

# **STUDENT CONDUCT CODE**

## **Draft Revisions 2017**

### **174-123-010**

#### **The Evergreen State College student conduct code.**

This chapter will be known as the student conduct code (code) for The Evergreen State College (the college).

### **174-123-020**

#### **Purpose and Authority**

The Evergreen State College can thrive only when all members of the community participate in the social contract, which prizes academic and interpersonal honesty, conveys our commitment to resolving differences with a strong will toward collaboration, and protects community values and individual rights. The student conduct code articulates specific fair, impartial, learning centered standards and procedures for upholding the values and aspirations expressed in the social contract. Specifically, the code strives to afford opportunities for informal resolution and to support students to be accountable for their decisions and actions.

The board of trustees, acting pursuant to RCW 28B.40.120, delegates to the President of the college the authority to administer action as allowed in the Student Conduct Code. Administration of the conduct procedures is the responsibility of the Vice President of Student Affairs or designee. Unless otherwise specified, the Senior Student Conduct Administrator or designee will serve as the principal investigator and administrator for alleged violations of this code.

The code has been crafted in the spirit of education and compassion, with the aim of healing individuals, preserving our common interests, fostering good citizenship, and protecting each other from harm.

The code outlines students' rights and responsibilities, and formal due process. The procedures governing a Student Conduct Administrator's handling of complaints under the code are designed to afford complainants and respondents informal, restorative resolution options, and fair and accessible procedures for formal complaint resolution.

## 174-123-030

**Definitions.** The following definitions shall apply for purpose of this student conduct code:

(1.) **"Business day"** means any calendar day, exclusive of weekends and federal and school holidays, in which the college is open to the public for the conduct of business.

(2.) **"Bullying"** is repeated or aggressive unwanted behavior, not otherwise protected by law that intentionally humiliates, harms, or intimidates the victim.

(3.) **"Calendar day"** means every day of the month including weekends and state holidays.

(4.) **"College official"** means any person employed by the college performing assigned teaching, administrative or professional responsibilities.

(5.) **"College premises"** will include all campuses of the college, wherever located, and includes all land, buildings, facilities, vehicles, equipment, and other property owned, used, or controlled by the college, including adjacent streets and sidewalks.

(6.) **"College-sponsored event or activity"** means activities or events involving planning or funding, or other authorized participation by the college.

(7.) **"Complainant"** means any person who submits a complaint alleging that a student violated the code and/or a student who believes they have been the victim of another student's misconduct.

(8.) **"Conduct action"** is the process by which the Student Conduct Administrator imposes sanction(s) for a violation of the student conduct code.

(9.) **"Conduct appeal"** is the process by which an aggrieved student can appeal the determination of responsibility and required resolutions and sanctions.

(10.) **"Conduct hold"** means a hold placed on the student's official record prohibiting a student from registering for academic credit.

(11.) **"Consent"** is affirmative, conscious, voluntary, and clear permission by word or action for specific sexual activity. See "sexual misconduct" for further information.

(12.) "**Contract of accountability**" means a written mutual agreement between the respondent and Student Conduct Administrator which states the violations of the code and the resolution and sanction(s).

(13.) "**Determination of responsibility**" means a decision of the Student Conduct Administrator regarding whether or not the respondent is responsible for the alleged violation(s) of the code, including required resolution and sanctions if appropriate.

(14.) "**Faculty member**" means any person employed by the college to conduct teaching activities or who is otherwise considered by the college to be a member of the faculty.

(15.) "**Filing**" is the process by which a document is officially delivered to a college official responsible for facilitating a conduct review. Unless otherwise provided, filing will be accomplished by:

- a. Hand delivery of the document to the Vice President for Student Affairs Office; or
- b. by sending the document by email or first class mail to the Vice President for Student Affairs Office and college email address.
- c. Papers will be considered filed upon actual receipt during office hours at the Vice President for Student Affairs Office.

(16.) "**Final determination**" means a decision by the Student Conduct Appeals Board stating the outcome of a hearing held before it.

(17.) "**Guest**" means any person who is not a member of the college community on college premises at the invitation and/or hosting of a student.

(18.) "**Member of the college community**" means any person who is a student or faculty or staff member. A person's status in a particular situation will be determined by the Vice President for Student Affairs.

(19.) "**No contact order**" means a directive of no contact with a member of the college community which may require a student to organize their activities in order to avoid contact with designated individuals. The order may include but is not limited to directives with regard to path of travel, parking, arrival on campus, or specified times for use of campus resources.

(20.) "**Policy**" means the official written policies and procedures of the college published on the college's web site or in the college catalog; or the individual

requirements of a department or office, posted anywhere on college premises or at college-sponsored events or activities.

(21.) **"The President"** is the President of the college and to the fullest extent under applicable law, is authorized to delegate the President's responsibilities regarding the administration of the code.

(22.) **"Protected status"** includes a person's race; color; national origin; sensory, mental or physical disability; use of a service animal; gender, including pregnancy; marital status; age ; religion; creed; genetic information; sexual orientation; gender identity; veteran's status; or any other legally protected classification.

(23.) **"Recognized organization"** means any group which has complied with the formal requirements for college recognition and is an officially recognized college organization. A group's status in a particular situation will be determined by the Vice President for Student Affairs.

(24.) **"Required resolution and sanction"** means the tasks or consequences, and associated deadlines, the respondent must complete to address violations of the code.

(25.) **"Respondent"** means any student alleged to have violated the code.

(26.) **"Restorative justice conference"** means a process to involve, to the extent possible, those who have a stake in a specific offense and to collectively identify and address harms, needs, and obligations.

(27.) **"Senior Student Conduct Administrator"** means the primary college official authorized by the Vice President for Student Affairs responsible for administering the code.

(28.) **"Served notice" or "Service"** is the process by which a document is officially delivered to a party. Unless otherwise provided, service upon a party will be accomplished by:

- a. hand-delivery of the document to the party; or
- b. by sending the document by email or by certified mail or first class mail to the party's last known address. A student's last known address will be the current address on file with the registrar unless a student has provided written notice of a different address to the office of the Vice President for Student Affairs.

Service is deemed complete upon hand-delivery of the document or upon the date the document is emailed or deposited in the mail.

(29.) "**Sexual misconduct**" has the meaning ascribed to this term in the prohibited conduct section of this code.

(30.) "**Staff member**" means any person employed by the college for nonteaching purposes.

(31.) "**Student**" means:

- a. Any applicant who becomes enrolled, for violations of the code committed as part of the application process or committed following the applicant's submittal of the application through official enrollment;
- b. Any applicant accepted for admission or readmission to the college;
- c. Any person currently enrolled at the college;
- d. Any person enrolled at the college in a prior quarter or summer session, and eligible to continue enrollment in the quarter or summer session that immediately follows;
- e. Any person who was enrolled for violations of the code that occurred while enrolled; or
- f. Any person not employed by the college on a permanent basis who resides in college housing.

(32.) "**Student Conduct Administrator**" means the Senior Student Conduct Administrator or that person's designee.

(33.) "**Student Conduct Appeals Board**" or "**board**" means the board that will hear conduct appeals. See section 174-123-160, Student Conduct Appeals Board composition, for more information.

(34.) "**Vice President for Student Affairs**" is the person designated by the college President to oversee the administration of the code, and for performing the other duties and obligations of the position.

(35.) "**Written notice**" means written communication personally provided to the student or delivered via the student's assigned college account electronic mail address or as otherwise authorized by the code.

**174-123-040****Jurisdiction.**

- (1) The student conduct code will apply to student conduct that occurs:
  - a. on college premises; or
  - b. at or in connection with college sponsored activities; or
  - c. at an off-campus location in which the conduct, in the judgment of the college, adversely affects members of the college community or the pursuit of its objectives; or
  - d. at an off campus location when the allegation involves sexual misconduct involving a member of the college community.
- (2) Jurisdiction extends to locations in which students are engaged in official college activities including, but not limited to, foreign or domestic travel, activities funded by student fees, the recognized student government, athletic events, training internships, cooperative and distance education, on-line education, practicums, supervised work experiences or any other college-sanctioned social or recognized organization activities.
- (3) Students are responsible for their conduct from notification of acceptance at the college through the actual receipt of a degree, even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment.
- (4) These standards will apply to a student's conduct even if the student withdraws from college while a conduct action is pending.
- (5) The Vice President for Student Affairs or their designee has sole discretion, on a case by case basis, to determine whether the student conduct code will be applied to conduct that occurs off-campus.
- (6) Nothing herein will be construed as being intended to create a legal obligation on the part of the college to protect any person or class of persons from injury or harm, or to deny students their legal and/or constitutionally protected rights.

## **174-123-050**

### **Computation of time.**

In computing any period of time in these rules, the day from which the designated period begins to run will not be included. The last day of the period will be included unless it is a Saturday, Sunday, or holiday, in which event the period runs until the end of the next day which is not a Saturday, Sunday, or holiday.

## **174-123-060**

### **Prohibited conduct.**

Students are expected to preserve college functions, maintain academic integrity, provide honest and accurate information, prevent harm to self or others, foster a safe community, protect and preserve college and personal property, and to adhere to published policies, contracts, and local, state and federal laws.

The college may impose sanctions in response to violations of the code for students who commit, attempt to commit, aid, incite or assist another person to commit, an act(s) of misconduct, which include, but are not limited to the following:

**Academic Dishonesty.** Any act of academic dishonesty, including but not limited to cheating, plagiarism, and fabrication.

- a. Cheating includes any attempt to give or obtain unauthorized assistance relating to the completion of an academic assignment;
- b. Plagiarism includes taking and using as one's own, without proper attribution, the ideas, writings, or work of another person in completing an academic assignment. Prohibited conduct may also include the unauthorized submission for credit of academic work that has been submitted for credit in another course;
- c. Copying from another person's academic work without proper acknowledgment;
- d. Fabrication includes falsifying data, information, or citations in completing an academic assignment and also includes providing false or deceptive information to an instructor concerning the completion of an assignment;

- e. Using assistance or materials that are expressly forbidden to complete an academic product or assignment;
- f. The unauthorized collaboration with any other person during the completion of independent academic work;
- g. Knowingly falsifying or assisting in falsifying in whole, or in part, the contents of one's academic work;
- h. Permitting any other person to substitute oneself to complete academic work; or
- i. Engaging in any academic behavior specifically prohibited by a faculty member in the course covenant, syllabus, or individual or class discussion.

#### **Alcohol , Drug, and Tobacco Violations.**

- a. **Alcohol.** The use, possession, delivery, sale, or being observably under the influence of any alcoholic beverage, except as permitted by law and applicable college policies.
- b. **Marijuana.** The use, possession, delivery, or sale of marijuana or the psychoactive compounds found in marijuana, regardless of form, or being observably under the influence of marijuana or the psychoactive compounds found in marijuana. Federal law prohibits recreational use on college premises or in connection with college activities.
- c. **Drugs.** The use, possession, delivery, sale, or being observably under the influence of any mood altering drug, or any other controlled substance under RCW 69.50, except as prescribed for a student's use by a licensed practitioner.
- d. **Tobacco, electronic cigarettes and related products.** The use of tobacco, electronic cigarettes, and related products is prohibited except as allowed by college policy in designated smoking areas. "Related products" include, but are not limited to cigarettes, pipes, bidi, clove cigarettes, waterpipes, hookahs, chewing tobacco, vaporizers, and snuff.

**Consent.** Can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in and the conditions of sexual activity. Each party has the responsibility to make certain that the other has consented before engaging in the activity. Consent to any one form of sexual activity does not automatically imply consent to any other forms of sexual activity. Previous relationships or prior consent does not imply consent to future sexual acts. Consent can be withdrawn once given, as long as that withdrawal is clearly communicated. There is no requirement for a



party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent.

A person cannot consent if they are unable to understand what is happening or is disoriented, helpless, asleep or unconscious for any reason, including due to alcohol or other drugs. An individual who engages in sexual activity when the individual knows, or should know, that the other person is physically or mentally incapacitated has engaged in nonconsensual conduct. The question of what the other participant(s) in activity should have known is objectively based on what a reasonable person in the place of the participant(s), sober and exercising good judgment, would have known about the condition of the complainant.

Affirmative consent cannot be obtained by force or coercion. Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats or intimidation (implied threats) that overcomes free will or resistance. Coercion is unreasonable pressure for sexual activity. When someone makes clear to another person that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.

Intoxication is not a defense against allegations that an individual has engaged in nonconsensual sexual activity.

This code is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.

**Dating Violence.** Also known as relationship violence, includes the infliction of physical harm, bodily injury, assault, or the fear of imminent physical harm, bodily injury or assault committed against person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship will be determined based on the reporting party's statement and with considerations of the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.

**Discriminatory conduct.** Unwelcome and offensive conduct, including, but not limited to verbal, nonverbal, physical conduct, written, social media, or electronic communication that is directed at a person because of such person's protected status and that is sufficiently severe, persistent or pervasive as to:

- a. deny or limit the ability of a student to participate in or benefit from the college's educational program; or

- b. creates an intimidating, hostile, or offensive environment for other campus community members; or
- c. causes harm or adversely affects any member of the college community because of protected class.

**Domestic violence.** The infliction of physical harm, bodily injury, assault, or the fear of imminent physical harm, bodily injury or assault committed against a current or former spouse or intimate partner, current or former cohabitant, a person with whom the person shares a child in common, or a person with whom one resides.

**Failure to Comply with Directive.**

- a. Failure to comply with the directive of a college administrator or employee who is acting in the legitimate performance of their duties, including failure to properly identify oneself to such a person when requested to do so.
- b. Forgery, alteration, submission of falsified documents or misuse of any college document, record, or instrument of identification.
- c. Furnishing false information, or failing to furnish correct information, in response to the request or requirement of a college administrator or employee.

**Harm**

- a. **Assault.** Unwanted touching, physical abuse, or threats of physical abuse against the health or safety of another person.
- b. **Cyber-Misconduct.** Cyber-stalking, cyber-bullying or on-line harassment. Use of electronic communications, including, but not limited to, electronic mail, instant messaging, listservs, electronic bulletin boards/discussion boards and forums, and social media sites platforms, to harass, abuse, bully or engage in other conduct which harms, threatens, or is reasonably perceived as threatening the health or safety of another person. Prohibited activities include, but are not limited to, unauthorized monitoring of another's email communications directly or through spyware, sending threatening emails, disrupting electronic communications with spam or by sending a computer virus, sending false messages to third parties using another's email identity, non-consensual recording of sexual activity, and non-consensual distribution of a recording of sexual activity.

- c. **Intimidation or harassment.** Verbal abuse, threat(s), intimidation, harassment, bullying, or other conduct which harms, threatens or is reasonably perceived as threatening the health and safety of another person.
- d. **Stalking.** A course of conduct directed at a specific person or group that would cause a reasonable person to feel fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the person engaged in the activity knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the person engaged in the activity lacks such intent.

**Hazing.** Hazing includes, but is not limited to, any initiation into a student organization or any pastime or amusement engaged in with respect to such an organization that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm, to any student.

**Lewd Conduct.** Conduct which is lewd or obscene that is not otherwise protected under the law, including, but not limited to, exposing genitalia, and engaging in sexual intercourse or sexual activity in public.

**Misuse of Electronic Resources.** Theft or other misuse of computer time, network bandwidth, server memory or other electronic information technology of the college. Such misuse includes but is not limited to:

- a. Unauthorized use of such resources or opening of a file, message, or other item;
- b. Unauthorized duplication, transfer, or distribution of a computer program, file, message, or other item;
- c. Unauthorized use or distribution of someone else's password or other identification;
- d. Use of such time or resources to interfere with someone else's work;
- e. Use of such time or resources to send, display, or print an obscene or abusive message, text, or image;
- f. Use of such time or resources to interfere with normal operation of the college's computing systems, network or other electronic technologies to include but not limited to classroom and lab equipment, public address and communications equipment and life safety equipment.;

- g. Use of such time or resources in violation of applicable copyright or other law;
- h. Adding to, tampering with, or otherwise altering the infrastructure of the college's electronic information technology without authorization, to include but not limited to building related systems like HVAC, fire/pilfer alarms, video cameras, emergency ("blue phones") stanchions, kiosks, ATMs, public address systems or electronic signage; or
- i. Failure to comply with the college's Appropriate Use of Information Technology Resources policy.

**Obstructive or Disruptive Conduct.**

- a. Conduct, not otherwise protected by law, that interferes with, impedes, or otherwise unreasonably hinders (a) instruction, research, administration, conduct proceeding, or other college activities, including the obstruction of the free flow of pedestrian or vehicular movement on college property or at a college activity, or (b) any activity that is authorized to occur on college property, whether or not actually conducted or sponsored by the college.
- b. Tampering with an election conducted by or for college students.

**Property Violation.** Damage to, misappropriation of, unauthorized use or possession of, vandalism, or other non-accidental damaging or destruction of college property or the property of another person. Property for purposes of this subsection includes computer passwords, access codes, identification cards, personal financial account numbers, other confidential personal information, intellectual property, and college trademarks.

**Retaliation.** Harming, threatening, intimidating, coercing, or taking adverse action of any kind against a person because such person reported an alleged violation of this code or college policy, provided information about an alleged violation, or participated as a witness or in any other capacity in a college investigation or conduct proceeding.

**Safety Violations.** Includes any non-accidental conduct that interferes with or otherwise compromises any college policy, equipment, or procedure relating to the safety and security of the campus community, including tampering with fire safety equipment and triggering false alarms or other emergency response systems.

**Sexual Misconduct.** Includes sexual harassment, sexual exploitation, and sexual violence.

- a. **Sexual Harassment.** Unwelcome verbal, written, online and/or physical conduct of a sexual nature, including unwelcome sexual advances, requests for sexual favors, and other conduct of a sexual nature that is sufficiently serious as to deny or limit based on sex, the ability of a student to participate in or benefit from the college's educational program or that creates an intimidating, hostile, or offensive environment for other campus community members.
- b. **Sexual Exploitation.** Taking nonconsensual or abusive sexual advantage of another for their own, or another's, advantage or benefit and when the behavior does not otherwise constitute one of the other sexual misconduct prohibitions. Sexual exploitation includes, but is not limited to, nonconsensual recording of sexual activity or the distribution of such recording, going beyond the boundaries of consent, forcing another person to engage in sexual activity for payment, or knowingly exposing someone to or transmitting a sexually transmitted infection.
- c. **Sexual Violence.** A type of sexual discrimination and harassment. Nonconsensual sexual intercourse, nonconsensual sexual contact, domestic violence, dating violence, and stalking are all types of sexual violence.
  - a. **Nonconsensual Sexual Intercourse.** Any sexual intercourse (anal, oral, or vaginal), however slight, with any object or body part, by a person upon another person, that is without consent and/or by force. Sexual intercourse includes anal or vaginal penetration by a penis, tongue, finger or another body part or object, or oral copulation by mouth to genital contact or genital to mouth contact. Sexual intercourse also includes forcing a person to engage in vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation by mouth to genital contact.
  - b. **Nonconsensual sexual contact.** Any intentional sexual touching, however slight, with any object or body part, by a person upon another person that is without consent and/or by force. Sexual contact includes intentional contact with the lips, breasts, buttock, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts, or any other intentional bodily contact in a sexual manner.

- d. **Stalking.** A course of conduct directed at a specific person or group that would cause a reasonable person to feel fear that the perpetrator intends to injure, intimidate, or harass that person. Stalking also includes instances where the person engaged in the activity knows or reasonably should know that the person is frightened, intimidated, or harassed, even if the person engaged in the activity lacks such intent.

**Unauthorized Access.** Unauthorized possession, duplication, or other use of a key, keycard, key fob or other restricted means of access to college property, or unauthorized entry onto or into college property.

**Violation of Other Laws or Policies.** Violation of or being charged with any federal, state, or local law, rule, or regulation or other college rules or policies. In addition to initiating conduct proceedings for violation of the student conduct code, the college may refer any violations of federal, state or local laws to civil and criminal authorities for disposition. The college will proceed with student conduct proceedings regardless of whether the underlying conduct is subject to civil or criminal prosecution.

**Weapons.** Possession, holding, wearing, transporting, storage or presence of any firearm, dagger, sword, knife or other cutting or stabbing instrument, club, explosive device, or any other weapon apparently capable of producing bodily harm is prohibited on the college campus, subject to the following exceptions:

- a. Commissioned law enforcement personnel or legally- authorized military personnel while in performance of their duties;
- b. The President or designee may grant permission to bring a weapon on campus upon a determination that the weapon is reasonably related to a legitimate pedagogical purpose. Such permission will be in writing and will be subject to such terms or conditions incorporated in the written permission.
- c. This policy does not apply to the possession and/or use of disabling chemical sprays when possessed and/or used for self-defense.

## **174-123-070**

### **Submitting a complaint.**

- (1) Any person may submit a complaint against a student alleging a violation of the code. The complaint may be submitted verbally or in writing. A complaint may be submitted through the online report form, or to a college official who

is able to take action. This includes but is not limited to police services, the Senior Student Conduct Administrator, the Title IX coordinator, residence life staff, or to the office of the Vice President for Student Affairs. A complaint should be submitted as soon as possible after the event has taken place.

- (2) The Senior Conduct Administrator, or designee, will be responsible for addressing alleged violations of the code. If there is a question about who should be responsible for addressing a complaint, the Vice President for Student Affairs, or designee, will assign responsibility for handling the complaint.

## **174-123-080**

### **Initiation of Conduct Action**

(1) All conduct actions will be initiated by a Student Conduct Administrator.

- (2) The Student Conduct Administrator will initiate action by serving the respondent with written notice directing the student to attend a conduct conference. The notice will briefly describe the allegations, the provision(s) of the conduct code the respondent is alleged to have violated, any available informal resolution options, and the time and location of the conduct conference or the deadline for scheduling the conduct conference.

- (3) The Senior Student Conduct Administrator or their designee may impose interim restrictions on the respondent prior to, or at any stage during a conduct conference, when the health or safety of the complainant or any member of the college community is deemed at risk. The interim restriction may include a no contact order and/or loss of privileges, and/or limiting access to campus and campus resources. A student issued an interim restriction that impacts academic participation or access to the student's on-campus residence will receive written notice of the interim restriction, the reason for imposing an interim restriction, and be advised of the date, time and place for a hearing regarding the interim restriction before the Senior Student Conduct Administrator, or their designee. The hearing will take place no later than ten days from the effective date of the interim restriction unless extended by the agreement of all parties. The interim restriction will remain in place until a contract of accountability exists, an appeal board issues a final determination, or the Student Conduct Administrator notifies the respondent

in writing that the interim restriction has been modified or is no longer in effect.

- (4) The Student Conduct Administrator may elect not to initiate action against a student who, while in the course of helping another student seek medical assistance, admits to the unlawful possession or use of alcohol and/or other drugs. The Student Conduct Administrator may, and typically would, elect not to initiate conduct action against a complainant or another reporting student who admits to the use or possession of alcohol or other drugs in connection with an incident of sexual misconduct.

## **174-123-090**

### **Summary suspension.**

- (1) Summary suspension is a temporary exclusion from specified college premises or denial of access to all activities or privileges for which a respondent might otherwise be eligible, including enrollment, while an investigation and/or formal conduct procedures are pending.
- (2) The Vice President for Student Affairs or their designee may impose a summary suspension if there is probable cause to believe that the respondent:
  - a) Has violated any provision of the code of conduct; and
  - b) Presents a danger to the health, safety or welfare of members of the college community; or
  - c) Poses an ongoing threat of substantial disruption of, or interference with, teaching, learning or the operations of the college.
- (3) Notice. Any respondent who has been summarily suspended will be served with oral or written notice of the summary suspension. If oral notice is given, a written notification will be served on the respondent within two business days of the oral notice.
- (4) The written notification will be entitled "Notice of Summary Suspension" and will include:



- a) The reasons for imposing the summary suspension, including a description of the conduct giving rise to the summary suspension and reference to the provisions of the student conduct code or the law allegedly violated;
  - b) The date, time, and location when the respondent must appear before the Vice President for Student Affairs or their designee for a hearing on the summary suspension; and
  - c) The conditions, if any, under which the respondent may physically access the campus or communicate with members of the campus community. If the respondent has been trespassed from the campus, a notice will be included that warns the student that their privilege to enter into or remain on college premises has been withdrawn, that the respondent will be considered trespassing and subject to arrest for criminal trespass if the respondent enters the college campus other than as approved by the Vice President for Student Affairs or their designee.
- (5) The Vice President for Student Affairs or their designee will conduct a hearing on the summary suspension as soon as practicable after imposition of the summary suspension.
- a) During the summary suspension hearing, the issue before the Vice President for Student Affairs or their designee is whether there is reasonable grounds to believe that the summary suspension should be continued pending the conclusion of conduct proceedings and/or whether the summary suspension should be less restrictive in scope.
  - b) The respondent will be afforded an opportunity to explain why summary suspension should not be continued while conduct proceedings are pending or why the summary suspension should be less restrictive in scope.
  - c) If the student fails to appear at the designated hearing time, the Vice President for Student Affairs or their designee may order that the summary suspension remain in place pending the conclusion of the conduct proceedings.
  - d) As soon as practicable following the hearing, the Vice President for Student Affairs or their designee will issue a written decision which will

include a brief explanation for any decision continuing and/or modifying the summary suspension and notice of any right to appeal.

- e) To the extent permissible under applicable law, the Vice President for Student Affairs or their designee will provide a copy of the decision to all persons or offices who may be bound or protected by it.

(6) In cases involving allegations of sexual misconduct, the complainant will be notified that a summary suspension has been imposed on the same day that the summary suspension notice is served on the respondent. The College will also provide the complainant with timely notice of any subsequent changes to the summary suspension order.

## **174-123-100**

### **Conduct conference**

- (1) During the conduct conference, which may occur over a series of meetings, the Student Conduct Administrator will explain to the respondent the process for addressing complaints under the code, advise the respondent of their rights and responsibilities, present the allegations to the respondent, and the respondent will be afforded an opportunity to respond to the alleged violations.
- (2) If there is more than one respondent involved in the complaint, the Student Conduct Administrator, at their discretion, may conduct the conferences concerning each respondent either separately or jointly.
- (3) If the respondent fails to attend the conduct conference after proper served notice the Student Conduct Administrator may issue a conduct hold, or take action based upon the available information.
- (4) In addition to information sought from the respondent regarding the allegations, the Student Conduct Administrator may seek additional information from other persons with information relevant to the investigation of the complaint.
- (5) The Student Conduct Administrator, prior to taking action in a case involving allegations of sexual misconduct, will make a reasonable effort to contact

the complainant regarding the report and investigation.

- (6) If the Student Conduct Administrator determines that the complaint has merit, the Student Conduct Administrator will either
- a) Enter into a contract of accountability if the respondent takes responsibility through informal resolution or provide for resolution through restorative justice; or
  - b) Complete an investigation. Upon completion of the investigation, the conduct administrator will provide written notice of the determination.
- (7) Written notice of determination may include dismissal of the case or a letter of finding and settlement which includes:
- a) The specific conduct code provisions found to have been violated;
  - b) Facts and conclusions supporting the decision;
  - c) Sanctions imposed (if any) with any associated deadlines; and
  - d) Notice of appeal rights and procedures.

## **174-123-110**

### **Informal resolution.**

If the Student Conduct Administrator concludes that efforts at informal resolution are appropriate to resolve a complaint, the administrator will take whatever steps are useful to that end, including a restorative justice conference, mediation, or arbitration. The complainant or respondent may, in writing, end the informal resolution process at any time and request formal resolution of the complaint, in which case the Student Conduct Administrator will complete the investigation and make a determination on the case.

If an informal resolution is reached and the respondent complies with the agreed terms and conditions, if any, no further action against the respondent will be taken and the matter will be closed. If a resolution is not reached the case returns to the Student Conduct Administrator for adjudication. If the

respondent fails to comply with the agreed terms and conditions of the resolution, the student conduct code administrator may proceed to take action necessary to resolve the complaint, which may include placing a hold on the student's account, and/or instituting additional sanctions.

## **174-123-120**

### **Contract of accountability.**

- (1) The Student Conduct Administrator may work with a respondent who acknowledges responsibility for engaging in prohibited conduct to identify a resolution and sanction(s). If an agreement is reached, the resolution and sanction(s) will be contained in a written contract of accountability agreed to by both the respondent and the Student Conduct Administrator.
- (2) A respondent who enters into a contract of accountability will comply with the resolution and sanction(s) set forth in the contract and will have no further right of appeal under the code. A respondent's failure to comply with a contract of accountability may be the basis for a separate violation of misconduct under the code and may result in the Student Conduct Administrator issuing a conduct hold. The conduct hold will remain in effect until such time that the student satisfactorily completes all of the requirements of the contract of accountability. If a complaint alleges sexual misconduct, sexual harassment, or physical abuse, the complainant is to be informed of the contract of accountability and the right to appeal the contract.

## **174-123-130**

### **Notice of determination of responsibility and required resolution and sanctions.**

- (1) For matters not resolved through informal resolution or by entering into a contract of accountability, the Student Conduct Administrator will issue a determination of responsibility based on a standard of more likely than not and if appropriate, a required resolution and sanction(s).
- (2) The determination of responsibility will set forth:
  - a. The specific conduct code provisions found to have been violated;
  - b. Facts and conclusions supporting the decision;

- c. Sanctions imposed (if any) with any associated deadlines; and
  - d. Notice of appeal rights and procedures.
- (3) The Student Conduct Administrator's determination of responsibility and required resolution and sanction(s) will be final unless the respondent files a timely written appeal to the Student Conduct Appeals Board within 10 calendar days of the delivery of the letter of determination. If a complaint alleges sexual misconduct, sexual harassment, or physical abuse, the complainant is to be informed of the final determination and any sanction imposed against the respondent and may file a timely appeal to the office of the Vice President for Student Affairs within 10 calendar days of the delivery of the letter of determination. The appeal will be forwarded to Student Conduct Appeals Board.
- (4) In cases involving allegations of sexual misconduct, the Student Conduct Administrator, within 24 hours that a decision is served on the respondent, will serve a written notice informing the complainant of the determination of responsibility and required resolutions and sanctions. The notice will also inform the complainant of their appeal rights.

## **174-123-140**

### **Resolution and sanctions.**

The following resolution and sanctions may be agreed to by, or required of, a respondent found to have violated the code. More than one resolution and sanction may be imposed for any single violation. Resolution and sanctions are based on the unique aspects of each situation and should be appropriate to the violation, taking into consideration the context and seriousness of the violation. The resolution and sanction(s) for each individual respondent are based on history, patterns, and frequency of misconduct; severity and level of impact on the community; and a student's motivation and response all determine the resolution and sanction for each individual respondent.

- (1) **Verbal Warning.** A verbal statement to a student that there is a violation and that continued violation may be cause for further conduct action.
- (2) **Written Warning.** Notice in writing that the student has violated one or more terms of this code of conduct and that continuation of the same or similar behavior may result in more severe conduct action.

(3) **Educational and discretionary actions.** This includes, but is not limited to completion of a workshop or training, restorative justice conference, or service to the college.

(4) **Loss of privileges.** This may include, but is not limited to the following restrictions:

- a) Attend college-sponsored activities or events;
- b) Hold an office or leadership position in any student organization recognized by the college or to hold any elected or appointed office of the college;
- c) Limited access or restriction from college premises;
- d) Participate in co-curricular activities;
- e) Participate in study abroad programs or field work;
- f) Represent the college to anyone outside the college community in any way, including representing the college at any official function, or any forms of intercollegiate competition or representation;
- g) Student employment;
- h) Trespass from campus housing;
- i) Use of college equipment.

(5) **Restitution.** Reimbursement for damage to or misappropriation of property, or for injury to persons, or for reasonable costs incurred by the college in pursuing an investigation or conduct proceeding. This may take the form of monetary reimbursement, appropriate service, or other compensation.

(6) **No contact order.** An order directing a student to have no contact with a specified student, college employee, a member of the college community, or a particular college facility. A student may be required to organize their activities in order to avoid contact with *the* designated individual(s).

(7) **Professional evaluation.** Referral for drug, alcohol, psychological or medical evaluation by an appropriately certified or licensed professional may be required. The student may choose the professional within the scope of practice and with the professional credentials as defined by the college. The student will sign all necessary releases to allow the college access to any

such evaluation. The student's return to college may be conditioned upon compliance with recommendations set forth in such a professional evaluation. If the evaluation indicates that the student is not capable of functioning within the college community, the student will remain suspended until future evaluation recommends that the student is capable of reentering the college and complying with the rules of conduct.

- (8) **Parental notification.** In cases of suspension, expulsion, or significant health and safety concerns, the parent or emergency contact may be contacted to inform them of the conduct code action.
- (9) **Residence hall eviction.** Separation of the student from the residence halls for a specified period of time or on a permanent basis. Conditions allowing for a student to return to the residence hall may be specified in the eviction.
- (10) **Withholding admission or degree.** The withholding of admission to, or the withholding of a degree awarded from, the college for a specified amount of time.
- (11) **Probation.** Formal action placing specific conditions and restrictions upon the student's continued attendance depending upon the seriousness of the violation and which may include a deferred sanction. If the student subject to a deferred sanction is found in violation of any college rule during the time of probation, the deferred sanction, which may include, but is not limited to, a suspension or a dismissal from the college, shall take effect immediately without further review. Any such sanction shall be in addition to any sanction or conditions arising from the new violation. Probation may be for a limited period of time or may be for the duration of the student's attendance at the college.
- (12) **Records hold.** The placement of a records hold on the student's academic record prohibiting the release of any transcripts, diploma(s) or other records until a student satisfies the terms and conditions of any required resolution and sanction.
- (13) **College suspension.** Separation of the student from the college for a specified period of time, after which the student is eligible to return, provided that the student has complied with all conditions imposed as part of the suspension and the student is otherwise qualified for reenrolling. Conditions for reenrollment may be specified in the suspension.
- (14) **Transcript notation.** In cases of egregious behavior when the student is found responsible, it may be noted on the transcript, "Student is not eligible to return due to student conduct code violations."

- (15) **Revocation of admission or degree.** The revocation of the admission to or the revocation of a degree from the college in those cases in which egregious *behavior* is discovered subsequent to a student's graduation. Degree revocation must be approved by the board of trustees and will be noted on the student's academic record.
- (16) **College expulsion.** Permanent separation of the student from the college with a notation on the student's transcript, this includes revocation of all rights and privileges of membership in the college community and exclusion from the campus and college-owned or controlled facilities without any possibility of return. There will be no refund of tuition or fees for the quarter in which the action is taken.

## **174-123-150**

### **Appeal**

- (1) The respondent may appeal the Student Conduct Administrator's determination by filing a written notice of appeal with the Student Conduct Administrator within 10 calendar days of service of the Student Conduct Administrator's determination. Failure to timely file a notice of appeal constitutes a waiver of the right to appeal and the Student Conduct Administrator's decision will be deemed final. Except in cases of a summary suspension, the respondent's enrollment status, and rights as an enrolled student, will not be altered if a timely appeal is filed with the office of the Vice President for Student Affairs.
- (2) The notice of appeal must include a brief statement explaining why the respondent is seeking review. Grounds for appeal are as follows: procedural error, unreasonable determination based on the evidence, new information, or disproportionate sanctions.
- (3) The parties to an appeal will be the respondent and the Student Conduct Administrator. In cases of sexual misconduct or harm-assault the complainant(s) are also party to the appeal.
- (4) On appeal, the college bears the burden of establishing the evidentiary facts underlying the determination of responsibility and required resolution by a preponderance of the evidence.
- (5) Imposition of conduct action for violation of the student conduct code will be stayed pending appeal, unless the respondent has been summarily suspended. Interim actions will remain in place pending the outcome of the



appeal.

- (6) Except as provided elsewhere in these rules, warnings and dismissals of conduct actions are final action and are not subject to appeal.
- (7) In cases involving allegations of sexual misconduct or harm-assault, the complainant has the right to appeal the following actions by the Student Conduct Administrator following the same procedures as set forth herein for the respondent:
  - a) the dismissal of a sexual misconduct complaint; or
  - b) any sanction(s) and conditions imposed against a respondent for harm-assault or a sexual misconduct violation.
- (8) If the respondent timely appeals a decision imposing sanctions for harm-assault or a sexual misconduct violation, the college will notify the complainant of the appeal and provide the complainant an opportunity to participate in the appeal.
- (9) Except as otherwise specified in the code, a complainant who timely appeals a conduct decision or who participates in a respondent's appeal of a conduct decision will be afforded the same procedural rights as are afforded the respondent.

## **174-123-160**

### **Student Conduct Appeals Board composition.**

- (1) The Student Conduct Appeals Board will be composed of five members consisting of one faculty member, one staff member, and three students. One member will be designated by the Vice President for Student Affairs to serve as the chair of the board for a hearing.
- (2) The faculty agenda committee will designate faculty members to serve on the Student Conduct Appeals Board as needed.
- (3) The Vice President for Student Affairs or designee will be responsible for designating the student and staff members serving on the board. The student members, including the selection of alternate members to serve as necessary, will be done through an open selection process established by the Vice President for Student Affairs. Student government may submit student names to the Vice President for Student Affairs.
- (4) All board members serving on cases involving sexual misconduct will have received training within the previous twelve months on the issues related to

domestic violence, dating violence, sexual misconduct, and stalking and how to conduct an investigation and hearing process that protects the safety of complainants and promotes accountability in cases involving allegations of sexual misconduct.

- (5) Hearings may be heard by a quorum of three members of the board so long as one faculty or staff member and one student are included on the hearing panel. Board action may be taken upon a majority vote of all board members attending the hearing.
- (6) Members of the student conduct board will not participate in any case in which they are a party, complainant, or witness, in which they have direct or personal interest, prejudice, or bias, or in which they have acted previously in an advisory capacity.
- (7) A respondent, complainant, and/or the Student Conduct Administrator may request removal of a member of the board at the commencement of the hearing for reasons of bias, prejudice or conflict of interest. The chair of the board will be responsible for making decisions regarding removal, unless the student is requesting removal of the chair. When there is a request to remove the chair, and the chair does not voluntarily step down, a quorum of the remaining members will decide whether removal is warranted and which remaining board member will serve as chair. If a member is removed, an appropriate alternate member (i.e., faculty, student or staff) will serve on the board for the excused member.

#### **174-123-170**

##### **Notice of hearing.**

- (1) After receipt of a timely appeal, the Vice President for Student Affairs, or designee, will schedule a hearing before the Student Conduct Appeals Board pursuant to WAC 174-123-200, and provide served notice to the respondent at least ten calendar days in advance of the hearing. The ten days advance notice may be waived by the Vice President for Student Affairs, or designee, with the student's permission.
- (2) The served notice provided to the respondent will include the following:
  - a) The date, time, location, and nature of the proceeding;
  - b) A date by which the respondent and Student Conduct Administrator must identify advisors and/or individuals who will be involved in sharing

information on their behalf as well as requests for reasonable accommodations, if any, for these individuals;

- c) A date by which the parties must provide a list of witnesses and copies of any documents to be provided to the board at the hearing. The date for providing documents must be no less than seven calendar days prior to the hearing date. Documents and witness names submitted after the deadline stated in the hearing notice will be admitted at the discretion of the appeal board. Failure to participate in good faith in such a requested exchange may be cause for exclusion from the hearing of any witness or exhibit not disclosed, absent a showing of good cause for such failure;
- d) A date which the parties to the appeal may review documents and witness lists submitted to the board, which must be no less than two full business days prior to the hearing.

#### **174-123-180**

##### **Procedure at hearing.**

- (1) Except as otherwise defined, proceedings of the Student Conduct Appeals Board will be governed by the Administrative Procedures Act, Chapter 34.05 RCW.
- (2) The chair of the appeal board is authorized to make determinations regarding requests for a continuance, release of information, or other procedural requests, provided that good cause for the request is shown. Requests for reasonable accommodations based on disability will be determined by the college's disability compliance officer.
- (3) The chair may provide to the board members in advance of the hearing copies of;
  - a) the conduct administrator's notification of imposition of sanctions (or referral to the board); and
  - b) the notice of appeal (or any response to referral) by the respondent.

If doing so, however, the chair should remind the members that these "pleadings" are not evidence of any facts they may allege.

- (4) The parties may agree before the hearing to designate specific exhibits as admissible without objection and, if they do so, whether the board chair may provide copies of these admissible exhibits to the board members before the

hearing.

- (5) The Student Conduct Administrator, upon request, will provide reasonable assistance to the respondent in reviewing relevant and admissible evidence that is within the college's control.
- (6) Communications between board members and other hearing participants regarding any issue in the proceeding, other than procedural communications that are necessary to maintain an orderly process, are generally prohibited without notice and opportunity for all parties to participate, and any improper "ex parte" communication will be placed on the record, as further provided in RCW 34.05.455.
- (7) Each party may be accompanied at the hearing by a non-attorney assistant of his/her choice. A respondent or complainant in a case involving allegations of sexual misconduct or where the sanction may be suspension or expulsion may elect to be represented by an attorney at their own cost, but will be deemed to have waived that right unless, at least seven business days before the hearing, written notice of the attorney's identity and participation is filed with the board chair with a copy to the Student Conduct Administrator. The board will ordinarily be advised by an assistant attorney general. If the respondent or the complainant is represented by an attorney, the Student Conduct Administrator may also be represented by a second assistant attorney general.
- (8) Upon the failure of any party to attend or participate in a hearing, the student conduct board may either (a) proceed with the hearing and issuance of its decision or (b) serve a decision of default in accordance with [RCW 34.05.440](#).
- (9) The hearing will be closed to the public. If any person disrupts the proceedings, the chair may exclude that person from the hearing room. A closed proceeding which includes only members of the board; the advisor to the board, if any; the Student Conduct Administrator and their advisor, if any; the complainant and the respondent and their advisors and/or attorneys, if any; and persons requested to provide information at the hearing at designated times. Admission of any other person to the hearing is at the discretion of the board's chair and subject to the requirement set forth herein in subsection (8) of this section.
- (10) The complainant and the respondent are neither encouraged nor required to be assisted by an advisor of their choosing at their own expense. Both the respondent and the complainant will be provided the option to

have a trained procedural advisor provided by the college assist them prior to and during the hearing in order to understand their rights in the appeal process. Proceedings will not be automatically delayed due to the scheduling conflicts of an advisor.

- (11) The Student Conduct Administrator and respondent are expected to present all information during the proceedings.
- (12) In cases where the complaint alleges sexual misconduct, sexual harassment, or physical abuse, the complainant may present information during the proceedings
- (13) The chair will cause the hearing to be recorded by a method that he/she selects, in accordance with [RCW 34.05.449](#). That recording, or a copy, may be requested through the public records officer. The Vice President for Student Affairs will assure maintenance of the record of the proceeding that is required by [RCW 34.05.476](#), which will also be available upon request for inspection by any party.. Do we have to allow this under APA?
- (14) The chair will preside at the hearing and decide procedural questions that arise during the hearing, except as overridden by majority vote of the board.
- (15) The Student Conduct Administrator (unless represented by an assistant attorney general) will present the case for imposing sanctions.
- (16) All testimony will be given under oath or affirmation. Evidence will be admitted or excluded at the discretion of the board.
- (17) In cases involving allegations of sexual misconduct, neither party will directly question or cross examine one another. Attorneys for the parties are also prohibited from questioning the opposing party. All cross-examination questions will be directed to the board chair, who at their discretion will pose the questions on the party's behalf.
- (18) Only members of the Student Conduct Appeals Board and the advisor to the board, if any, will be present for deliberations. Deliberations are not recorded. During deliberations the board will consider all the information presented and decide by majority vote whether it is more likely than not that the respondent is responsible for violating each section of the code the respondent is charged with violating and/or what resolution and sanction(s) to impose.
- (19) Any sanction(s) determined in the final order will be managed by the Senior Conduct Administrator and unless noted, the Senior Conduct Administrator will have discretion to adjust deadlines or make minor

adjustments provided the respondent is in agreement.

(20) In addition to the foregoing, all cases involving an allegation of sexual misconduct will be subject to the following supplementary provisions:

- a) Both the respondent and any complainant will have the right to participate as a party in the hearing including, but not limited to, the right to be represented by an attorney and/or be accompanied by an advisor, to call witnesses, to submit questions for other parties through the board chair, and to submit documentary evidence. A complainant (with or without an attorney and/or an advisor) may attend the formal hearing in its entirety, regardless of whether the complainant decides to participate as a party.
- b) The respondent and a complainant may not ask questions of each other directly, but will be allowed to submit written questions to the chair of the appeal board, who will ask any relevant and appropriate questions submitted by these parties. The chair has the discretion to accept, reject, or rephrase any question submitted by the respondent or a complainant.

## **174-123-190**

### **Final determination.**

- (1) At the conclusion of the hearing, the student conduct appeals board will permit the parties to make closing arguments in whatever form it wishes to receive them. The board also may permit each party to propose findings, conclusions, and/or a proposed decision for its consideration.
- (2) Following the conclusion of the hearing or the board's receipt of closing arguments, the board will issue a decision in accordance with [RCW 34.05.461](#) and [WAC 10-08-210](#). The decision will include findings on all material issues of fact and conclusions on all material issues of law, including which, if any, provisions of the student conduct code were violated. Any findings based substantially on the credibility of evidence or the demeanor of witnesses will be so identified.
- (3) The board's order will also include a determination on appropriate sanctions, if any. The board may affirm, reverse, or modify the sanction(s) and/or conditions imposed by the Student Conduct Administrator and/or impose additional sanction(s) or conditions.

- (4) The board chair will serve copies of the decision on the parties through the Vice President for Student Affairs Office. It is the responsibility of the student to forward any notice or communication to their advisor. If a student signs a release of information, the chair of the board will determine if the final order should be provided to legal counsel representing a student.

## **174-123-200**

### **Reconsideration.**

- (1) Within ten business days of the written notice of the final determination, the parties to the appeal may submit a petition for reconsideration with the Vice President for Student Affairs Office. The petition must state the specific grounds upon which reconsideration is requested.
- (2) The petition will be deemed submitted on the day of actual receipt by the Vice President for Student Affairs Office. Service can be made by one of the following means:
- a) Email received by the office of the Vice President for Student Affairs; or
  - b) By deposit in the United States mail, postage prepaid, addressed as follows: The Evergreen State College, Student Conduct Appeals Board, Office of the Vice President for Student Affairs, 2700 Evergreen Parkway N.W., Olympia, Washington 98505; or
  - c) By personal service on the Student Conduct Appeals Board which will be deemed accomplished by hand delivering the petition to the office of the Vice President for Student Affairs during regular business hours at the address listed in (b) of this subsection.
- (3) All reasonably available members of the board that heard the original appeal will review the request for reconsideration and determine whether or not to grant the reconsideration. If a reconsideration is granted the board will review the submitted materials and make a determination.
- (4) The final determination issued by the Student Conduct Appeals Board will remain in effect during the time period that a petition for reconsideration is under review by the board. The board will respond within twenty business days from the date the petition is submitted.

## **174-123-210**

### **Retention.**

- (1) A student's conduct record will be retained for seven years after the final disposition of the case unless the college is required to retain the record for a longer period of time under another provision of state or federal law. When the resolution and sanction(s) includes college expulsion or revocation of a degree the record will be retained in perpetuity. Final disposition is defined as when:
  - a) A respondent fulfills the contract of accountability or the required resolution and sanction(s); or
  - b) A case is closed at the discretion of the Senior Student Conduct Administrator or their designee when the respondent has not completed the required resolution and sanction and has not been enrolled for at least twelve months.
- (2) Other than college expulsion, degree revocation, or withholding of a degree, resolution and sanctions will not be made part of the student's permanent academic record, but will be part of the student's conduct record.

## **174-123-220**

### **Simultaneous civil or criminal proceedings.**

- (1) Student conduct code proceedings may be instituted and carried out without regard to any criminal or civil litigation or external processes with which the student may be involved. Issuance of a determination of responsibility or required resolution and sanction(s) by the Student Conduct Administrator or appeals board will not be subject to change because criminal charges or civil litigation from the same facts resulting in an allegation of violation of the code were dismissed, reduced, or resolved in favor of or against the respondent.
- (2) If a respondent charged with misconduct under this code has been charged with a crime for the same act or closely related acts by federal, state, or local authorities, or if it appears that such criminal charge is under consideration, the respondent may petition the Vice President for Student Affairs to postpone action on the complaint until there has been a disposition of the criminal charge or of the consideration of filing such charge. The vice president will have the discretion to grant or deny the request.
- (3) When a respondent is charged by federal, state, or local authorities with a violation of law, the college will not request or agree to special consideration for the individual because of their status as a student. If the alleged criminal



offense is also being addressed under the code, the college may advise off-campus authorities of the existence of the code and how such matters are typically handled within the college community.

End