



CODE OF STUDENT RIGHTS, RESPONSIBILITIES AND CONDUCT

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Preamble

As a liberal arts University, AUCA nurtures the intellectual, ethical and physical growth of our students. We are a community of learners who pursue ideas and experiences with authenticity in search of excellence. We value free inquiry, creativity, and the open exchange of ideas. As a community, we have obligations to one another. We are committed to challenge unreasonable limitations on our intellectual and creative freedom. We believe that individual rights are best protected by a collective commitment to civility and mutual respect. We have a social contract with each other. Without this contract and without these responsibilities, personal rights are jeopardized. Our responsibilities and obligations to one another preserve our individual rights and freedoms and promote our collective values. For these reasons, this Code of Conduct was created.

Part I: Student Rights and Responsibilities

Section A

Individual Rights

1. Citizenship

1.1. A student has the right to exercise his or her rights as a citizen of the Kyrgyz Republic or, if a foreign student, according to the legislation of the Kyrgyz Republic for foreign citizens. 1.2. American University of Central Asia believes that all students should be free to exercise their constitutional rights and responsibilities without interference or fear of University disciplinary action for such activity.

1.3. A student who files a complaint under the provisions of this Code or who is charged under this Code may be present during those parts of a proceeding at which witnesses provide evidence. A student who is participating in a hearing at which evidence may be submitted is entitled to request that the University make a good faith attempt to compel the attendance of witnesses requested, the timely production and submission of all documents, and a timely decision. An individual is not entitled to be present during discussion of the merits of the case by those adjudicating the case during the deliberation part of the proceeding.

1.4. A student has the right not to be falsely accused of violating this code. If the accuser makes an accusation, which, after investigation, is deemed to have been filed with the intent to cause harm, the person filing the complaint will be held accountable for his or her acts.

2. Freedom from Discrimination

2.1. Students at American University are expected to enter into a social contract to respect the rights and dignity of other students. Under this policy, the University will not exclude any person from participation in its programs or activities on the basis of arbitrary considerations such as age, color, disability, ethnicity, gender, marital status, national origin, ethnicity, religion, sexual orientation, or veteran status.

2.2. Students who believe that they are victims of discrimination may obtain information concerning the regulations and complaint procedures at the Student Life Office, following the “I have a problem” table provided below.

3. Freedom from Sexual Harassment

3.1. Students have the responsibility to respect each other’s personal rights and dignity. A student has the right to be free from sexual harassment.

3.2. Sexual harassment is defined as unwelcome sexual advances, including requests for sexual favors and other verbal or physical conduct of a sexual nature, when:

a) Submission to or rejection of such conduct by a student is used as the basis for academic decisions affecting the student; or

b) The conduct has the effect of unreasonably interfering with an individual’s academic performance or creating an intimidating, hostile, or offensive learning environment.

3.3. The AUCA community does not tolerate sexual harassment of students, faculty and staff and has created procedures for complaints about sexual harassment.

3.4. Administration is responsible for publicizing and implementing the University’s sexual harassment policy to all students.

3.5. Students who believe that they are victims of sexual harassment may obtain information concerning University policy and complaint procedures at the Student Life Office or directly from the Dean of Student Affairs and follow the “I have a problem” table provided below. For detailed information on AUCA’s rules, procedures and regulations regarding harassment, please refer to the Anti-Harassment Policy.

https://www.auca.kg/en/anti_harassment/

4. Freedom from Harassment Based on Sexual Orientation

4.1. Students are responsible to respect each other’s personal dignity regardless of sexual orientation.

4.2. A student has the right to be free from harassment based on sexual orientation

a) on University property.

b) on property that is not University property if the harassment arises from University activities that are being conducted off campus, or if the harassment compromises the security of the University community or the integrity of the educational process.

4.3. Harassment includes any behavior, physical or verbal, that victimizes or stigmatizes an individual on the basis of sexual orientation and involves any of the following:

a) Physical or verbal behavior that involves an express or implied threat to interfere with an individual’s personal safety, academic efforts or participation in university-sponsored extracurricular activities and causes the person to have reasonable apprehension that such harm is about to occur;

b) Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual’s personal safety, academic efforts, or participation in University sponsored extracurricular activities and causes the person to have a reasonable apprehension that such harm is about to

occur.

4.4. Students who believe that they are victims of harassment based on sexual orientation may obtain information concerning university's policy and complaint procedures at the Student

Life Office or directly from the Dean of Student Affairs, according to the "I have a problem" table provided below.

5. Freedom from Harassment Based on Ethnicity

5.1. Students have the responsibility to respect each other's personal rights and dignity. A student has the right to be free from harassment based on ethnicity.

- a) A student has the right to be free from harassment based on ethnicity on any University property.
- b) A student has the right to be free from harassment based on ethnicity that occurs not on University property if the harassment based on ethnicity arises from University activities or if the harassment compromises the security of the University community or the integrity of the educational process.

5.2. Harassment based on ethnicity includes any behavior, physical or verbal, that victimizes or stigmatizes an individual on the basis of ethnicity, ancestry, or national origin, and involves any of the following:

- a) The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger the health or safety of another person;
- b) Physical behavior that has the purpose or reasonably foreseeable effect of interfering with an individual's personal safety, academic efforts, employment, or participation in university-sponsored extracurricular activities and causes the person to have a reasonable apprehension that such harm is about to occur;
- c) The conduct has the effect of unreasonably interfering with an individual's work or academic performance or creating an intimidating, hostile, or offensive working or learning environment.

5.3. Students who believe that they are victims of harassment based on ethnicity may obtain information concerning the University's policy and complaint procedures at the Student Life Office, according to the "I have a problem" table provided below.

Section B Academic Rights and Responsibilities

1. A student has the responsibility for selecting a major field of study, planning the class schedule, and meeting the requirements of the degree. The University will provide advisers to assist the student in academic planning. The student is responsible for obtaining a copy of the appropriate bulletin from the department in which he or she is enrolled and being thoroughly familiar with all academic requirements that must be met before a degree is granted. A student has the responsibility to take appropriate advantage of the educational opportunities presented by the University, to participate in the learning process in a serious and conscientious manner, and to respect the rights of other members

of the University community with regard to academic affairs.

2. A student has the right to have classes conducted in accordance with the following provisions of the American University Students Handbook:

2.1. A faculty member is responsible for informing students about the purposes of course and grading system, which shall not contradict the AUCA grading system explained below. 2.2.

A faculty member will plan and regulate class time with an awareness of its value for every student and will meet classes regularly, with no late appearance or unattended classes by the faculty member allowed.

2.3. A faculty member will hold office hours in order to help students if they have any questions.

2.4. A faculty member will strive to develop among students, respect for others and their opinions by demonstrating his or her own respect for each student as an individual, regardless of ethnicity, sex, national origin, religion, age, disability, or veteran status.

2.5. At the same time, a faculty member has the right not to be falsely accused of violating this code. If the accuser makes an accusation, which, after thorough investigation, is deemed to have been filed with the intent to cause harm, the person filing the complaint may be held accountable for his or her acts.

2.6. Since recommendation letters written by the teacher are an important document not only in the academic sense, but also in the postgraduate student life, the teacher must be objective and fair.

3. In the classroom, a student has the freedom to raise relevant issues pertaining to classroom discussion, to offer reasonable doubts about data presented, and to express alternative opinions to those being discussed without concern for any academic penalty.

4. A student has the right to expect that a faculty member will be sensitive to the student's personal or political beliefs expressed in a private manner in connection with course work. Furthermore, a student has the right to expect that a faculty member in a classroom situation will not disclose the student's grades or class standing without the student's permission. 5. The following provisions of the Code govern faculty relations with Students as well;

5.1. With regard to relations with students, the term "faculty" means all those who teach and /or do research at the University including (but not limited to) librarians, researchers, professors, instructors, graduate and undergraduate students with teaching responsibilities (teaching assistants), visiting and part-time faculty, and other instructional personnel including coaches and advisers.

5.2. The University's educational mission is promoted by professionalism in faculty-student relationships. Professionalism is fostered by an atmosphere of mutual trust and respect. Actions of faculty and students that harm this atmosphere undermine professionalism and hinder fulfillment of the University's educational mission. Trust and respect are diminished when those in positions of authority abuse or appear to abuse their power. Those who abuse their power in such a context violate their duty to the University community.

5.3. Faculty exercise power over students, whether in giving them praise or criticism, evaluating their work, making recommendations for their further studies or their future employment, or conferring any other benefits on them. All amorous or sexual relationships between faculty and students are unacceptable when the faculty has any professional responsibility for the student. Such situations greatly increase the chances that the faculty will abuse his or her power and sexually exploit the student. Voluntary consent by the student in such a relationship is suspect, given the fundamentally asymmetric nature of the relationship. Moreover, other students and faculty may be affected by such unprofessional behavior because it places the faculty in a position to favor or advance one student's interest at the expense of others and implicitly makes obtaining benefits contingent on amorous or sexual favors. Therefore, the University will view it as a violation of the policies of the Students Code if faculty engages in amorous or sexual relations with students for whom they have professional responsibility, as defined in a or below, even when both parties have consented or appear to have consented to the relationship. Such professional responsibility encompasses both instructional and non-instructional contexts.

Relationships between students, faculty and staff members

a. General rule

The AUCA community finds unacceptable sexual relationships between students and professors, students and staff members in any form. This does not apply to married couples.

b. Relationships in the Instructional Context.

A faculty member shall not have an amorous or sexual relationship, Consensual or otherwise, with a student who is enrolled in a course being taught by the faculty or whose performance is being supervised or evaluated by the faculty member.

c. Relationships outside the Instructional Context.

A faculty should be careful to distance him or herself from any decisions that may reward or penalize a student with whom he or she has or has had an amorous or sexual relationship, even outside the instructional context, especially when the faculty and student are in the same academic program.

Section C

Student Rights and Responsibilities

1. A student has the right to obtain a clear statement of basic rights and responsibilities concerning academic and personal conduct.
2. Students have the right to participate in the formulation of the American University policies which directly affect them by serving as members of committees at the Student Senate and the Faculty Senate in exercising this right, students may access appropriate information, express their views, and have their views considered.

3. Every student has the right to participate in the student affairs, directly or through freely chosen representatives to the Student Senate.

4. The University does not discriminate against individuals with disabilities in admission or access to educational programs and activities. AUCA describes a physical or mental impairment as one that substantially limits or restricts the condition, manner, or duration under which a person can perform a major life activity, such as walking, seeing, hearing, speaking, breathing, learning, working, reading, concentrating, or taking care of oneself.

AUCA is committed to creating an inclusive learning environment. To this end, AUCA provides conditions and means to ensure the accessibility of education and the assimilation of knowledge.

Those wishing to become more familiar with the University policies and procedures for people with disabilities should refer to the *Student Academic Accommodations and Accessibility Policy*.

Section D

Student Groups and Student Organizations

1. A student has the right to form, join, and participate in groups or organizations which promote the common interests of students. American University considers the freedom of inquiry, assembly, and discussion to be essential to a student's educational development and believes that this broad principle is a cornerstone of education in a democracy. The University therefore recognizes the rights of all students to engage in discussion, to express thoughts and opinions, and to assemble, speak, write, or publish on any subject in accordance with the KR law.

2. American University requires a student group or organization to register and be approved by the University in order to ensure that its activities would corroborate the university's values. 3. A student group or organization may be authorized to use University facilities for extracurricular activities, subject to the following rules and regulations.

3.1. The student group or organization must submit a written request to the Student Life Officer. The request must contain necessary information concerning planned usage of the University facilities and a certification that the organization will use the facilities reasonably. 3.2. A group or organization cannot qualify as a student group or organization if the officers and the majority of its members are not currently enrolled or have graduated from the University. 3.3. Participation in the proposed activity must be without regard to arbitrary consideration of such characteristics as age, color, disability, ethnicity, gender, marital status, national origin, ethnicity, religion, sexual orientation, or veteran status.

3.4. The written request must contain a statement that the student group or organization will assume responsibility for the use and proper care of the University facilities during the proposed activity. The student group or organization and/or individual members may also be subject to disciplinary action if the use of the facilities involves any violation of the provisions according to the described below Part IV: Student Disciplinary Procedures.

3.5. Requests for the use of University facilities shall be accepted and approved on a first come, first served, basis. Note,

that such student organizations, which consist of alumni association members or mixed with currently enrolled students, may use the facilities, but only under special exceptions made by The Student Life Officer occasionally.

3.6. Approval for the use of University facilities shall be granted if the condition is that no facility may be used in violation of any University provisions.

Student Senate

1. The Student Senate is an elective body with a one-year term period.

2. The Student Senate is elected according to the established regulations.

3. The Student Senate represents the interests of the AUCA student body in the Faculty Senate and Board of Trustees. Its primary function is to make recommendations with respect to academic and extracurricular matters. The Student Senate

also coordinates outside University activities of the students and distributes funds from the Student Senate budget among various clubs and student organizations of AUCA.

4. The Student Senate budget is formed annually on the request of the Student Life Officer and approved by the Board of Trustees.

5. Procedures for receiving funds from the Student Senate budget are regulated by the rules established by the University.

Section E

Freedom of Speech, Assembly and Expression on the territory of the University

1. American University considers freedom of inquiry and discussion essential to a student's educational development. Thus, the University recognizes the right of all students to engage in discussion, exchange thought and opinion, and speak and publish freely on any subject in accordance with the guarantees of the constitution of the Kyrgyz Republic. These rights are more fully realized when students accept and respect each other's rights. This broad principle is a cornerstone of education in a democracy.

2. For their programs, student groups on the campus may freely select persons they wish to invite as guest speakers or performers. There are no restrictions on the point of view expressed

by speakers other than those imposed by laws and the constitution of the Kyrgyz Republic. The invitation to outside speakers does not imply approval or sponsorship of their views by the University nor by the groups inviting them.

2.1. If such meetings are held at the territory of the University, students and student organizations are obliged to follow the authorized procedures of registration.

3. The University will at all times seek to assure student and faculty groups about the opportunity to meet and to hear and to exchange ideas and views, however controversial, but it does not license and will not tolerate what is illegal according to laws of the Kyrgyz Republic.

4. Students are free to engage in peaceful and orderly protests, demonstrations, and picketing which do not disrupt the functions of the University, subject to appropriate regulations concerning time, place, and manner (*American University of Central Asia announced its territory closed for any political actions*). If a student believes that the rights to peacefully protest, demonstrate, and picket are being restricted in an inappropriate manner by another student or an office of the University, the student may file a complaint with the Student Life Officer, for investigation and mediation, following the “I have a problem” map provided below.

5. Students publishing their student publications in newspapers that are not sponsored or supported by the university financially can distribute these publications to students on the campus, in accordance with the established time, place and method of distribution.

If a student believes that his right to publish and distribute is restricted in an illegal way by another student, or university employee who is responsible for this or patrons of the university, he/she can file a complaint with the Student Life Officer or the administration of AUCA.

6. Student articles published under the auspices of the university can't be censored. However, they must correspond to the generally accepted journalism standards. Editors and managers of student publications can't be arbitrarily released from their posts due to their publishing policies, publications of students, teachers, staff or administration of the university. Editors and managers may be dismissed only in accordance with the provisions established by the administrative authority responsible for appointing editors and managers.

7. Students who want to distribute announcements (posters, flyers, etc) on the territory of the University may do so only by prior approval of the Student Life Officer or PR office if posters are of commercial character.

The criteria for confirmation of such announcements are that it should NOT be of religious, commercial, political content, infringing other people's ethnical or racial identity, and so forth. If one believes that the rights to distribute are being restricted in an inappropriate manner, he or she may file a complaint to the Vice President of AUCA.

Section F

Student Records

1. A student has the right to access his/her educational records maintained by the University, subject to the rules and regulations available at the University Registrar's Office.

2. A student has the right to review his or her education records and to obtain an interpretation of the records or to challenge the accuracy of the records, subject to the rules and regulations stated at the American University.

3. A student has the right to have his or her education records maintained on a confidential basis by the University.

4. Access to the student's educational record, without the student's approval, may be given only to:

4.1. The student's parents upon whom the student is

financially dependent.

4.2. Officers of relevant government agencies, including the Ministry of Internal Affairs, the Ministry of Education and Science, Kyrgyz National Security Service due to the Kyrgyz Republic legislation and only by a special request.

4.3. Research project groups, whose aim is the improvement of instructional and testing norms (only within the guarantees of the research group of confidentiality and anonymity of the students.), and is a subject of the AUCA Research office or VP's approval.

Part II: Student Complaint Policies and Procedures

Preamble

AUCA has established procedures for students to follow when they believe that a member of the University community, as defined in Part I of this Code, has violated any of their rights. Part II establishes the procedures to be followed when a student complaint is filed against a member of the University faculty, staff or administration. This part also specifies the procedures to be followed when student complaints are filed against University employees, students, or student organizations. Finally, this part describes the supplementary procedures that may be followed when a student has a complaint against any member of the University community, which involves discrimination or sexual or harassment based on ethnicity.

Section A

Complaints made by students against Members of the University Faculty

1. Grievance Counseling

1.1. When a student believes that any of his or her rights, as defined in Part 1 of this Code of Student Rights, Responsibilities and Conduct have been violated by a member of the University faculty, staff or administration, the student should ordinarily attempt to resolve the matter by making an informal complaint to the person involved.

1.2. If the problem is not resolved to the complainant's satisfaction by contacting the person involved, the student may approach the Department Chair in three working days, where the alleged violator is employed.

1.3. If the problem is not resolved to the complainant's satisfaction by contacting the Department Chair, where the alleged violator is employed, the student should bring a formal complaint to the Executive Committee in three working days.

1.4. If the problem is not resolved to the complainant's satisfaction after the Executive Committee, the student may bring a formal complaint to the Vice President for Academic Affairs in three working days.

1.5 If the problem is not resolved after involvement of the Vice President for Academic Affairs the last who can resolve the problem is the President. An appeal should be submitted to the President's office within three working days.

2. Disciplinary Sanctions

2.1. Disciplinary sanctions that may be imposed for acts of misconduct by members of the academic community including, but not limited to any one or a combination of the following: a) A written reprimand with a warning that additional sanctions will be imposed if there is a repetition of the misconduct. b) A probationary period during which the person involved in the complaint must abide by certain specified conditions.

c) Consideration of the misconduct in establishing the person's annual salary.

d) Consideration of the misconduct in promotion decision concerning the employee of the University.

f) Termination of employment.

2.2. If the decision taken by the Executive Committee will be satisfactory for the complainant, the director of Human Resources office may undertake further actions as per Executive Committee's recommendations, and:

a) Accept the Committee's conclusion concerning the validity of the complaint and impose the sanction recommended by the commission.

b) Accept the Committee's conclusion concerning the validity of the complaint and impose an appropriate sanction that was not recommended by the commission.

2.3. After the director of the Human Resources office has made a final decision, it is required to notify the subject of the complaint and the complaining student within seven calendar days.

Section B

Complaints made by students against Other University Employees

1. A student who believes that his or her rights have been violated by a University employee (other than a member of the faculty), he or she should ordinarily attempt to resolve the matter by making an informal complaint to the person involved.

1.1. An informal complaint should be made as soon as possible after the alleged violation.

1.2. A complaint must be initiated within three calendar days after the student should reasonably have learned about the event, which is the basis of the complaint.

2. If the student is unable to resolve the matter on an informal basis, the student may file a formal complaint against the person involved in accordance with the appeals procedures established by the *University (follow the "I Have a Problem" table.)* The student may consult with his/her advisor or the Student Life Officer about these procedures.

3. For consultancy and evaluation of the complaints issued against Universities employees use the same format and timeline as complaints against faculty members.

Section C

Complaints against Other Students

1. A student who believes that his or her rights have been violated by another student should ordinarily attempt to resolve the matter by making an informal complaint to the student involved.

1.2. If the student is unable to resolve the matter on an informal basis, the student may file a formal complaint with the Student Life Officer immediately.

1.3. If the problem is not resolved to the complainant's satisfaction by contacting the Student Life Officer, the student should bring a formal complaint to the Dean of Student Affairs or Head of the Administrative Office in three working days.

1.4. If the problem is not resolved to the complainant's satisfaction by contacting the Dean of Student Affairs, the student should bring a formal complaint to the Vice President/COO within three working days.

Section D

Complaints against Student Organizations

1. A student who believes that his or her rights have been violated by a student organization should ordinarily attempt to resolve the matter informally by discussing the matter with the person involved and the organization's adviser.

2. If the student is unable to resolve the matter on an informal basis, the student may file a formal complaint in accordance with the grievance procedures established by the University for such Organizations (see **part II section C**). The student may consult with the Student Life Officer concerning these procedures.

Section E

Complaint by a Student Organization

1. A Student Organization that believes a student, the University, or a person working for the University has violated its rights may file a formal complaint for mediation by the Student Life Officer.

2. A formal complaint must be filed by the leader of an organization. 3. If a meeting with the Student Life Officer does not resolve an informal complaint, the student organization may file a formal complaint with the procedures established by the University (see **p.II sec.C**).

Section F

Complaints Involving Discrimination or Sexual or Ethnic Harassment

1. Because of the sensitivity of allegations concerning discrimination and sexual or ethnicity harassment, a student may

consult

with the Dean of Student Affairs concerning the advisability of making an informal complaint to the person involved in the complaint. The University's Anti-Harassment Policy may be found here: https://www.auca.kg/en/anti_harassment/

2. If the student decides to file a formal complaint, the student may follow the regular procedures that the University has been established for handling allegations of misconduct (see p.II sec.C). If the student decides to follow these procedures, the student may obtain assistance from the Dean of Student Affairs in preparing and filing the complaint.

3. If the resolution found by the Dean of Student Affairs is not satisfactory for the complainant, he/she can file a formal complaint

to the Independent Investigative Committee based on the general regulations.

3.1. The Independent Investigative Committee is composed of individuals appointed by the University President at the start of each academic year.

4. A student must know that in any case he/she is protected by the present legislation of the Kyrgyz Republic and can file a complaint to the law enforcement agencies of the KR.

Part III: Student Misconduct and Academic Dishonesty

Preamble

According to the American University of Central Asia mission and vision statements, the goals of an AUCA education include the advancement of knowledge, the pursuit of truth, the development of students, and the promotion of the common good. Free inquiry and expression are a vital component of these goals. Students must exercise their freedom to learn with responsibility, to respect the intellectual rights of others within the scholarly community, and to abide by the rules and conditions which support academic freedom. The University has developed general regulations on academic conduct which encourage every student to exercise the freedom to learn with academic honesty and integrity, and every faculty member to support our students' responsible conduct.

Section A

Definitions of Academic Dishonesty

AUCA takes seriously manifestations of academic dishonesty, which is defined as any activity which undermines the academic integrity of the University. Penalties will be imposed on any student who commits any act described in this section, according to the procedures described in Part IV: Section B. Academic dishonesty includes, but is not limited to, the following:

1. Unintentional Academic Dishonesty.

Students should take care to follow their professors' instructions carefully, in order to avoid the following situations:

1.1. Inappropriate quoting, paraphrasing, and citing of other people's words, data, images and ideas. Papers may appear to be plagiarized if students: occasionally use the words of another scholar

without quotation marks and proper reference, with the result that it appears that the words are the student's own; occasionally use the ideas of another scholar without proper reference; inadequately paraphrase the words or ideas of another scholar; or fail to include the bibliographic citation for all sources used in the process of completing the assignment.

1.2. **Self-plagiarism.** It is dishonest: to hand in the same work for assignments given in more than one class, without the permission of every instructor; to hand in an assignment that was originally written for a class in an earlier semester, without the permission of the current instructor; or to hand in an assignment that was originally written for a high school class or for a class at another university.

1.3. **Failure to follow the letter and spirit of an assignment.** Students may not skip steps of completing course assignments or alter the process of completing assignment, such as by: working in a group when instructions were given to work individually; working individually when instructions were given to work in a group; or using resources (calculators, dictionaries, reference books, the Internet, tutors, etc.) that are prohibited in the assignment instructions.

2. Intentional Academic Dishonesty. This includes, but is not limited to, the following:

2.1. Plagiarism. This includes handing in an assignment in which substantial portions were not written by the student, regardless of whether the original source(s) is a book or article, a thesis or dissertation (published or unpublished), an Internet article, a paper purchased from a paper mill, a paper written by another student, or any other source. Also, using data, images, charts and graphs without citation is plagiarism.

2.2. Fabrication. Students who make up information rather than discovering it through honest research are fabricating information.

This includes: falsifying or inventing data for laboratory or research reports; falsifying or inventing quotes, supporting material or bibliographic resources for an assignment; and altering data or quotes.

2.3. Cheating. This involves using prohibited resources during a proctored exam, including but not limited to: cheat sheets, notes, books, Internet, instant messaging services, or other students.

2.4. Lying. This involves giving false information, such as to justify missing a class, not taking an examination or failing to finish an assignment by the due date.

3. Serious Academic Dishonesty. This type of academic dishonesty harms the integrity of the student and the University. Serious forms of academic dishonesty include, but are not limited to, the following:

3.1. **Buying, Selling, or Stealing Exams or Answer Keys.** This includes: stealing or buying an exam or answer key; creating a reproduction of an exam, whether electronically (digital camera, etc.) or from memory; and using a copy of the current exam or answer key to prepare for an exam.

3.2. **Bribery, Forgery or Fraud.** Some examples include: offering money or favors to faculty, staff or other students in order to change a grade or to avoid doing work required by a class;

altering grades or scores, such as by writing a new grade on an exam or hacking into a University computer; and having another person complete an assignment or take a test in the student's name.

Section B

Personal Misconduct on University Property

The University may discipline a student for the following acts of personal misconduct which occur on University property:

1. Dishonest conduct including, but not limited to, false accusation of misconduct; forgery, alteration, or misuse of any university document, record, or identification; and giving to a university official information known to be false.
2. Initiating or circulating a report or warning concerning an impending bombing, fire, or other emergency or catastrophe, knowing that the report is false.
3. Release of access codes for the University computer and duplicating systems and other University equipment to unauthorized persons; use of an access code for a purpose other than that stated on the request for service.
4. Lewd, indecent, or obscene conduct (includes organization and participation in card games and gambling).
5. Disorderly conduct, which interferes with teaching, research, administration, or other university or university-authorized activity.
6. Actions, which endanger the student, the University community, or the academic process.
7. Unauthorized entry, use, or occupancy of the University facilities.
8. Damage or distortion of the University property or the property of other people.
9. Unauthorized possession, use, manufacture, distribution, or sale of illegal fireworks, incendiary devices, or other dangerous explosives.
10. Possession of firearms or other weapons on the University property contrary to law; possession or display of any firearm on the University property frequented by the public, except, in the course of an authorized activity, possession of weapons in residence halls on the University property in violation of residence hall rules; and intentional possession on the University property of a dangerous article or substance as a potential weapon.
11. Acting with violence; and aiding, encouraging, or participating in a riot.
12. Sexual harassment.
13. Harassment based on sexual orientation.
14. Harassment based on ethnicity.
15. Hazing, defined as any conduct which subjects another person, whether physically, mentally, emotionally, or psychologically, to anything that may endanger, abuse, degrade, or intimidate the person.
16. Physical abuse of any person, including the following:
 - 16.1. The use of physical force or violence to restrict the freedom of action or movement of another person or to endanger

the health or safety of another person;

16.2. Physical behavior that involves an express or implied threat to interfere with an individual's personal safety, academic efforts, employment, or participation in university-sponsored extracurricular activities and causes the person to have a reasonable apprehension that such harm is about to occur.

17. Verbal abuse of another person and the use of expletives on University property or at activities sponsored by the University held off campus are prohibited.

18. Unauthorized possession or use of alcoholic beverages.

The following actions are prohibited by AUCA:

18.1. Use or possession of alcoholic beverages on the University property, or in the course of a university activity or student organization activity, contrary to law;

18.2. Use or conspicuous possession of alcoholic beverages during activities held outside of the University, held by students, or student's organizations or faculty members, on behalf of the University's reputation and name. (*A special permit is needed to obtain authorized approval from the President of the University for the possession of light alcoholic beverages, such as champagne or wine*).

19. Unauthorized possession or use of illegal drugs.

The following actions are prohibited by AUCA:

19.1.. Use or possession of any drug or controlled substance, or of drug paraphernalia, on university property or in the course of a university activity or student organization activity, contrary to law. It is not a violation of university regulations for students to possess such drugs or controlled substances if they are possessed under the terms of a valid and legal prescription for such drugs or controlled substances.

19.2.1. Use of university facilities to manufacture, process, or distribute any drug or controlled substance contrary to law.

19.3.. Sale, gift, or transfer of drugs, controlled substances, or drug paraphernalia to American University students, whether or not such sale, gift, or transfer occurs on the University property or in the course of a university activity or student organization activity.

20. Smoking of cigarettes, IQOS, pods and other electronic smoking devices on University territory is strictly prohibited, except in the "Smoking Area" authorized by the administration of AUCA.

21. Any violation of the rules established by the University.

22. Any violation which is under the jurisdiction of criminal law of the Kyrgyz Republic.

Section C

Personal Misconduct Not on University Property

1. The University may discipline a student for acts of personal misconduct that are not committed on university property if the acts arise from university sponsored activities that are being conducted off the campus, or if the misconduct undermines the security of the university community or the integrity of the educational process.

Part IV: Student Disciplinary Procedures

Preamble

The American University procedures for imposing academic and disciplinary sanctions are designed to provide students with the guarantees of due process and procedural fairness, to ensure equal protection for all students, and to provide for the imposition of similar sanctions for similar acts of misconduct. At the same time, the procedures reflect the need to be concerned about the individual student involved in a particular case. The procedures therefore provide that the imposition of disciplinary sanctions must also be based upon a consideration of all of the circumstances in a particular case, including a student's prior record of misconduct, if any.

Section A

Jurisdiction

1. Academic Misconduct

1.1. Allegations of academic misconduct may consist of two basic types:

- a) Academic misconduct by a student who is enrolled in a particular course and commits an act of misconduct related to that course.
- b) Academic misconduct by a student that is not related to a particular course in which the student is enrolled.

1.2. When a student in a course commits an act of academic misconduct related to that particular course, the faculty who is teaching the course has the authority to initiate academic misconduct proceedings against the student.

1.3. When a student commits an act of academic misconduct that is not related to a course in which the student is enrolled, the Department Chair in which the student is enrolled, has the authority to initiate academic misconduct proceedings against the student.

2. Personal Misconduct

2.1. The Student Life Officer and the Dean of Student Affairs have the authority to initiate disciplinary proceedings against individual students in all cases involving allegations of personal misconduct.

2.2. The Student Life Officer and the Dean of Student Affairs also have the authority to initiate disciplinary proceedings against groups of students or student organizations in any case involving allegations of misconduct.

3. Acts of Academic and Personal Misconduct

3.1. When a student commits an act of academic misconduct related to a course in which the student is enrolled and also commits a separate but simultaneous act of academic misconduct unrelated to that course or an act of personal misconduct, separate academic misconduct and disciplinary proceedings may be initiated by the faculty involved and the VP for Academic Affairs or the Student Life Officer in accordance with these procedures. VP for Academic Affairs or the Student Life Officer

have the discretion, however, to handle the matter jointly or to decide that the matter should be handled separately.

3.2. When a student commits an act of academic misconduct related to a course in which the student is enrolled and the act may also be a simultaneous act of academic misconduct unrelated to that course or an act of personal misconduct, the faculty

conducting the course has the authority to initiate academic misconduct proceedings against the student after consulting with the VP for Academic Affairs. In such cases, the VP for Academic

Affairs or the Student Life Officer also have discretion to initiate separate disciplinary proceedings. In such cases, only the latter two have the right to apply the disciplinary sanctions, while only the faculty has the right to file a complaint.

Section B

Academic Dishonesty: Procedures for Dishonesty Related to a Course

1. When a student has committed an act of unintentional academic dishonesty (Part III, Section A, Paragraph 3), the instructor must notify the student of the dishonesty and give the student an opportunity to respond.

1.1. The instructor will check the University record in the Registrar's Office to see whether the student has committed previous violations.

1.2. If the instructor concludes that the student committed an act of dishonesty and has no previous violations on record, the instructor is authorized to impose an appropriate academic penalty. An appropriate academic penalty may include, but is not limited to, any one or a combination of the following:

a. The student may be given a lowered or failing grade for the assignment or examination that was completed dishonestly. b. The student may be required to repeat or resubmit an assignment or retake an examination that was completed dishonestly.

c. The student may be required to complete some additional assignment or examination, as a substitute for the assignment or examination that was completed dishonestly.

1.3. The student will write an explanation of how his or her actions constitute an act of academic dishonesty and how he or she might avoid committing the same mistake in the future.

1.4. A record of the violation and penalty will be kept in the Registrar's Office.

2. When a faculty member has determined that a student has committed an intentional act of academic dishonesty (defined in Part III, Section A, Paragraphs 1 or 2) or that the student already has more than one violation on record in the Registrar's Office, the instructor will submit a one-page description of the dishonesty to the Department Chair. In the case of plagiarism or fabrication, evidence of the violation shall also be included.

2.1. The student shall have the opportunity to respond to the charge of dishonesty in a meeting with the course instructor and the Department Chair.

2.2. If the Department Chair determines that

the academic dishonesty was unintentional, Department Chair may impose an appropriate penalty (described in Part IV).

2.3. If the student does not attend the meeting, the Department Chair shall treat the academic dishonesty as intentional and submit a report to the VP for Academic Affairs.

2.4. A record of the violation and penalty will be maintained in the Registrar's Office.

3. If the Department Chair determines that the academic dishonesty was serious or intentional (described in Part III, Section A, Paragraph 1 or 2), Department Chair will submit a report to the VP for Academic Affairs, together with the instructor's report and any supporting evidence. 3.1. The student shall have the opportunity to respond to the charge of dishonesty in a meeting with the course instructor, the Department Chair, and the VP for Academic Affairs.

If the student does not attend the meeting, penalties may be applied in the student's absence.

3.2. If the VP for Academic Affairs determines that the academic dishonesty was serious, the student shall be suspended from the University. The student may be considered for readmission after one academic year.

3.3. If the VP for Academic Affairs determines that the academic dishonesty was intentional, the VP for Academic Affairs may impose an appropriate penalty:

a. The first time that a student commits an act of intentional academic dishonesty in any program, he or she will receive an F for the assignment.

b. The second time that a student commits an act of intentional academic dishonesty in any program he or she will receive an "F" for the course.

c. The third time that a student commits an act of intentional academic dishonesty in any program he or she will be suspended from the University. The student may be considered for readmission after one semester.

d. The fourth time that a student commits an act of intentional academic dishonesty in any program he or she will be expelled from the University.

3.4. The report, supporting documents, and record of the penalty shall be kept in the student's file in the Registrar's Office, and a note of the violation and penalty shall be kept in a database. A copy of the report and penalty shall be sent to the student. Furthermore, a report describing the charge and the penalty shall be sent to the Department Chair where the student's major program, VP for Academic Affairs, the Student Life Officer, and the Director of the Financial Aid Office.

3.5. The Registrar shall carry out all penalties decided on by the VP for Academic Affairs, including chief assigning an "F" for the course up to expelling the student from the University.

4. If the student against whom an action is conducted is not satisfied with the conclusion or decision of the VP for Academic Affairs, he or she may file a formal appeal to the Executive Committee. The Executive Committee follows the same regulations as the procedure

for the hearing concerning academic dishonesty.

4.1. If the problem is not resolved after involvement of the Executive Committee, the last who can resolve the problem is the President.

Appeal should be submitted to the President's office within three working days.

Section C

Disciplinary Procedures of Misconduct Unrelated to an Academic Misconduct

Disciplinary proceedings for an act of misconduct that is unrelated to academic questions include following:

- A. A warning about a student's misconduct can be filed by another student, faculty, or staff of the University.
- B. Warning shall be written and be given to the Student Life Officer.
- C. After the evaluation of the warning, Student Life Officer makes an authorized decision, whether the specific or formal hearing is needed.

1. Disciplinary Procedures:

1.1. The Student Life Officer initiates a disciplinary proceeding by sending a notice to the student who is the subject of the complaint.

1.2. Notice must be sent to the office-manager of the department, where the student is currently enrolled.

1.3. The notice shall inform the student of the following:

- a) The offense the student is alleged to have committed by citing the relevant section of these regulations;
- b) The date, time, and place of the alleged offense and other relevant circumstances;
- c) The date, time, and place of the informal conference to discuss the alleged violation;

1.4. The student may have an advisor or other counsel present during the conference; though advisor or counsel is limited to the role of advising the student, he/she may not participate in presenting the case, questioning the witnesses, or making statements during the conference.

1.5. If the student does not answer questions and chooses to remain silent, it will not be considered as an admission of the alleged offense.

1.6. In the student fails to appear for the meeting, the Student Life Officer may:

- a) reschedule the meeting;
 - b) If the Students Life Officer reasonably believes the failure to be without good cause, impose any of the disciplinary penalties.
- 1.7. A failure to appear for the hearing is in itself an act of misconduct and can cause a filing of the other misconduct and hearing.

2. Procedures and results of the Hearing

2.1. When the student appears as required, the Student Life Officer shall inform the student as fully as possible of the facts alleged. The student may, but need not, make responses and

explanations.

2.2. If, after discussion and such further investigation as may be necessary, the Student Life Officer determines that the violation alleged is not supported by clear and convincing evidence, the Student Life Officer shall dismiss the accusation and notify the student.

2.3. If, after discussion, or if the student fails to appear, and if the Student Life Officer believes that the violation occurred as alleged, the Student Life Officer shall notify the student and shall propose a penalty by means of a written notice. The student, by such notice, shall be offered the choice of either consenting to the determination and proposed penalty or of requesting a hearing before a hearing commission.

2.4. If, after the discussion, the student does not agree on the decision of the hearing, he/she can file an appeal to the Dean of Student Affairs and the Executive Committee by contacting the Student Life Officer. The Chair of the Executive Committee makes a decision whether to consider an appeal or not. In cases involving discrimination or harassment, see Section F of the Code.

2.5. If no written choice is received by the Student Life Officer or Dean of Student Affairs, the sanction proposed by the Student Life Officer or Dean of Student Affairs shall be imposed, and the action shall be final.

2.6. The Student Life Officer, or Dean of Student Affairs in regard to harassment or discrimination, is authorized to impose any one or a combination of the following sanctions for acts of personal misconduct:

a) Reprimand and Warning. *(A student may be given a reprimand accompanied by a written warning that the student may receive additional sanctions if the student engages in the same misconduct again or commits any other violation of this code.)*

b) Disciplinary Probation. *(A student may be placed on disciplinary probation for a specified period of time under conditions specified in writing by the Student Life Officer, with a warning that any violation of the conditions or any further acts of misconduct may result in additional disciplinary sanctions, including suspension or expulsion from the University. As a condition of probation, the student may be required to participate in a specific program, such as a counseling program or an alcohol education program, or to provide a specific service, such as the repair or restoration of any property damaged or taken by the student.)*

c) Restitution. *(A student may be required to pay the cost for the replacement or repair of any property damaged by the student. If the student fails to pay the cost or make the repairs, the student may be subjected to additional sanctions, including suspension or expulsion.)*

d) Provision of a specific service. A student may be required to provide a specific service, such as, but not limited to: the repair or restoration of any property damaged or taken by the student.

e) No contact order or no communication order. *(A student or students may be prohibited from engaging in any form of communication or contact for a certain period of time. These orders may be extended.)*

f) Suspension. *(A student may be prohibited from participating in all aspects of university life for a specified period of time. When a*

student is suspended from the University, the suspension applies to all campuses of the University.) f) Expulsion. (A student may be dismissed from the University permanently. When a student is expelled from the University, the expulsion applies to all campuses of the University.)

Section D **Time Limitations**

1. Time limitations that are specified in the preceding sections of this code may be extended for a reasonable period of time if an extension is justified by good cause under the totality of the circumstances.
2. An interested party to a proceeding may make a request for an extension of a specific time limitation.
3. A request for an extension must be submitted in writing to the person conducting the proceeding.

Section E **Misconduct by Student Clubs and Organizations**

1. A complaint that a student organization has committed an act of academic or personal misconduct may be filed against the student organization, against individual members of the organization. The complaint may be filed by any person.
2. A complaint against a student organization and/or individual members of the organization must be submitted in written form to the Student Life Officer.
3. The Student Life Officer has the authority to initiate disciplinary proceedings against the organization.
4. Disciplinary proceedings against a student organization are governed by the procedures established by the individual campus for such proceedings.

APPENDIX:

The Executive Committee is not a temporary acting committee. If necessary, the Executive Committee is formed from competent people regarding concrete issues. Formation order: Student Life Office, Dean

of Student Affairs, Student Senate faculty, staff and administration representatives.

None of the provisions of this code should be regarded as limiting the free and open discussion of all issues, including ethics and social rules. The Code is open for amendments by any AUCA community member in accordance with the procedures of amendments. Amendments, as the entire code, shall be prepared by the Student Life Officer and approved by the president. The Code (or amendments to the Code) comes into force immediately after the approval of the President and VP/COO.

The Student Life Officer, when necessary, can present a report regarding the effectiveness of the procedures and rules of the Code Of Students' Rights, Responsibilities and Conduct to the President and VP/COO of AUCA and makes amendments upon the Presidents' and VP/COOs' recommendation.

This Code of Student Rights, Responsibilities and Conduct is adapted from analogous codes of Indiana University and Central European University in accordance with the legislation of the Kyrgyz Republic.

I have a problem!

