

# STUDENT CODE OF CONDUCT

## Introduction

All members of the Wake Forest community will strive to live in and to promote an environment which recognizes individuality, fosters collegiality, respects the rights and privileges of others, and demonstrates responsibility for individual and group actions. If Students or Student Organizations fail to meet these expectations, the University, through the processes set forth in this Student Code of Conduct, will determine the nature and extent of violations and require appropriate outcomes.

Wake Forest is a community of people that seek the enlightenment and freedom which comes through diligent study. An even higher goal, however, is to give life to the University motto, Pro Humanitate, as the passion for knowledge is translated into compassionate service. The honesty, trustworthiness, and personal integrity of each Student is integral to the life and purposes of the Wake Forest community. Furthermore, Wake Forest strives toward a society in which good will, respect, and equality prevail. To that end, hatred and bigotry in any form are rejected, and justice, honor, and mutual trust are promoted.

The Student Code of Conduct supports the mission and motto of Wake Forest University and protects the interests of the Wake Forest community through the use of learning-focused accountability processes designed to facilitate the development of responsible global citizens while valuing the individuality of each person and their lived experiences.

Wake Forest may, from time-to-time, make changes to the Student Code of Conduct or other policies and procedures that are referenced in the Student Code of Conduct. When changes are made to the Student Code of Conduct by Wake Forest, students will be notified by email or other forms of communication.

In addition to this Student Code of Conduct, Wake Forest University students are also subject to other non-academic conduct policies, including, but not limited to, the policies addressing sexual harassment, sexual misconduct, and/or retaliation; the Policy on Ethical Use of Computing Resources; the Anti-Hazing Policy; the Undergraduate Alcohol and Other Drug Policy; the Residence Life and Housing Guide to Community Living; graduate or professional school codes or guides; and/or policies specific to the College or School of admission which set forth expectations regarding conduct of Students and Student Organizations. Concerns regarding possible violations of those policies may be referred to the Office of the Dean of the College and the Graduate School of Arts and Sciences, the Office of the Dean of Students, the Student Services Administrator for the respective School(s), and/or the Office of Institutional Equity regarding Student and Student Organization conduct and disciplinary matters for adjudication.

## Statement on Student 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.

See the "University Policy on Demonstrations, Chalking, and Posting" in the University's Policy library at <https://policy.wfu.edu/demonstrations-chalking-and-posting-policy/> for the full policy and information.

## Definitions

**"Business Day"** describes any day of the week, Monday through Friday, excluding University holidays or other official closures.

**"Conduct Officer"** includes any person(s) authorized to manage conduct cases and to administer Resolution processes.

**"Conduct Panel"** or **"Panel"** includes the group of individuals who hear cases of alleged Student or Student Organization misconduct. The composition of the Conduct Panel is determined by the Conduct Officer. A **"Panel Member"** refers to an individual on a Conduct Panel.

**"Dean of Students"** ("DOS") is the person or persons in a School or College with the functional responsibilities for administration of student conduct processes. This may include, but is not limited to, persons with the title "Dean of Students", "Associate Dean", "Assistant Dean", or a committee charged with responsibility for student conduct.

**"Faculty"** refers to persons who hold an academic appointment, whether tenured, tenure track, or non-tenure track, or full or part-time, or any person acting under their direction and/or supervision.

**"Investigator"** includes any individual(s) authorized to conduct investigations of alleged conduct violations.

**"Judicial Council"** refers to the body established to hear appeals of Honor and Ethics Council hearings and Formal Resolution meetings for undergraduate Students and Student Organizations.

**"Office of the Dean of Students"** refers to the named office and includes any other office authorized by a School or College to administer student conduct processes.

**"Preponderance of the Evidence"** is the standard under which alleged conduct violations will be evaluated, and means the information would lead a reasonable person to conclude it is more likely than not a violation occurred.

**"Student(s)"** includes all persons enrolled in undergraduate, graduate, professional, certification, or any other courses at or offered by the University, either full-time or part-time for which a transcribed record is created. Persons who withdraw after allegedly violating the Student Code of Conduct, who are not officially enrolled for a particular term but who have a continuing relationship with the University are considered "Students". The term "Student" does not apply to University guests or visitors, even if they are temporarily living in University residence halls. The term "Student" does not refer to students enrolled exclusively in degree and certificate programs at the School of Medicine. The term "student" includes an admitted person who has moved into the residence halls, is attending orientation programs, and/or participating in athletic training programs.

**"Student Code of Conduct"** ("SCC") establishes standards of behavior to support the values of the University and uphold the best interests of Students, Student Organizations, and the University community. This SCC applies to conduct occurring on any University Premises or Property,

including all study away and study abroad campuses, or any conduct related to a University Program or Activity, regardless of location.

“**Student Organization**” refers to a group of Students formally recognized as an organization by the University or any of its Schools or the College, except for organizations recognized by the School of Medicine.

“**University**” or “**Wake Forest**” refers to Wake Forest University and includes all offices, departments, agencies, schools, colleges, auxiliaries, and affiliates.

“**University Official**” refers to any person(s) employed by or providing services on behalf of the University, including, but not limited to, faculty, staff, resident advisors, and food service staff.

“**University Premises or Property**” includes all land, buildings, facilities, and other property in the possession of, owned, used, managed, leased, or controlled by the University and/or any of its affiliated entities.

“**University Program or Activity**” includes all programs, events, activities, and functions sponsored, funded, endorsed, supported, or conducted by the University.

## Jurisdictional Statement.

Wake Forest University’s SCC applies to alleged non-academic conduct by a Student or Student Organization taking place on University Premises or Property or in a University Program or Activity that adversely impacts the University community and/or the pursuit of the University’s educational objectives. Other University offices may be engaged and consulted as needed regarding investigations and outcome resolutions under this SCC. The Deans and Faculty of the College and Schools are responsible for academic conduct and administration of the Honor Code or Council for their respective College and Schools. The SCC applies throughout a Student’s entire enrollment at Wake Forest University, including regular academic terms; during academic breaks, like the summer or winter break; and while Students are on personal, medical, or other approved leave. The SCC also applies to any student on a study abroad or away program, whether operated by the University or another entity. The SCC also applies to non-academic conduct for all visiting, guest, auditing, exchange, and others enrolled in Wake Forest University courses.

The University does not seek or support special treatment for its Students who may be apprehended for violation of civil or criminal law. In some instances, an action violating a University policy may also violate local, state, or federal law. Such violations of law may be pursued in civil or criminal court simultaneous with, and separate from, the resolution of a complaint within the University. A pending legal action usually will not delay University action, nor will the outcome of a civil or criminal case determine the outcome of a University proceeding. Information, reports, and materials related to a criminal or civil court proceeding may be considered in University conduct proceedings.

The SCC will also apply if a Student withdraws from Wake Forest while a disciplinary matter is pending. Any such disciplinary matter will need to be resolved in accordance with the procedures of the SCC then currently in effect when and if such a Student subsequently seeks to re-enroll at the University. The University retains the right to withhold transcripts if a Student attempts to transfer while a conduct matter is pending in accordance with state or federal law. The University also has the right to withhold the degree of a Student who has satisfactorily completed all academic requirements but has a conduct matter pending.

Wake Forest University expects Students to engage appropriately with the Dean of Students and Conduct Officers and considers outcomes as a result of the conduct process to be required components of the Student’s education. Accordingly, Conduct Officers have the authority to place registration, transcript, and graduation holds in order to require Students to attend meetings related to the conduct process, enforce outcomes, respond to past due outcomes, or other required student conduct procedures.

Students and Student Organizations may be held responsible for and sanctioned for attempted violations of University policy, even if the Student or Student Organization is prevented from or otherwise does not complete the act of misconduct.

Sometimes Student Organizations co-sponsor events with groups or organizations at other colleges or universities. Wake Forest Students and Student Organizations must adhere to Wake Forest University policies on such occasions, as well as any policies and procedures applicable to such events. Where officials of another college or university notify Wake Forest of incidents giving rise to a possible violation of the SCC, including the the policies addressing sexual harassment, sexual misconduct, and/or retaliation, the case will be processed through the appropriate Wake Forest conduct processes.

Reports of conduct that may also be a violation of the the policies addressing sexual harassment, sexual misconduct, and/or retaliation will be referred to the Title IX Office.

## Prohibited Conduct.

Wake Forest considers the conduct described in the following sections as unacceptable for the University community and in opposition to the University’s core values. As used in this SCC, the Prohibited Conduct described below is to be interpreted using ordinary, non-legal meanings. The Conduct Officer will determine the applicability of the SCC.

Any Student or Student Organization found to have engaged in or attempted to engage in the following actions, behaviors, or decisions (“Prohibited Conduct”) is subject to the outcomes outlined below.

### Abuse or Obstruction of the Conduct Process.

Deliberately or intentionally abusing, misusing, or misleading the procedural aspects of the conduct process. Examples of this behavior include:

- Destroying or concealing information during an investigation of an alleged policy violation;
- Filing a false conduct report;
- Discouraging an individual’s participation in, or use of, the student conduct system; or
- Influencing, or attempting to influence, the impartiality of any Conduct Officer or Panel Member.

### Alcohol or Other Drugs Violation.

Students and Student Organizations with alcohol and/or other drug use resulting in behavior creating a risk of danger to the health and/or safety of themselves or others are subject to this SCC. Students are responsible for compliance with any and all Alcohol and Other Drug policies applicable to their College or School of enrollment.

## **Bullying, Cyberbullying, and/or Threatening Behaviors.**

Inciting, assisting, supporting, organizing, approving, or otherwise participating in any behavior that would constitute bullying, cyber bullying, and/or threatening behavior. Such behaviors are defined as repeated and/or individual actions, behaviors, communication (written or oral), or gestures directed at another member of the Wake Forest community that reasonably intimidates, humiliates, degrades, defames, controls, threatens, or intentionally causes, or attempts to cause, non-physical harm to the individual. This can include communication or conduct directed to other person/s, groups, or self. Prohibited behaviors may be in person, in print, via electronic means, or through social networking.

## **Complicity.**

Helping or actively encouraging another person to engage in a violation of University policy.

## **Deception.**

Making a false statement to a University or other official, or knowingly furnishing or possessing false, falsified or forged materials, documents, accounts, records, identification, or financial instruments.

## **Destruction or Defacement of Property or Premises.**

Attempted or actual damage to or destruction of University Premises or Property or personal property of another person or organization.

## **Disorderly Conduct.**

Behavior, on-campus or off-campus, which unreasonably interferes with the ability of others to sleep, study, or participate in the programs or activities of the University. Conduct or activity by students living in, hosting functions at, or attending functions at off-campus locations must not unreasonably interfere with the rights of others; and/or violations of University Policy on Demonstrations, Chalking, and Posting.

## **Disruption or Obstruction of University Activities.**

Conduct that prevents or substantially impedes the normal operations of the University or a University function or activity, such as teaching, research, 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 any University policy or procedure, including University Policy on Demonstrations, Chalking, and Posting.

## **Failure to Comply.**

Disregard for, refusal to comply with the directives of, or demonstrating uncooperative, abusive, or threatening behavior towards University officials, any law enforcement officer(s), or other first responder(s) during the performance of their duties; failure to identify oneself to these persons when requested to do so; and/or failure to comply with the outcomes resulting from student conduct proceedings or other University policy violations, including resolution agreements for any conduct process or policy.

## **Fire Safety.**

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

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

## **Gambling and Sports Wagering.**

Persons under the age of 21 are prohibited from engaging in gambling or sports wagering in North Carolina. Students are prohibited from:

- engaging in harassment of student-athletes at Wake Forest or at other institutions because of gambling or sports wagering outcomes;
- attempting to gain non-public information from Wake Forest student-athletes for gambling or sports wagering purposes; or
- attempting to work with Wake Forest student-athletes to either place bets for the athlete or to affect gambling or sports wagering outcomes.

## **Harassment and Discrimination.**

Harassment is any unwelcome conduct (including, but not limited to: verbal assault or abuse, graphic or written statements, use of technology, physical assault) that may be threatening, harmful, or humiliating and is subjectively and objectively offensive. To constitute harassment, the unwelcome behavior or communication, when considered in the totality of the circumstances, is so severe or pervasive that it has the purpose or effect of:

- creating an intimidating, hostile, or demeaning educational, living, or work environment, or
- denying or limiting a person's work performance or a student's ability to participate in or benefit from an educational program or activity.

Harassment is distinguished from behavior that, even though unpleasant or disconcerting, is appropriate to the carrying out of certain instructional, advisory, or supervisory responsibilities.

Discrimination is treating members of a protected category less favorably because of their actual or perceived membership in that category. The conduct may be verbal, nonverbal, written, electronic, or physical behavior and/or communication.

Behavior by an individual based on an individual's or group's sex/gender, sexual orientation, gender identity, or disability is addressed under the policies addressing sexual harassment, sexual misconduct, and/or retaliation or Student Disability Grievance Procedures. Harassment or Discrimination by an Organization based on an individual's or group's sex, sexual orientation, gender identity, or disability; or harassment or discrimination by an individual on the basis of any protected category excluding an individual or group's sex, sexual orientation, gender identity, or disability is addressed through the procedures in this SCC.

## **Harm to Others.**

Intentionally, knowingly, or recklessly causing, or attempting to cause, physical harm to or endangering the health or safety of any person(s),

groups, or self, including any behavior with the intent to kill, injure, or intimidate.

### **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.

### **Hazing.**

See Anti-Hazing Policy. 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, organization, or team that: (1) endangers the mental or physical health or safety of any student; (2) unreasonably interferes with a student's academic, professional, or personal obligations; (3) humiliates, demeans, disgraces, or degrades a student; (4) is not relevant to the development of the individual within the context of the group, organization or team, or; (5) the action taken or situation created is excessive and unreasonable within the context of the group, organization or team.

### **Retaliation.**

An adverse action or threat of adverse action taken against an individual for reporting behavior that may be prohibited by law or policy or participating in an investigation or resolution process related to an allegation of misconduct. Retaliation must be sufficiently severe or pervasive to create a work or academic environment that a reasonable person would consider intimidating, hostile, or abusive and that adversely affects the targeted individual(s) or student organization's educational, work, or living environment. Retaliation prohibited under the Policy Prohibiting Sex Discrimination, Sex-Based Harassment, and Retaliation will be addressed in accordance with that Policy.

### **Stealing.**

The unauthorized taking, misappropriation, or possession of any property belonging to, owned by, or maintained by the University, an organization, or another individual, or the possession, retention, or disposal of stolen property.

### **Unauthorized Access.**

Unapproved entry, or allowing another to enter, into or onto University Premises or Property, or space occupied by another person, without permission or authorization. Unapproved possession, duplication, or use of keys and/or cards, or aiding another in such activity, to gain entry into or onto any University Premises or Property or failing to report a lost Deacon OneCard or key.

### **Violation of a University Policy or Law by a Guest.**

Any violation of a University policy or law by a guest of a Student or Student Organization.

### **Violations of Law or University Policy**

Violating any federal, state, or local law or ordinances. Violating other policies, procedures, or rules, of the University or of the relevant College or School including, but not limited to, public health emergency policies, the Demonstrations Policy, and all Residence Life and Housing policies published in the Guide to Community Living (<https://rlh.wfu.edu/guide-to-community-living/>). In the event a specific policy, procedure, or rule has a process to address violations of that policy, procedure, or rule, University offices or departments may, at their discretion, make referrals to Student Conduct for coordination of response in cases of alleged violations.

### **Weapons.**

Students may not bring or possess either openly carried or concealed weapons on campus, regardless of any state or federal law to the contrary. Possession, use, storage, 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, on University Premises or Property (whether on one's person, in a parked vehicle, in a building, or in outside spaces), except for authorized use in the Department of Military Science or authorized use by Campus Recreation.

## **Student Organizations**

Although not all acts of individual members can or should be attributable to the Organization, an Organization may be held responsible for the actions of its members. Allegations of Student Organization misconduct may be adjudicated before, concurrent with, or following related cases of individual misconduct. Student Organizations can designate up to five (5) members or officers to represent the Student Organization in a Formal Resolution meeting.

Factors used in determining whether alleged violation(s) of the SCC can be attributed to an Organization may include, but are not limited to:

- Whether the alleged misconduct occurred at an event the Student Organization has, formally or informally, sponsored, co-sponsored, planned, financed, advertised, or endorsed;
- The number of Student Organization members and/or officers present;
- Whether the alleged misconduct is committed by members attending a function as a representative of the Student Organization or the University, including, but not limited to, competitions, conferences, and conventions;
- Whether members were acting in the name of the Student Organization;
- Whether the alleged misconduct occurs on the premises owned, leased, or operated by the Student Organization or its members; and/or
- Failure of the Student Organization to implement preventative measures where it is reasonably foreseeable that a violation could occur.

## **Interim and Other Actions**

### **Interim Action**

Based on the nature of a Student's or Student Organization's alleged behavior, the Dean of Students or designee may impose an Interim Action prior to the completion of the conduct process. Interim Action may be imposed when the Dean of Students or designee reasonably determines, based on the information available at the time when the decision is made, to:

- ensure the safety and well-being of members of the University community, including visitors, or others, and/or;
- preserve University Premises or Property or the property of any members of the University community, including visitors, and/or

- prevent 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 or Student Organization from being on University Premises or Property, attending classes, attending programs and activities, or using University facilities. The Student or Student Organization 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 Resolution Meeting on alleged violation(s), unless the Resolution meeting is delayed due to administrative necessity or at the request of the Student or Student Organization.

At any time prior to the Resolution Meeting, a Student or Student Organization placed on Interim Action may request an Interim Action Review by submitting the request in writing to the Dean of Students or designee. The request for review must include a statement from the Student or Student Organization explaining why the Student or Student Organization believes the Interim Action is not warranted. The Interim Action Review must take place within five (5) business days of receipt of the request for review. A Conduct Officer who did not impose the Interim Action will conduct the Interim Action Review. The Interim Action may be modified, upheld, or reversed, and the Student or Student Organization will be notified of this outcome in writing. The outcome of the Interim Action Review is final, and any Interim Action will remain in effect until the conclusion of the conduct process.

## No Contact Orders

No Contact Orders are issued in writing at the discretion of the Dean of Students or designee, based on administrative review of a situation involving two or more Students or Student Organizations. No Contact Orders are designed to be in the best interest of the Student(s), Student Organizations, or the University community. A 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. No Contact Orders do not require the approval, agreement, or prior notice to any Student or Student Organization involved.

1. A No Contact Order is often, but not always, mutual. Orders most frequently are two-way, preventing communication between Student(s) or Student Organization(s) named in the Order.
2. A No Contact Order can be issued prior to or as a result of a Resolution Meeting, or entirely outside of a conduct process for a specified or unlimited duration of time. No Contact Orders do not become part of a Student's or Student Organization's conduct record unless the student violates the order as determined through the University's conduct system, or unless the Order is the result of a conduct outcome.
3. No Contact Orders are not equivalent 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.
4. In some circumstances, a No Contact Order may restrict a Student or Student Organization from parts of the campus where the Student Organization would not have to engage in required activities.

Students who are concerned about personal safety should contact University Police.

No Contact Orders are put in place to prevent communication between one or more Students or Student Organizations and specifically prohibits:

1. Direct communication through the means of verbal, written, email or other forms of communication;
2. Indirect communication through social media (including online postings and/or personal references);
3. Third party communication to initiate or transmit communication back to the other person.

Human Resources may initiate No Contact Orders between employees and students using procedures and processes managed by Human Resources.

## Procedures

### Making a Report

Incidents of alleged violations of the SCC should be reported to the Office of the Dean of Students or a conduct officer for the respective College or School. Any member of the University community may make a report concerning alleged violations of the SCC. Any delay in reporting may result in lost information or an inability to investigate the report.

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: <https://police.wfu.edu/forms/silent-witness-form/>. Do not use this form to report crimes in progress. Call 911 from any telephone to report a crime in progress.

### Initial Review

After receiving a report, the Dean of Students or designee will determine if the reported behavior, if true, would constitute a violation of the SCC. The Dean of Students or designee may initiate interim action, in accordance with the Interim Action process.

Individuals who may have been harmed by the acts of a Student are not parties to the SCC process, but may be asked to provide information during an investigation of an alleged violation.

### Notice of the Conduct Process

When a report has been filed and has not been dismissed following the initial review, the Student or Student Organization will receive Notice of the Conduct Process. The Notice of the Conduct Process will include a summary of the reported behavior, the date of the report, the alleged conduct violation(s), the assigned Conduct Officer, and an electronic link to the Code of Conduct. The Dean of Students or designee will initiate a Resolution Meeting and conduct an investigation or further review into the facts of the report.

### Copies of Documents

Copies of documents, reports, letters, and similar information are not provided. Any Student or Student Organization alleged to have violated the SCC can view relevant information by working with the Conduct Officer or designee.

## Publicity and Confidentiality

Investigations, conduct processes, and conduct outcomes are not publicized or open to the public. Conduct-related information is confidential and will only be disclosed in accordance with University policy or as may be permitted by law.

## Disability Accommodations

A Student requesting accommodations must do so through the Wake Forest University Center for Learning, Access, and Student Success. Only accommodations approved through an accommodation letter will be considered.

## Resolution

The process will be resolved either through an Informal Resolution or Formal Resolution meeting. The Dean of Students, or designee, will determine which method for resolution is appropriate and assign a Conduct Officer to the case. When possible, cases are resolved through an Informal Resolution meeting. Factors considered in determining whether a Formal Resolution meeting is appropriate include, but are not limited to, the severity and/or complexity of the alleged incident, possible outcomes, and the Student's or Student Organization's prior conduct record.

## Student Conduct Advisors

Students or Student Organizations scheduled for a Formal Resolution meeting may request an advisor through the Dean of Students or designee. For undergraduate Students, advisors are usually students and are called Student Conduct Advisors (SCA). For graduate and professional Students, the Conduct Officer or Dean's designee may work with Students or Student Organizations to secure an appropriate person to support the Student or Student Organization throughout the conduct process. Advisors are usually Wake Forest University faculty or staff (but may be students) who have experience with student conduct. External advisors not affiliated with the University, including parents or attorneys, are not permitted to serve as advisors. The advisor is the only person a Student may have present in the meeting, unless otherwise permitted in these procedures. The respective Dean of Students or designee can provide information about the scope and role of the advisor.

## Informal Resolution Meeting

If the Dean of Students or designee determines the case may be resolved through an Informal Resolution, the assigned Conduct Officer and the Student or Student Organization will meet to discuss the details of the incident. The Student(s) or Student Organization will be required to make an appointment with the assigned Conduct Officer. The Student or Student Organization is responsible for arranging this meeting within the parameters stated in the Notice of the Conduct Process. If the Student or Student Organization fails to arrange the required meeting, a hold may be placed on the Student or Student Organization's account. Meetings may take place in person or electronically, at the discretion of the Conduct Officer.

The Student or Student Organization may review the information leading to the allegations in advance of the Informal Resolution or may review the information during the resolution meeting. The Student or Student Organization will review all materials gathered by the Conduct Officer, discuss the situation and allegations, and have their account heard.

An Informal Resolution meeting is considered resolved when the following criteria are met:

- the assigned Conduct Officer and the Student or Student Organization agree Informal Resolution is a reasonable option given the circumstances, and the Student or Student Organization has not requested a Formal Resolution meeting;
- the Conduct Officer and the Student or Student Organization agree to the findings (Responsible or Not Responsible) for the alleged violation(s), and;
- the Student or Student Organization agrees to the outcomes.

If a resolution is reached through an Informal Resolution, the Conduct Officer will send the Student or Student Organization a copy of the decision for review and consideration. The Student or Student Organization will have three (3) business days to accept or reject the informal resolution. If the Student or Student Organization signs the decision, indicating acceptance of the findings and outcomes, the Student or Student Organization acknowledges there will be no further review or appeal of the findings and outcomes. If the Student or Student Organization declines to sign the findings or outcomes, the case will proceed with a Formal Resolution meeting.

## Formal Resolution Meeting

Formal Resolution Meeting: The Student(s) or Student Organization will be notified of the designated meeting date, time, and location. Meetings may take place in person or electronically, at the discretion of the Conduct Officer.

The procedures of a Formal Resolution are as follows:

1. **Timeline:** The Student(s) or Student Organization will receive a Notice of the Conduct Process at least five (5) business days prior to the Formal Resolution meeting. In addition to the summary of the incident, the date of the report, the alleged conduct regulation violation(s), the assigned Conduct Officer, and an electronic link to the Code of Conduct, the Notice will include the designated meeting date, time, and location, the witnesses being called by the University, and any other information (e.g., security video, access records) being presented. At certain times of the year, it may not be possible or practical for the Dean of Students or designee to provide the Student or Student Organization with five (5) business days of notice of the Formal Resolution meeting. In such an event, a Student or Student Organization may either waive this timeline or request, either electronically or in writing, their Formal Resolution meeting be expedited or delayed. The Conduct Officer will make the decision regarding the request and notify the Student or Student Organization electronically or in writing.
2. **Meeting Materials:** The Student(s), Student Organization, and Meeting Panelists may request to view all materials gathered in the case by working with the Conduct Officer or designee, which may include a Student Conduct Advisor. Copies of documents, reports, letters, and similar information are not provided.
3. **Failure to Attend:** Students and Student Organizations are expected and encouraged to attend in order to provide their perspective; if a

Student or Student Organization does not attend a Formal Resolution meeting, the Conduct Officer may resolve the case without the Student or Student Organization. The choice not to attend or actively participate in the meeting is not a valid reason for an appeal.

4. **Meeting Panel or Conduct Officer:** The Conduct Officer will determine if the Formal Resolution meeting will be conducted in front of a Meeting Panel or if the Conduct Officer will proceed without a panel. Meeting Panelists will be determined by the School or College and will be selected from a trained, standing group of panelists. Meeting Panel members may include University faculty, staff, and/or students. Meeting Panels should include at least two panelists and a conduct officer to serve as the chair of the Panel, and may include up to ten (10) total members.
5. **Witnesses:** If the Student(s) or Student Organization identifies witnesses, the list of names and contact information must be provided to the Conduct Officer at least two (2) business days in advance of the Formal Resolution Meeting. If a Student, Student Organization, or the University's witness(es) cannot attend the meeting, remote participation may be permitted or a written or video statement may be presented. Only witnesses who can provide relevant information about the alleged violation(s), as determined by the Meeting Panel, will be allowed. Character witness statements or testimony are not permitted.
6. **Recordings:** All meetings will be recorded by the Conduct Officer. Recording by others is not permitted. Recesses and deliberations are not recorded.
7. **Privacy:** Formal Resolution meetings are private. Only the Student or designee(s) of the Student Organization, meeting panelists, Conduct Officer, witnesses, and assigned Student Conduct Advisors are allowed in the meeting. Students or Student Organizations may request one (1) support person who is a current member of the Wake Forest University community. A support person is present only for support of the Student or Student Organization and may not participate in the meeting.
8. **Joint Meetings:** Two or more Students or Student Organizations may participate in a joint Formal Resolution meeting if they are alleged to have participated in the same incident. The allegation/s and/or the alleged factual circumstances need not be identical for participation in a joint meeting. Any Student or Student Organization scheduled to participate in a separate meeting may request, in writing, a joint meeting if all participants agree. If a Student or Student Organization requests a joint meeting prior to the scheduled Formal Resolution, the Conduct Officer will determine the feasibility of the request.
9. **Multiple Incidents:** A Student or Student Organization alleged to have violated the SCC in unrelated incidents in a short period of time (less than 30 business days) may request to have a single Formal Resolution meeting to resolve all allegations. A request for a combined meeting must be submitted in writing to the Dean of Students or a designee prior to the date of the scheduled meeting.
10. **Standard of Responsibility:** The Student or Student Organization alleged to have violated the SCC shall be presumed Not Responsible. The standard of proof for a finding of responsibility shall be a "preponderance of the information", meaning it is "more likely than not" based on the information presented during a Resolution Meeting that the alleged conduct violation(s) occurred. It is the responsibility of the University to establish whether there is sufficient information to meet the standard. Rules of evidence applied in civil and/or criminal legal cases do not apply to the Informal and Formal Resolution meeting processes.
11. **Request for Delay:** Except in emergency circumstances, at least three (3) business days prior to the scheduled Formal Resolution meeting, the Student or Student Organization may request, in writing to the Conduct Officer, a delay in the Formal Resolution meeting. The request must include the reason for the delay and the length of the delay. The Conduct Officer will make the decision regarding the request and notify the Student or Student Organization electronically or in writing. The Student or Student Organization will be notified if the University must delay a Formal Resolution meeting for administrative purposes.
12. **Order of a Formal Resolution Meeting:** The order of the Formal Resolution meeting will be as follows:
  - 12.1 The Conduct Officer will begin the meeting with an introduction of Meeting Panelists, if relevant, a review of the proceedings, and a summary of the conduct process.
  - 12.2 Student(s) alleged to have violated the Code of Conduct are introduced, and an affirmation of honesty (as determined by the College or School) will be administered.
  - 12.3 The allegation(s) will be read, and the Conduct Officer will present all information regarding the incident. The Student or Student Organization will be asked if they are responsible for the allegation(s).
  - 12.4 The Student(s) may provide a statement or narrative regarding the incident and the allegations(s).
  - 12.5 The Student or Student Organization's witness(es) will be called into the Meeting one at a time. Each witness will be introduced and an affirmation of honesty (as determined by the College or School) will be administered. During the Meeting, the witness(es) may read a prepared statement and/or respond to questions from the Student or Student Organization.
  - 12.6 The Meeting Panelists may ask questions of the Student or Student Organization and any witnesses at any time.

12.7 The Conduct Officer will call witnesses. Each witness will be introduced and an affirmation of honesty (as determined by the College or School) will be administered. Any witness(es) may read a prepared statement and/or respond to questions from the Conduct Officer.

12.8 The Meeting Panelists and/or the alleged Student(s) or Student Organization may ask questions of the witness(es) called by the Conduct Officer.

12.9 After all witnesses have been heard and the Meeting Panelists have concluded asking questions, all witnesses are released from participation in the Formal Resolution Meeting.

12.10 The Conduct Officer will ask the Student(s) or Student Organization if they would like to share any additional information or make a closing statement.

12.11 The Meeting is adjourned, the recording is stopped, the alleged Student(s) are released, and the Panelists will remain for deliberation. The Conduct Officer remains to respond to questions of procedural concern or as needed by the Panelists.

13. **Procedural Concerns:** All procedural questions raised during the Formal Resolution process will be addressed by the Conduct Officer, and all decisions of the Conduct Officer are final.
14. **Decisions for Formal Resolution Meetings:** The Formal Resolution Meeting Panel advises the Conduct Officer regarding findings and outcomes. Following the conclusion of a meeting, the Panel will deliberate and advise on Finding(s). If the Panel recommends a finding of "not responsible" for the allegation(s), and the Conduct Officer accepts the Panel's recommendation, there will be no outcomes. If the Panel recommends a finding of "responsible", and the Conduct Officer accepts the Panel's recommendation for the allegation(s), the Panel will recommend appropriate outcome(s). The Conduct Officer is responsible for informing the Panelists of applicable precedent and any previous conduct violations. The Conduct Officer will determine the outcomes for the Student and will deliver an outcome letter to the Student(s) or Student Organization(s) electronically or in writing, generally via email.

## Findings

Wake Forest University recognizes the following as possible outcomes of a conduct meeting:

### Responsible

A Student or Student Organization has accepted responsibility for a violation of the SCC through the Informal Resolution meeting, has been found responsible through a Formal Resolution meeting, or has accepted limited responsibility in accordance with the Proactive Medical Support Policy. A Student or Student Organization who is responsible for a conduct violation may receive one or more of the outcomes listed below.

### Not Responsible

The Student or Student Organization is not responsible for the alleged violation.

## Outcomes

Outcomes are intended to challenge students' moral and ethical decision-making and to change behaviors. If a Student or Student Organization does not meet community expectations, the student conduct process may determine that the Student or Student Organization should no longer share in the privilege of participating in the Wake Forest community. Suspension or Expulsion during a term will not result in a refund of tuition, housing, dining, or other charges.

The nature of the finding(s) and specific circumstance(s) will be considered when determining the outcome of a Resolution meeting. Outcomes are issued on a case-by-case basis and are dependent upon factors including, but not limited to, the nature and severity of the finding(s), the presence of mitigating or aggravating circumstances, whether the Student or Student Organization has had a prior conduct finding, and the disciplinary status of the Student or Student Organization. Wake Forest facilitates learning through student conduct by providing tools and resources to assist students in learning from their experiences to make better decisions in the future. Wake Forest believes in supporting Students and Student Organizations while challenging their behaviors, decisions, and actions. Conduct Officers and Panelists are encouraged to consider outcomes to encourage critical thinking; outcomes focused on accountability for actions, behaviors, and decisions; and outcomes supporting the safety and security of the University community. Other University policies may have presumptive outcomes, and those presumptions will be considered when determining outcomes.

Outcomes are considered in four broad categories:

### Educational / Developmental

Educational and developmental outcomes are designed to prompt Students and Student Organizations (and their members) to learn, grow, develop, and to support behavioral change through the use of educational, research, and growth-focused strategies. Educational outcomes include, but are not limited to:

**Educational Program:** Attendance at programs, events, services, workshops, trainings, seminars, or activities.

**Educational Papers:** Academic papers which may require components of research, reflection, analysis, and similar academic endeavors designed to encourage and support learning.

**Reflective Papers:** Papers which are not academic, but instead require assessment, reflection, consideration of actions and decisions, and other efforts to prompt behavioral change.

**Substance Use / Abuse / Misuse Assessment:** Educational programs, assessments, and evaluations from an appropriate professional on-campus or off-campus. Additional education or treatment may be required as a result of the assessment.

**Restitution:** Payment for damage caused to the University or a person's property. Such payment may cover costs to restore or recover the value of the property destroyed, damaged, consumed, or stolen; it is not a fine.



## Prevention

**Suspension Withheld:** A specified period of time during which the Student is considered not in good conduct standing with the University. This outcome is assigned for violations serious enough to warrant suspension from the University, but the student is given an opportunity to remain enrolled at the University. During this period, if the Student is found responsible for violating additional parts of the SCC, Suspension may become immediately effective. A Student may be required to meet periodically with a Dean (or other University official) and other actions deemed appropriate by the Conduct Officer may also be imposed, including, but not limited to, restitution, limiting or prohibiting participation in University-affiliated activities and organizations, and ineligibility for service as an officer or to have a leadership role in University organizations or committees.

**Activities Suspension:** Limited participation in non-academic activities for a specified period of time, as identified by the Conduct Officer. This may include ineligibility to participate or hold office in any organization at the University or to represent the University in the greater community. Participation in study abroad programs, non-academic conferences/retreats, OPCD and job search activities, ambassador roles, intramural teams will be considered by the Conduct Officer or Meeting Panel based on the conduct findings. Work-study jobs are not suspended during this time.

**Disciplinary Probation/Disciplinary Warning:** A specified period of time during which a Student has the opportunity to demonstrate the ability to abide by the community's expectations of behavior articulated in the SCC. If the Student is found responsible for another violation of the Code during this period, serious consideration will be given to imposing an outcome of Suspension. A Student may be required to meet periodically with a Dean (or other University official) during their period of probation. A Student on Disciplinary Probation is still in good conduct standing with the University.

**University Housing Probation:** Official notice that if further violations of the SCC occur during a specified probationary period the Student may be immediately removed from University Housing.

**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 readmission to University housing may be specified. Under this outcome, 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 Executive Director of Residence Life and Housing or designee. This outcome may include a restriction for 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.

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

## Student Organization Deferred Suspension of University

**Recognition:** Removal of the Student Organization's recognition by the University is deferred pending the completion of requirements specified in the decision of the Conduct Officer or Meeting Panel. An additional finding of responsibility during the suspension period will result in suspension or revocation of University Recognition.

## Restorative

**Restorative Actions:** Requirement to engage in actions that attempt to make amends for the negative impact of a violation and to repair the harm that resulted from the misconduct. These actions may include, but are not limited to, activities such as letters of apology, drafting and implementing a plan of resolution (together with the Conduct Officer), engaging in restorative justice conferences, or developing plans for reintegration.

**Community Service:** Assignment to work a specific number of hours at a community service site approved by the Conduct Officer and may be on or off campus.

## Separation and Status

**Suspension:** Separation from the University for a specified minimum period of time, after which the student is eligible to return. Eligibility to return may be contingent upon satisfaction of specific conditions noted in the outcome letter. During the suspension period, the Student may not be present on University premises, at University functions, events, and/or activities, on or off campus, without prior written approval from the Dean of Students or designee.

**Expulsion:** Permanent separation from the University without the possibility for re-enrollment. The Student may not be present on University premises, at University functions, events, and/or activities, on or off campus.

**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 conduct outcomes.

**Student Organization 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 review for reinstatement, will be specified in the decision of the Conduct Officer or Meeting Panel.

## Student Organization Expulsion and Revocation of University

**Recognition:** Permanent separation from the University and termination of the organization's relationship with the University.

## Appeals

Appeals are considered only for findings and/or outcomes of a Formal Resolution meeting.

The Dean of the School or College, or their designee/s, is the final appeal authority for all SCC violations as determined through a Formal Resolution meeting. The Dean, at their sole discretion, may delegate appeal decisions to an individual, committee, ad hoc group, or similar. The decision of the Dean or designee is final, binding, and the end of the conduct process.

Requests for an appeal must be submitted in writing within 14 calendar days of receipt of the outcome letter. Requests for an appeal must be

submitted to the Dean of the School or College or their designee, as noted in the outcome letter.

Students or Student Organizations who have received an outcome other than Suspension or Expulsion are not guaranteed an appeal meeting. Students with an outcome of Suspension or Expulsion will be automatically granted an appeal meeting if the request is made in writing within 14 calendar days of receiving notification of the outcome letter.

An appeal request must state one or more of the following grounds for an appeal:

- insufficiency of information to support the decision;
- severity of the outcome;
- presence of new information not available at the time of the Formal Resolution meeting; or
- procedural error significantly impacting the finding(s) or outcome(s).

If the appeal request is declined, the Student or Student Organization will be notified electronically or in writing by the Dean of the School or College or their designee. If the appeal request is granted, the Dean of the School or College will notify the Student or Student Organization electronically or in writing of the date for the appeal meeting.

Specific appeal procedures for the School and Colleges may be outlined on the Student Conduct website for the School or College of enrollment.

## Student Conduct Records Disclosure

The University determines reportability of conduct records, as outlined below.

### Conduct System Record Disclosure

A Student or a Student Organization has a conduct record if they are found responsible for a violation of this SCC.

- Internal Disclosure of Records: In compliance with the Family Educational Rights and Privacy Act ("FERPA"), University officials with a legitimate educational interest (such as study abroad programs reviewing a Student's eligibility for study abroad, scholarship review committees, etc.) may review a Student's conduct record in the Office of the Dean of Students.
- External Disclosure of Records: The University will disclose information from a Student or Student Organization conduct record to a third party with written consent of the Student or Student Organization or as may otherwise be permissible by law.
- A Student may review all or part of their conduct record by making a request through the Office of the Dean of Students.

### Information subject to disclosure:

The following violations for which the Student or Student Organization was found responsible are reportable conduct violations:

- Theft (value of item/s more than \$500)
- Deception (not including possession or use of false identification to change age)

- The policies addressing sexual harassment, sexual misconduct, and/or retaliation
- Use, possession, manufacture, sale, distribution, or transportation of illegal drugs, excluding findings for possession or use of Marijuana/Cannabis. Alcohol misuse and possession or use of Marijuana/Cannabis will be disclosed if the violation results in a Suspension or Expulsion.
- Weapons
- Harm to Others
- Harassment
- Hazing
- Bullying/Cyberbullying, Threatening Behavior
- Retaliation
- Any outcome of Suspension or Expulsion

Reportable violations will include the date of the incident, the date the Student or Student Organization was found responsible, finding(s), outcome(s), outcome completion status, and a brief summary of the incident. Notwithstanding the foregoing, information disclosed pursuant to a legal process will include all information and records that are responsive to the request.

### Pending hearing:

A Student or Student Organization with pending conduct allegations may have a notation reported on their conduct record stating, "This individual has a pending conduct matter for which, if found responsible, would be disclosed externally."

## Related Policies

### Anti-Hazing Policy

Wake Forest University prohibits hazing and any conduct that aids, abets, assists, or supports another in hazing. "Hazing" is 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, organization, or team that: (1) endangers the mental or physical health or safety of any student; (2) unreasonably interferes with a student's academic, professional, or personal obligations; (3) humiliates, demeans, disgraces, or degrades a student; (4) is not relevant to a student's development within the context of the group, organization or team; or (5) the action taken or situation created is excessive and unreasonable within the context of the group, organization or team.

The consent or willingness of the person subjected to hazing, either expressed or implied, is not a defense to hazing.

Wake Forest prohibits retaliation against any person who acts in good faith to stop, prevent, or report potential hazing activity, or who participates in an investigation involving hazing allegations. Wake Forest encourages reports of potential hazing or retaliation, and reports can be made at this website: <https://hazing.wfu.edu/report-hazing/> or by calling 336.758.HAZE (4293).

Persons who cause physical injury by hazing, or who aid or abet others in physical injury by hazing, are also subject to arrest and criminal liability under North Carolina law ([https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter\\_14/ga\\_14-35.pdf](https://www.ncleg.gov/enactedlegislation/statutes/pdf/bysection/chapter_14/ga_14-35.pdf)).

Violations of this policy may result in sanctions under the Student Code of Conduct, up to and including Disciplinary Suspension and Disciplinary Expulsion. The Student Conduct Office will coordinate hazing

investigations with other appropriate University units and a proceeding may determine outcomes for alleged violations of this policy and other University policies.

Hazing results from a power imbalance between members of a group, organization or team. Hazing due to this imbalance can impact any member of the group, organization, or team, regardless of status. Hazing can take place in various forms, including Intimidation Hazing, Harassment Hazing, and/or Violent Hazing.

### **Intimidation Hazing**

This involves conduct that emphasizes the power imbalance between members of the group, organization, or team, and current members, new members, or students seeking or maintaining affiliation. This is termed "intimidation hazing" because this type of hazing is often taken for granted or accepted as harmless or meaningless.

Intimidation hazing typically involves activities or behaviors that breach reasonable standards of mutual respect and results in new members being ridiculed, embarrassed, and/or humiliated. Members often feel the need to endure intimidation hazing to feel like part of the group or community. Examples of intimidation hazing include, but are not limited to:

- Required periods of silence
- Deprivation of privileges
- Social isolation
- Name calling
- Assignment of duties not assigned to other members, including event preparation and/or clean up, driving requirements, and similar obligations or assignments

### **Harassment Hazing**

This involves conduct that causes emotional anguish or physical discomfort to members so that they feel like part of the group. Members subjected to harassment hazing often experience confusion, frustration, and undue stress. Examples of harassment hazing include, but are not limited to:

- Verbal abuse
- Threats or implied threats
- Sexual simulations or nudity
- Requiring situationally inappropriate attire or changes to physical appearance, such as the cutting of hair, wearing makeup or markers, or other alterations
- Sleep deprivation

### **Violent Hazing**

This involves conduct that causes or could cause physical or psychological harm. Examples of violent hazing include, but are not limited to:

- Forcing or coercing alcohol or other drug consumption
- Forcing or coercing physical activity or exercise, such as pushups, "planking," "bows and toes," or similar
- Forcing or coercing sexual acts
- Beating
- Paddling or other forms of battery
- Branding or tattooing
- Creating a threatening circumstance such that a student reasonably fears for their personal safety

- Forcing or coercing ingestion of vile substances
- Placing students in the shower against their will
- Bondage
- Kidnapping
- Expecting participation in illegal activity or in an activity that would otherwise violate the Student Code of Conduct or other University policy.

Disciplinary suspension or disciplinary expulsion will be strongly considered for students and/or student organizations found responsible for violent hazing, harassment hazing, and retaliation. Additionally, students or student organizations who use deception or collude with others to obstruct a hazing investigation will receive the same disciplinary consideration.

## **Alcohol and Other Drug Policy for Undergraduate Students**

### *General Regulations and Policy*

Possession or consumption of alcoholic beverages and/or other drugs is permitted only in accordance with this policy and applicable laws. Failure to comply with this policy and applicable laws could subject the individual and/or group to conduct action within the University.

When consumption of alcoholic beverages is permitted by students and their guests of legal age on campus, such consumption is limited to beer, unfortified wine, and other malt beverages. Permitted beverages must contain 16% or less alcohol by volume (ABV). Distilled alcoholic beverages and other beverages with an ABV greater than 16% may not be consumed except at events held at a licensed establishment or where alcohol is served by a licensed third-party vendor.

When possession of alcoholic beverages is permitted by students and their guests of legal age on campus, such possession is limited to beer, unfortified wine, and other malt beverages. Permitted beverages must contain 16% or less alcohol by volume (ABV). Distilled alcoholic beverages and other beverages with an ABV greater than 16% may not be possessed on campus.

Students and their guests of legal age may consume alcoholic beverages (beer, unfortified wine, and other malt beverages) in the following locations on the Reynolda campus: residential living spaces within residence halls, leased lounges, independent lounges, common spaces in apartment-style living suites, Shorty's, Zick's, and at special event venues during registered events.

Students and their guests of legal age may consume alcohol on leased patio areas after 5:00 p.m. on weekdays and after 12:00 PM on Saturday and Sunday.

When participating in study/travel abroad programs, students are expected to abide by the legal drinking age and/or applicable laws in the country(ies) where they study/travel.

### *Individual and Organizational Regulations*

#### 1. Alcohol and Other Drug Misuse:

- a. Use of alcohol/or other drugs that results in behaviors, physical signs, and medical consequences, including but not limited to: staggering, difficulty standing or walking, slurred speech, passing out, blackouts (loss of memory),

vomiting, retching, bloodshot and/or glassy eyes, strong odor of alcohol and/or other drugs, physical injuries, or other medical problems.

b. A pattern of recurring episodes of alcohol and/or other drug-related violations of the SCC.

c. Use of alcohol and/or other drugs in association with inappropriate behavior including/but not limited to:

Harassment

Threatening Behavior

Destruction or Defacement of Property or Grounds

Failure to Comply with the Directions of University Officials

Any other behavior that violates the Undergraduate SCC

2. Assisting or Encouraging Underage Possession, Purchase, or Consumption of Alcoholic Beverages: Helping or actively encouraging another person to engage in violations of University's Undergraduate Alcohol and Other Drug Policy. The student is also responsible for misconduct if they permit underage alcohol use within their residence hall room or off-campus residence, or otherwise provide a setting that allows for the underage consumption of alcohol.

3. Open Containers: Possessing an Alcoholic Beverage in open containers outside Designated Areas. Residents and their guests are not allowed to carry primary or secondary open containers of alcohol to or from suite/floor lounges at any time.

4. Public Consumption: Consumption of Alcoholic Beverages, on or off-campus, in a place which is generally viewable to the public or other students, unless the consumption is permitted as part of a registered event or approved special event (e.g., approved tailgating area).

5. Possession of Prohibited Form of Alcohol: When possession of alcoholic beverages is permitted on-campus, such possession is limited to Alcoholic Beverages with 16% or less alcohol by volume (ABV).

6. Driving While Impaired and/or Driving Under the Influence: Because of the danger that drivers under the influence pose to themselves and to others, the operation of a vehicle while under the influence of alcohol or other drugs is prohibited. For purposes of this policy, "driving under the influence" is defined as a situation in which the operator of any motorized vehicle is determined by admission, by testing for blood alcohol content, or by commonly accepted behavioral observations (e.g., slurred speech, staggering, etc.), to be driving such vehicle after having consumed Alcoholic Beverages or ingested other Drugs or legally controlled substances to a degree that has altered, inhibited, or impaired the student's ability to think and/or act.

7. Underage Purchase or Attempt to Purchase Alcohol: No student under the age of 21 may purchase or attempt to purchase Alcoholic Beverages.

8. Underage Possession and/or Consumption of Alcohol: No student under the age of 21 may possess or consume Alcoholic Beverages. Additionally, no student under the age of 21 may possess empty primary alcohol containers.

9. Sale of Alcoholic Beverages: The sale of Alcoholic Beverages except for sales by University-approved licensed vendors.

10. Use, Possession, Sale, Manufacture, Distribution, or Display of Controlled, Illegal or Prohibited Substances and/or Paraphernalia: Any possession, use, sale, manufacture, distribution, or display of controlled, prohibited, or illegal substances and/or Paraphernalia. The use of (or intent to use) substances for purposes or in manners not as directed. Cannabis is prohibited, including any cannabis product or products that contain any amounts of any form of THC, including edibles, alternative cannabis products (i.e. tinctures, lotions/balms/transdermal patches, concentrates, etc.), vapes for use with cannabis oils, etc. If University officials respond to the smell of cannabis, the University may proceed with a conduct process and determine, based on the totality of the information, that it is more likely than not the substance is cannabis, and thus is prohibited. The factors to be considered include but are not limited to: the smell of cannabis, the presence of paraphernalia related to cannabis use (water bongs, grinders, pipes), behaviors indicative of cannabis/THC intoxication, and any applicable packing or testing.

11. Use of Common Source Containers: The use of common source containers except by University-approved licensed vendors or during events pursuant to University Athletics policies.

12. Drinking Practices or Games that Promote Misuse of Alcohol: Active participation in games and activities that promote high-risk drinking or rapid alcohol consumption. This includes, but is not limited to, flip-cup, pong (including "water pong"), quarters, split-a-bottle, Edward 40-hands, shot-gunning, shots, consuming a minimum volume of alcohol within a set time period, and chugging.

13. Unauthorized Containers or Paraphernalia: Beer bongs, funnels, or any other paraphernalia which encourage or support alcohol misuse are prohibited.

14. Advertising, Referencing or Promoting Alcoholic Beverages, Drug Use, or Bars/Taverns: No reference to alcoholic beverages, illegal drug use or off-campus bars/taverns may appear on any poster, sign, flier, or social media posting (except programming/prevention messaging from approved offices within University departments). This includes, but is not limited to, College Night, Drink Specials, BYOB or Your Favorite Beverage. Student organizations or student initiatives that involve election campaigns are also not allowed to reference

alcoholic beverages or off-campus bars/taverns as part of election marketing.

15. Social-Hosting Regulations: Student organizations hosting social functions where alcohol is consumed must abide by all University regulations and applicable laws. Such groups are responsible for managing their social functions in a manner consistent with this policy. For the purposes of this policy, this includes registered student organizations and other informal groups of students hosting social events.

- Persons of legal drinking age may consume alcoholic beverages at social functions registered in accordance with this policy. Attendance at such functions is limited to Wake Forest University students and their invited guests.
- Hosts will verify by checking government-issued identification that individuals who consume alcoholic beverages at a social function are at least 21 years of age. Acceptable forms of identification are valid forms of: Driver's License, State Issued Identification, Passport, or Military Identification.
- Hosts must prominently display information regarding North Carolina state law regarding alcohol use.
- No alcohol is permitted at formal recruitment functions.
- Groups holding social functions at any off-campus location where alcohol is available must abide by all applicable laws and be aware that their organization represents Wake Forest University. The group may be held accountable for its actions and the actions of its members through the University judicial process.
- Alcoholic beverages may not be stored/held in lounges at any time other than during an officially registered social function.
- Alcoholic beverages for social events sponsored by student organizations may not be purchased with Student Activity Fee (SAF) or Student Budget Advisory Committee (SBAC) funds. Student Government and Student Union may utilize SBAC funding to purchase alcohol for Campus-wide events in accordance with University event planning guidelines for undergraduate organizations.
- All social function hosts are responsible for knowing and following the Guidelines for Hosting Social Functions.

#### *Administration of the Policy*

- The Alcohol and Other Drugs Coalition reviews the University Undergraduate Alcohol Policy and related procedures no less than on a biennial basis. The Alcohol and Other Drugs Coalition reports its

findings and makes recommendations to the Vice President for Campus Life.

- The implementation and enforcement of the University Undergraduate Alcohol Policy is under the direction of the Vice President for Campus Life.
- Reported or suspected violations of the University Undergraduate Alcohol Policy will be addressed in accordance with the SCC.

#### *Definition of Terms*

- Alcoholic Beverage: Any liquid containing at least one-half percent (0.5%) alcohol by volume, including beer, wine, malt beverages, liquor, or mixed drinks.
- Alcohol Paraphernalia: Any material, product, instrument, or item used to create, distribute, manufacture, use, conceal, or ingest alcohol.
- Bar/Tavern: An establishment for the sale of beer and other drinks to be consumed on the premises, sometimes also serving food for which >50% of revenue comes from the sale of alcohol.
- BYOB: A social event where individuals bring their own Alcoholic Beverage. If an event is designated as "BYOB," collective purchasing of alcohol (by members or non-members of the sponsoring organizations) is prohibited.
- Common Source Containers: Kegs, coolers, and similar containers of Alcoholic Beverages intended to serve as a source of such beverages for multiple persons at a party or other gathering.
- Designated Areas: locations on the Reynolda campus where Students, Student Organizations, and their guests of legal age may consume Alcoholic Beverages. The following are Designated Areas: residential living spaces within residence halls, leased lounges, independent lounges, common spaces in apartment-style living suites, Shorty's, Zick's, and at special event venues during Registered events.
- Distribution: "Sharing" or providing access to alcohol or other drugs. It does not require the exchange of money, goods, or services.
- Drug: A chemical substance used in the treatment, cure, prevention, or diagnosis of disease or used to otherwise enhance physical or mental well-being; a habit-forming medicinal or illicit substance, especially a narcotic.
- Drug Paraphernalia: Any material, product, instrument, or item used to create, manufacture, distribute, use (ingesting, inhaling, or otherwise introducing any drug into the body), conceal, or otherwise manipulate any drug and includes, but is not limited to, hypodermic needles, syringes, bongs, vaporizers, or pipes.
- Possession: Transportation, ownership, control, or consumption of an Alcoholic Beverage or Drug. Students are presumed more likely than not to be in possession if the item is found in their room, vehicle, belongings, or other space within their direct or

- indirect control. More than one individual may have possession of an Alcoholic Beverage or Drug.
- **Primary Container:** The original packaging (including cans, bottles, boxes, or other packaging) in which an Alcoholic Beverage is distributed by the manufacturer.
- **Registered:** Any social event that has been approved and recorded by the Office of Student Engagement, or other appropriate office.
- **Secondary Container:** Any device into which an Alcoholic Beverage has been transferred from its primary container. Also, any cup or container used to conceal the identity of the Alcoholic Beverage (such as a Koozie).

## Proactive Medical Support Policy for Undergraduate Students

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 the health of another student due to alcohol and/or drug use to proactively seek medical support. The University recognizes the potential for a conduct action by the Office of the Dean of Students may deter students from seeking medical assistance, and this Proactive Medical Support Policy is intended to eliminate that barrier.

This Proactive Medical Support Policy applies to:

- Students who proactively seek medical support for themselves due to use of alcohol and/or other drugs,
- Students who proactively seek medical support for another person due to that person's use of alcohol and/or other drugs, and
- Student organizations seeking medical assistance for their members or guests due to the member(s)' or guest(s)'s use of alcohol and/or other drugs.

*Individual:* Students will be eligible for Proactive Medical Support when it is determined they proactively sought medical assistance for themselves or if others sought medical assistance for them in a proactive manner related to the use of alcohol and/or other drugs. The term "proactive manner" means a student would seek out the assistance of law enforcement or medical personnel (examples include a Winston-Salem or University Police Officer or a member of the Wake Forest University Emergency Medical Services staff) or residence hall staff member (examples include a Graduate Hall Director or Resident Adviser) trained student staff (examples include an Event Resource Manager or Deacon Patrol member), or using a specific university resource (such as Deacon Health Service or calling 911). A student who is seeking Proactive Medical Support for themselves will be required to comply with recommendations of the Office of the Dean of Students. Recommendations may consist of, but not be limited to, the following:

- **Educationally-focused outcomes:**
  - Referral to an Alcohol and Other Drug Counselor for an alcohol or other drug assessment
  - Educational opportunities to assist in avoiding future high-risk situations
  - Online or in-person educational programs, such as AlcoholEDU, BASICS, or similar
- **Prevention-based outcomes:**
  - A period of warning or probation

- **Restorative and community-focused outcomes:**
  - Apology letter
  - Residence Hall programming and/or educational efforts

If the student satisfactorily completes the process through the Office of the Dean of Students, allegations, findings, and outcomes will not be reported externally to graduate or professional schools or on background checks. In addition, Proactive Medical Support will not be granted to students needing medical assistance who refuse to cooperate with medical providers, law enforcement, or University personnel at the time medical assistance is sought.

Students who seek medical assistance for another person experiencing an alcohol or other drug related emergency may also be granted Proactive Medical Support, in support of their help-seeking behaviors. Outcomes may include the same outcomes noted above.

*Organizational:* Student organizations may be eligible for Proactive Medical Support when it is determined that they sought medical assistance for members and guests in a proactive manner related to the use of alcohol and/or other drugs. The term "proactive manner" means that the student organization would seek out the assistance of law enforcement or medical personnel (examples include a Winston-Salem or University Police Officer or a member of the Wake Forest University Emergency Medical Services staff) or residence hall staff member (examples include a Graduate Hall Director or Resident Advisor) trained student staff (examples include an Event Resource Manager or Deacon Patrol member), or using a specific university resource (such as Student Health Service or calling 911). A student organization seeking Proactive Medical Support will be required to comply with recommendations of the Office of the Dean of Students in order to be granted the amnesty. Failure to seek medical assistance may result in disciplinary action against the student organization and/or its members. The student organization seeking medical attention for another person will not receive charges related to alcohol and other drugs by the Dean of Students or his/her designee, provided the student organization and/or its members complete any educational recommendations assigned by the Office of the Dean of Students. The Office of The Dean of Students reserves the right to notify the Inter/national headquarters of recognized student organizations, even when amnesty is given. Failure to comply with the recommendation(s) may result in alcohol and/or drug violations under the Code of Conduct.

Individual students or organizations that actively seek immediate medical assistance for another person may still receive Proactive Medical Support regardless of the compliance of the individual for whom medical assistance was sought.

If a student and/or a student organization received Proactive Medical Support for a prior incident or has prior alcohol or other drug conduct cases, the availability of amnesty is at the discretion of the Office of the Dean of Students. Proactive Medical Support applies only to alcohol and other drug violations under the SCC and does not eliminate the possibility that other allegations may be made to address other prohibited conduct such as but not limited to, assault, property damage, or distribution of illegal or illicit substances.

This policy applies only to those students or student organizations seeking medical assistance due to alcohol or other drug use and does not apply when the individual in need of medical assistance is found by University employees, including Resident Advisers.

## **University Policy On Demonstrations, Chalking, And Posting**

Wake Forest University has a policy on demonstrations, chalking, and posting. See the entire policy in the University's Policy Library, <https://policy.wfu.edu/demonstrations-chalking-and-posting-policy/>.