



ADVICE FOR NEW FACULTY

Andrea P. Anderson
Assistant General Counsel

Deborah T. Wilkins
General Counsel

Lauren H. Ossello
Paralegal

August 2017

The issues faculty may encounter:

- A student in a course has become overly needy, or disruptive, or “disturbing” on some level.
- A parent / partner / significant other has contacted the faculty member seeking information about a student or wants to act as an advocate for the student.
- A student or parent, etc., is threatening to file a grievance, complaint, “call my lawyer,” or take “legal action.”



Best practices based on twenty+ years as legal counsel in higher education...

Your **Syllabus** is **critical and should clearly outline your expectations:**

- Classroom **conduct** (constructive participation, discussion, peer evaluation)
- Type / quality of course work (ex: typewritten, accepted electronically, deadlines, etc.)

Keep up with **rolls and attendees:**

- If someone is there who shouldn't be this should be addressed ASAP.
- Non-attendance should be noted, even if it is not used as a factor in the grade.

Address conduct issues **promptly, firmly and without apology.**

- Your time and talent in delivering course content produces a valuable product; other students will expect you to be in control and will respect you for it.

Best practices based on twenty+ years as legal counsel in higher education...(continued)

Keep **notes and records** of perceived “potential problems” for at least a calendar year – longer if possible.

- Records will most likely be Emails to/from a student, phone messages, etc.
- Notes can be any type of notation that memorializes an event for future reference.

Take other students’ complaints / concerns seriously.

If a particular student is making you feel uncomfortable or is disrupting the class, chances are he/she is making other students in the course feel the same.

Even if you are not aware of any problem, one may exist – you should concerned students to appropriate individuals on campus for assistance:

Title IX Coordinator

Directory of Equal Opportunity

Dean of Student Life / Office of Student Conduct

WKU Police

The “needy” student



- Provide **only as much assistance as you deem appropriate** for the curriculum.
- **Direct them to other campus sources of academic assistance** – the student’s Academic Advisor, Academic Advising & Retention Center, Student Accessibility Resource Center.
- **Keep a log or notes of contacts** with the student, samples of the student’s requests, and assistance provided, in the event of student academic complaint or grievance.
- Need frequent reinforcement, feedback, etc., concerning classroom performance;
- Frequent communication in person, via E-mail and/or telephone;
- Questions assignments, due dates, exam questions and grades awarded;
- May well believe you are his/her new best friend.

The “disruptive” student



- ◆ Tardiness
- ◆ Cell phone usage
- ◆ Sleeping
- ◆ “Bovine” behavior (snorting, huffing, or blowing)
- ◆ Disruptive, rude behavior (laughing, interrupting)
- ◆ Use of obscenities or other off color / offensive language
- ◆ Body odor, inappropriate attire

The “disruptive” student

Student classroom misconduct is a violation of University policy: **WKU**
Student Code of Conduct – Rights and Responsibilities.

- **Disrupting the Academic Process.**
Interference or disruptive activity which impedes, impairs or obstructs teaching...or other University missions, processes, functions...or which inhibits full exercise of rights by others.
- **Unruly Conduct.** Disorderly conduct or lewd, indecent or obscene conduct or expression...
- **Harassment.** Physical abuse, threatening, or intimidation of any person on University owned or controlled property or at University sponsored or supervised.

What do I do when **parents, spouses, “significant others,”** **contact me** to talk or ask about the student?

- This one is easy – **don’t talk to them** about the student.
There is no legal requirement or university policy that requires you to do so.
- Be **courteous**, but explain that federal law (**FERPA**) prohibits disclosure of any part of a student’s academic record without the student’s written consent.
- If it is a **life safety** issue, direct them to contact the WKU Police Department or the Bowling Green Police Department.
- If they **persist**, you can direct them to me or to the University Registrar.

Don't hesitate to ask for help – it is not likely you'll experience an new issue or problem. You can reach out to:

- Department Head / Dean
- Dean of Student Life / Student Conduct Office
- Counseling Center – to refer a student to the Center, or request assistance, advice for yourself
- Academic Affairs – Student Ombuds Officer
- Police – If you believe a student poses a threat to you or anyone else.
- Office of General Counsel – if you just don't know who to call (or Email)!

Andrea P. Anderson
Assistant General Counsel
Andrea.Anderson@wku.edu

Deborah T. Wilkins
General Counsel
deborah.wilkins@wku.edu

Lauren H. Ossello
Paralegal
lauren.Ossello@wku.edu

Phone: 270-745-5398
Fax: 270-745-4492
Craig Administrative Center