by the student, a BIA member may be assigned and attend the Summary Action meeting. A Summary Action meeting is considered resolved only when the following

criteria are met: (1) the assigned hearing officer and the student agree that informal resolution is a reasonable option given the circumstances; (2) the hearing officer and the student agree to the level of responsibility for the violation(s) of the specified policy(s), and; (3) if it is agreed that the student is responsible for the alleged violation, the student must agree with the sanctions resulting from the violation(s). Cases that cannot be resolved using these criteria will be referred for an Administrative Hearing.

#### Decisions for Summary Actions

If a resolution is reached through a Summary Action, the hearing officer will complete a written copy of the decision, which the students will receive and have opportunity to review. The student will then sign the decision, thereby indicating acceptance of the findings and sanctions. Through this signed acceptance, the student acknowledges that there will be no further review or appeal of the findings and sanctions.

#### Formal Resolution (Administrative Hearing)

The procedures of an Administrative Hearing are as follows:

1. The student(s) will be given notice regarding the alleged violation(s), the designated hearing date, time, and location, witnesses being called by the University, and any other information (e.g., security video, access records) being presented.
2. The hearing officer will determine if the Administrative Hearing will be conducted in front of a Hearing Panel or if the hearing officer is going to proceed without a panel. Hearing Panelists will be drawn from a pool of trained faculty, staff, and students.
  - a. Reasons that a hearing officer might determine a panel is or is not necessary:
    - i. Complexity of the case or incident(s)
    - ii. Previous interactions with the student(s)
    - iii. Severity of the incident(s) or possible sanction(s)
  - b. For cases including a charge of disruption and/or harassment, a hearing panel is required.
3. The student will be assigned an advisor from the Board of Investigators and Advisors. The advisor will contact the student to schedule a time to review the case record, charges, and hearing procedures.
4. If the student(s) identifies witnesses, they must provide a list of witnesses to the Office of the Dean of Students in advance of the hearing. Only witnesses who can provide relevant observations of the alleged behavior(s) will be allowed. Character witnesses may not present testimony, because Wake Forest students are already presumed to be of high character. If a witness cannot attend the hearing, remote participation may be permitted or a written or video statement may be presented.
5. All hearings will be audio recorded by the Office of the Dean of Students and the recording will be included in the case record. Recording by students or others is not permitted. Recesses and deliberations are not recorded. Recordings are only provided to the Judicial Council, upon appeal, and law enforcement agencies if subpoenaed.
6. Hearings are private. Only the accused student, hearing panelists, hearing officer, witnesses, and assigned members of the Board of Investigators and Advisors are allowed in the hearing.
7. Two or more students will be scheduled to participate in a joint hearing if they are all alleged to have participated in the conduct at issue. The charge(s) and/or the alleged factual circumstances need not be identical for participation in a joint hearing.
8. Any student scheduled to participate in a joint hearing may request a separate hearing. A request for a separate hearing must be submitted in writing to the Associate Dean of Students, Student Conduct or a designee prior to the date of the scheduled hearing. The Associate Dean of Students, Student Conduct or a designee will make the decision regarding the request and notify the student in writing.
9. A student may be charged with violations in two or more unrelated incidents. Those incidents may be aggregated into a single hearing at the discretion of the Associate Dean of Students, Student

- Conduct or a designee. Any student subject to charges of two or more unrelated reported incidents of alleged misconduct is entitled to a separate hearing for each incident. A request for separate hearings must be submitted in writing to the Associate Dean of Students, Student Conduct or a designee prior to the date of the scheduled hearing. The Associate Dean of Students, Student Conduct or a designee will make the decision regarding the request and notify the student in writing.
10. The student shall be presumed not to have violated a conduct regulation until such a violation is proven. The standard of proof shall be preponderance of the evidence. It is the responsibility of the University to establish if the violation is more likely than not.
  11. Formal rules of evidence applied in legal cases do not apply to the Administrative Hearing process during both the investigatory and hearing phases.
  12. The students may request a delay in the hearing. Reasons for the delay, as well as a proposed length of the delay, must be included in the request, which must be submitted in writing to the Associate Dean of Students, Student Conduct or a designee. The Associate Dean of Students, Student Conduct or a designee will make the decision regarding the request and notify the student in writing.
  13. If the hearing is delayed, either at the request of the student(s) or by need of the University the student(s), witnesses, and assigned BIA advisor will be notified in writing.
  14. The order of the hearing will be as follows:
    - a. The hearing officer will begin the hearing and recording.
    - b. All students are introduced and an honor code oath administered to those will provide testimony.
    - c. The information presented during the hearing will be reviewed.
    - d. The charge(s) will be read, and the charged who will accept or deny responsibility for the charge(s).
    - e. The student will be given an opportunity to provide a statement or narrative regarding the incident in question and the charge(s).
    - f. The hearing officer and/or hearing panelists may question the student.
    - g. As necessary, a witness or witnesses will be called into the hearing. Each witness will be introduced and respond to the honor code oath. When an investigation has been conducted, the investigator will present the findings of the investigation.
    - h. Witness(es) will provide testimony regarding their knowledge of the incident.
    - i. The hearing officer, hearing panelists, and/or the charged student(s) may question the witness(es).
    - j. Information may be presented at any point during the hearing.
    - k. After the witnesses have been heard and the hearing panel has concluded asking questions, the hearing officer will ask the student and/or BIA member if any additional information needs to be provided, and the student may make a closing statement.
    - l. The hearing is adjourned.
  15. All procedural questions regarding a hearing are subject to the final decision of the hearing officer.

#### Decisions for Administrative Hearings

The hearing panel serves in an advisory capacity to the hearing officer regarding findings and sanctions. Following the conclusion of a hearing, the panel will deliberate and recommend a finding, based on a preponderance of the evidence. When it is more likely than not that the student has committed the violation, the panel will recommend a finding of “responsible.” When the panel did not find it is more likely than not that the student has committed the violation, the panel will recommend a finding of “not responsible.” If the panel recommends a finding of “not responsible” for the policy violation(s), there will be no sanctions recorded. If the panel recommends a finding of “responsible” for the policy violation(s), the panel will recommend an appropriate sanction(s). The hearing officer and all members of the panel will be present and available as a resource during all deliberations. The hearing officer is responsible for informing the panel of applicable precedent and any previous conduct violations only after a student has been found responsible for a violation. Upon consideration of the hearing panel’s recommendations, the hearing officer

will determine the findings and sanctions for the student.

The finding and sanction(s), if applicable, will be delivered to the student(s) in writing by the hearing officer. The student(s) will sign the decision indicating they have received the decision.

#### Appeal Procedures

The Judicial Council is the appellate body for Honor Code and Code of Conduct cases and is composed of students, faculty, and administrators.

Students requesting an appeal must follow these procedures:

1. Requests for an appeal from an HEC or Administrative hearing outcome must be submitted within 14 calendar days to the Secretary of the Judicial Council and are ordinarily submitted via e-mail.
2. An appeal request should set forth the reasons why the decision of the hearing body should be reversed or modified and must address one or more of the following grounds for an appeal: (1) sufficiency of the evidence to support the decision, (2) appropriateness of the sanction, (3) germane new evidence not available at the time of the original hearing, (4) procedural error that significantly impacts the outcome.
3. Students who have received a sanction of suspension or expulsion will be automatically granted an appeal hearing if the request is made within 14 calendar days of receiving notification of the outcome of an HEC or Administrative hearing.
4. Students who have received a sanction other than suspension or expulsion are not guaranteed an appeal hearing. Upon receipt of a request for an appeal in such cases, the Judicial Council will determine if an appeal request should be granted. If the Judicial Council decides against hearing an appeal in such cases, the appellant will be notified in writing of the reasons for the Council's decision.
5. In cases where an appeal hearing is held, the Judicial Council will set a date for the appeal hearing and notify the student in writing of the hearing date at least seven (7) days before the hearing.

[NOTE: Details on the format, procedure, and possible outcomes of appeal hearings are set out in the Judicial Constitution]

#### Interim Action

Based on the nature of a student's alleged behavior, the Dean of Students or designee may impose an interim action prior to the completion of the conduct process regarding alleged violations of the Code of Conduct. Interim action may be imposed when:

1. a student poses a significant threat of serious harm to any members of the University community, including visitors, or others;
2. it is necessary to preserve University property or the property of any members of the University Community, including visitors, and/or
3. it is necessary to prevent significant disruption of, or interference with, the normal operations or activities of the University.

Interim action may include, but is not limited to, prohibiting the student from being on University property, attending classes, attending programs and activities, or using University facilities. The student will receive notice of any interim action taken in writing to their official University email address. Interim action may be in place for no more than fifteen (15) business days pending the administrative hearing on alleged violation(s) of the Code of Conduct, unless the student requests a delay in the scheduling of the administrative hearing.

The Dean of Students or designee may also impose an interim action prior to the completion of an administrative withdrawal process, as explained in the Administrative Withdrawal Policy. Such interim action may include, but is not limited to, prohibiting the student from being on University property,

attending classes, attending programs and activities, or using University facilities. An interim action imposed as a part of the administrative withdrawal process may remain in effect until the completion of that process.

A student who receives interim action, related to either the Code of Conduct or the Administrative Withdrawal process, may request an Interim Action Review by submitting the request in writing to the Dean of Students or designee. The appeal must include a statement from the student explaining why the student believes the interim action is not warranted. The Interim Action Review must take place within three business days of receipt of the appeal. If the student requests a delay in the scheduling of the hearing on alleged violation(s) of the Code of Conduct, an Interim Action Review is required. A hearing officer who did not impose the interim action will conduct the Interim Action Review. The interim action may be modified, upheld, or removed, and the student will be notified of this outcome in writing. The outcome of the Interim Action Review is final, and any interim action imposed will remain in effect until the conclusion of the Code of Conduct or Administrative Withdrawal process.

#### Case Record

A record of the matter will be maintained. The following items may be included:

- Incident reports.
- Statements by witnesses;
- Investigative reports;
- Evidence, such as photos, videos or documents;
- Official communication with the student(s);
- Resolution documents or outcome letters.

#### *Organizational Misconduct*

Charges and procedures for student organizations follow the same guidelines described for individual students in the Code of Conduct, except for the two notes in the Minimum Expectations for Harassment and for Sex and Gender Discrimination and Misconduct. For the following procedural aspects, there are differences noted for student organizations. The following procedures will be used to address reports received that allege violations of the Code of Conduct and Honor Code by Student Organizations.

#### Organization Responsibility

Although not all acts of individual group members can or should be attributable to the group, any group or collection of its members acting in concert should be held responsible for its actions. A student organization may be held responsible for violation(s) of the Code of Conduct or Honor Code by the organization or its member(s) when the violation(s):

- a. Takes place at an event that the organization has, formally or informally, sponsored, co-sponsored, planned, financed, or endorsed;
- b. Occurs on the premises owned or operated by the group or its members; or
- c. Have received consent or encouragement, whether implied or formal, of the organization or of the organization's leaders or officers;

All the factors and circumstances surrounding the specific incident will be reviewed and evaluated. The standard of proof applied is preponderance of the evidence.

#### Initial Review

The University strives to work in partnership with the national or international offices of a student organization. To that end, the University may notify the national office of alleged organizational misconduct at any point in the process. Additionally, the University recognizes the right of a national or international office to initiate its own proceedings regarding alleged organizational misconduct. To the



degree the University believes it is appropriate, the University will honor any sanctions imposed by the national or international office of a student organization as additions to any sanctions the University imposed

### Investigation

A notice of investigation will be provided to the President on record for the organization and the Associate Dean of Students, Student Engagement, or designee.

Investigation procedures may differ from those described above. The investigator, in consultation with the Offices of Student Engagement and Student Conduct, may choose any combination of the following techniques, or others not defined here:

- a. Individual interviews with selected members of the organization
- b. Facilitated discussion with the leadership and other selected members of the organization
- c. Group sequester with individual interviews

### Notice

When a report has been filed and has not been dismissed following the Associate Dean of Students, Student Conduct or a designee's initial review and does not require investigation, the student organization's President on record will receive written notification (sent via electronic mail to WFU student address) of the allegations from the Office of the Dean of Students. That notification will include the date of the report, the alleged conduct regulation violation(s), a brief summary of the alleged behavior, an electronic link to the Code of Conduct. Additionally, the chair of the Student Life Committee will be notified of the charges.

### Formal Resolution

All incidents resolved through a Formal Resolution require a hearing panel be convened.

### Sanctions

In addition to the sanctions listed for individual students, the following sanctions will be considered when an organization is found responsible.

**Recommendation for Charter Revocation:** An official request to a national office that the local chapter's charter be revoked.

**Revocation of University Recognition:** Permanent severance of the organization's relationship with the University.

**Suspension of University Recognition:** Removal of the organization's recognition by the University for a specific period of time. The period of time and any requirements, which must be satisfied prior to re-recognition, may be specified in the decision of the hearing officer or Hearing Panel.

**Deferred Suspension of University Recognition:** Removal of the organization's recognition by the University is deferred pending the completion of requirements specified in the decision of the hearing officer or Hearing Panel. An additional finding of responsibility during the suspension period will result in suspension or revocation of University Recognition.

**Probation:** A status imposed on a student group or organization for a specific period of time to allow the group to demonstrate the ability to abide by University policies and expectations. The organization's behavior during the period will fall under greater scrutiny and any policy violations committed during the probation period may result in additional or more serious sanctions.

**Restitution:** Reimbursement for a loss caused by the organization's actions.

**Restrictions:** Restriction or removal of some or all of the organization's activities or privileges, including, but not limited to, social, recruitment, and lounge privileges.

**Other Educational Sanctions:** Projects or assignments designed to educate an organization and its members in connection with the effect of its member's actions. Educational assignments include, but are not limited to, alcohol awareness programs, and/or risk management programs.

Appeals

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

## *Other University Policies*

---

### **Administrative Withdrawal Policy**

Wake Forest University provides a range of support services for students exhibiting physical and emotional distress. On occasion, students may require a level of support and resources that exceeds what the University and surrounding community can appropriately provide such that academic progress can be made. In such circumstances, students may be advised to consider voluntary medical/mental health withdrawal or Continuous Enrollment Status.

An undergraduate student may be administratively withdrawn from the University when, in the judgment of the Director of the Student Health Service, the Director of the University Counseling Center, and Dean of Students (DOS) the student:

- cannot adequately be helped by the available resources in the University and surrounding community,
- refuses to accept recommended self-care responsibilities, other recommendations, or to voluntarily withdraw from the University,
- based on behavioral indicators is unable to function effectively in the residential or College community,
- threatens or engages in behavior that poses a reasonable possibility of significantly effecting the safety, health, or well-being of any members of the university community including its visitors; and/or significantly disrupts the activities or functions of the University.

This policy sets forth the process that will guide an administrative withdrawal. The full policy can be found at <http://static.wfu.edu/files/pdf/students/administrative-withdrawal-policy.pdf>.

---

### **Bias Protocol**

Wake Forest defines a bias incident as any threat or act – verbal, written, or physical – that is directed against or targeted at a member(s) of the Wake Forest community or Wake Forest property that are motivated, in whole or in part, because of a bias against race, color, religion, national origin, sex, age, sexual orientation, gender identity and expression, genetic information, disability and/or veteran status. Bias incidents that are addressed by the university Bias Review Group include actions that are motivated by bias but may not meet the necessary elements required to prove that a crime has occurred.

For more information about bias incidents and Wake Forest University's Bias Reporting System, see <https://reportbias.wfu.edu/>.

For information about the protocols about reporting and after a bias incident is reported, see <https://reportbias.wfu.edu/what-to-expect/>.

---

### **Family Educational Rights and Privacy Act**

The Family Educational Rights and Privacy Act (FERPA) afford eligible students certain rights with respect to their education records. (An “eligible student” under FERPA is a student who is 18 years of age or older or who attends a postsecondary institution.) To review those rights, please go to <https://registrar.wfu.edu/academic-records/privacy/>.

---

### **Guide to Community Living**

The Office of Residence Life and Housing fosters secure, comfortable, inclusive, and engaging learning communities which prepare students to lead lives of meaning and purpose.

As members of vibrant and diverse residential learning communities, Wake Forest students will:

- Find an authentic sense of belonging

- Successfully navigate citizenship within diverse communities
- Develop the skills, knowledge, and perspective to maintain a healthy, balanced life
- Exhibit responsibility for self, others, property, and the environment

For further information about the Office of Residence Life and Housing's policies, programs, and services please refer to their Guide to Community Living. The Guide to Community Living can be found at <http://go.wfu.edu/GTCL>.

---

## Medical Amnesty

Wake Forest is committed to the safety and wellbeing of its students. The University encourages and expects students who are concerned about their own health or that of another student due to alcohol and/or drug use to seek medical assistance. The University recognizes that the potential for a conduct action by the Office of the Dean of Students may deter students from seeking medical assistance, and this Medical Amnesty Policy is intended to eliminate that barrier. For more information on the requirements and procedures for receiving medical amnesty, please see: <https://aod.thrive.wfu.edu/resources/medical-amnesty-policy/>.

---

## Missing Students Policy

The purpose of this policy is to establish procedures for the University's response to reports of missing students, as required by the Higher Education Opportunity Act of 2008 ("the Act"). In accordance with the requirements of the Act, students will be notified annually of this policy and the procedures for designating missing student contact information. Under the provisions of this policy, a student may identify up to two individuals whom the University will contact, within 24 hours, in the event that University Police determines the student is missing. This policy applies only to students who reside in on-campus housing. Missing student contact information is separate and distinct from emergency contact information. Missing student contact information will be kept confidential, and will only be accessed by University Police and authorized University officials in the event a student is determined to be missing by University Police and used in furtherance of an investigation. Students may securely register this contact information through the Wake Information Network (WIN).

For the procedures on designation of missing student contact information and notification, see: <https://prod.wp.cdn.aws.wfu.edu/sites/67/2017/08/missing-students-policy.pdf>

---

## No Contact Orders

1. No-contact orders are issued in writing at the discretion of the Dean of Students or the Associate Dean, based on administrative review of a situation involving two or more Wake Forest students.
2. A no-contact order is always mutual, that is two-way, and does not require agreement or even prior notice to, either or all parties.
3. The no-contact order is issued when there is reason to believe that an order would be in the best interest of the involved parties and/or the community for promoting civility, safety and well-being.
4. A no-contact order can be issued prior to or as a result of a hearing, or entirely outside of a hearing process for a specified or unlimited duration of time. No-contact orders do not become part of a student's conduct record unless the student violates the order as determined through the University's conduct system. No-contact orders prohibit all forms of communication between designated students, direct or indirect, written, electronic or through a third party.
5. No-contact orders are not similar to court imposed restraining orders and do not guarantee that designated parties will avoid sightings or passing interactions on the campus or in the local community. In some circumstances, a no-contact order may restrict a student from parts of the

campus where the student would not have to engage in required academic activities. Students who are concerned about personal safety should contact University Police.

---

### **Policy on Responsible and Ethical Use of Computing Resources**

This policy is intended to promote the responsible and ethical use of the computing resources and computing systems of Wake Forest University. Copies of the policy shall be made available to all users of the University's computing resources and computing systems, and every reasonable effort shall be made to ensure that all users read the policy at least once.

The policy applies to all computer and computer communication systems owned, leased, operated, or contracted by the University. This includes, but is not limited to, tablets, personal computers, laptops, smart phones, computer networks, computer peripherals, and software, whether used for academic, administration, research, or other purposes. This also includes use of University data or access to computer systems by personal devices such as computers, tablets, and smart phones by faculty, staff, students and guests. The policy extends to any use of University systems to access computers elsewhere. For purposes of this policy, references to "computing resources" shall also include "computing systems."

For the University's full Policy on Responsible and Ethical Use of Computing Resources, see: <https://is.wfu.edu/wp-content/uploads/2016/09/Policy-on-Responsible-and-Ethical-Use-of-Computing-Resources.pdf>.

---

### **Sales and Solicitation**

On-campus sales and solicitations must be operated or sponsored by a University-recognized student organization and must receive the proper authorization. Sales and solicitations in the residence halls must be approved by Residence Life and Housing at [housing@wfu.edu](mailto:housing@wfu.edu) or (336) 758 – 5185. Sales and solicitations in the Benson Center must be approved by the Director of Campus Programs and Services at [bensonoa@wfu.edu](mailto:bensonoa@wfu.edu) or (336) 758 – 4869. Sales and solicitations in other public and common areas on campus must be approved by the Office of Student Engagement.

---

### **The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures**

Wake Forest University expects all members of its community to act in respectful and responsible ways toward each other. Wake Forest is committed to providing programs, activities, and an educational environment free from discrimination on the basis of sex, sexual orientation, gender identity, and gender expression. For the University's full non-discrimination policy, see <http://diversity.wfu.edu/about/policies>.

The Sex and Gender Discrimination and Harassment Policy and Title IX Sexual Harassment and Non-Title IX Sexual Misconduct Grievance Procedures describes prohibited conduct, establishes procedures for responding to reports of sexual misconduct as defined in that policy, and outlines resources available to students. The full policy is located at <https://prod.wp.cdn.aws.wfu.edu/sites/299/2020/08/WFU-Sexual-Harassment-and-Sexual-Misconduct-Policy-8.14.2020.docx.pdf>.

---

### **Silent Witness Reports/Reporting Policy**

Wake Forest University provides an option for anonymous reporting of any information you have regarding a suspicious person, any suspicious activity, or a crime that has occurred on- or off- campus. To complete an online crime reporting form go to: [police.wfu.edu/forms/silent-witness-form/](https://police.wfu.edu/forms/silent-witness-form/).

**Do not use this form to report crimes in progress.**

---

### **Student Conduct Record Disclosure Policy**

The Student Conduct Record Disclosure Policy covers the official release of information regarding the university-level academic and non-academic conduct of students and former students. It replaced the “Expungement Policy” that governed disclosure of Student Conduct Records prior to July 1, 2020. To review the full policy, see <https://studentconduct.wfu.edu/student-conduct-record-disclosure-policy/>. To request your own Student Conduct Record, please go to this link: [studentconduct.wfu.edu/student-conduct-process/request-records/](https://studentconduct.wfu.edu/student-conduct-process/request-records/).

---

## **Weapons Policy**

Students are subject to all federal, state and local laws as well as university regulations concerning bringing or possessing either openly or concealed weapons on campus. The possessing or displaying of weapons on campus is prohibited by state law and subject to judicial review along with state and local penalties that could result in the conviction of a felony or misdemeanor depending on the type of weapon displayed or possessed. These university regulations and Winston-Salem City ordinances include paintball guns.

For more information about what is prohibited on campus, see the [Weapons Policy in the Student Code of Conduct](#).