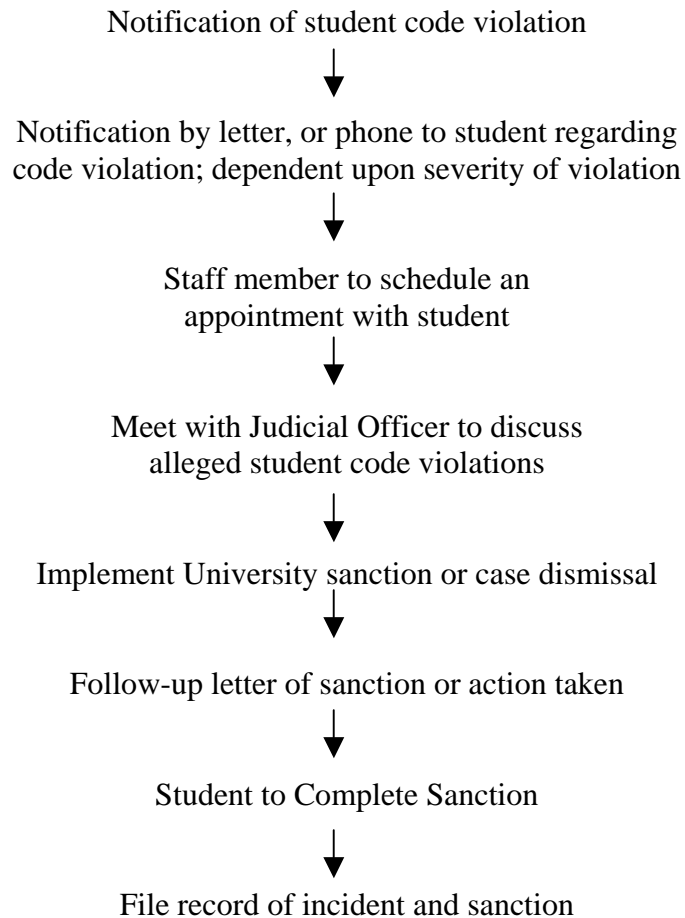


Procedures Followed in Disciplinary Cases:

Student Conduct Hearing Flowchart



In enforcing student conduct regulations, the University follows fair procedures in keeping with democratic practices and due process requirements. Disciplinary action will not be taken without providing the student with notice of the charges in advance to allow a reasonable period of time to prepare for the conference or hearing. Preliminary conferences with the student on any alleged violation or misconduct may occur immediately for the purpose of ascertaining the nature and extent of the problem. Because the focus is on the education of students, student hearings are conducted as informal inquiries and do not follow formalized courtroom procedures. Decisions at such hearings will be based solely upon the information produced therein. Based on the preponderance of the evidence, the level of student responsibility and/or involvement shall be determined by the institution. In any case where the violation of University policy involves conduct that would constitute a public criminal offense upon prosecution and conviction, the burden will be satisfied by either (a) the accused student's admission of responsibility to the committee, or (b) information in the record, if the student denies responsibility, that a preponderance of evidence indicates responsibility.

A university committee for student disciplinary matters has been established by action of the Board of Regents of Western Kentucky University in accordance with the Kentucky Revised Statutes which authorize the Board of Regents to invest the faculty/staff or a committee of the faculty/staff with the power to suspend or expel any student for severe violations of the WKU Student Conduct Code or a gross disregard for the rights of others in the campus community. Therefore, this Committee will consider all cases involving sanctions eight through twelve (suspension, deferred suspension, probated suspension, and expulsion). In every case, the person suspended or expelled may appeal through the President if they meet the conditions for appeal.

The Committee is comprised of twelve members, six faculty, two staff, and four students, who are appointed by the President of the University. Faculty terms are three years and are staggered so that the term of one-third of the membership expires each year.

At least five members of the Committee will be present before any official action is taken. Any decision will be made by a majority of those Committee members present. The Committee is to be notified of a meeting by the Associate Vice President for Student Affairs and Development or members of his staff immediately upon determination of the necessity for such a meeting.

Committee hearings are conducted in two parts. In the first part, only information that bears on whether or not the student has engaged in specified violations or misconduct may be presented. If the Committee finds no violation or misconduct, the finding is recorded and the proceeding is concluded.

If the finding is that the student has, in fact, engaged in a violation or misconduct, the Committee shall, in the second part of the proceeding, hear and consider any information bearing upon circumstances of extenuation or mitigation. After this part is concluded, the Committee shall determine the appropriate sanction. The Committee will function in accordance with the following procedures: