

Side by Side

Recommended and Current Student Conduct Code – The Evergreen State College



Post your comments to our blog or email a DTF member directly. [See: http://www.evergreen.edu/committee/studentconduct/home.htm](http://www.evergreen.edu/committee/studentconduct/home.htm)

Conduct Code Seminars	April 14	1-3 pm	A1107
	April 14	7-8 pm	HCC
	April 15	Noon-1 pm	B1107
	April 21	3-5 pm	A1107

Section	Recommended Code	Current Code
PURPOSE		174-120-015
	<p>The Evergreen State College can thrive only when all members of the community participate in the social contract, which prizes academic and interpersonal honesty, articulates our commitment to resolving differences with a strong will toward collaboration, and protects community values and individual rights. The Student Conduct Code articulates specific procedures and standards for upholding the values and aspirations articulated in the social contract. Specifically, the Code strives to support students who should be accountable for their decisions, expressions, actions and who should protect each other from harm. Above all, the Code has been crafted in the spirit of education and compassion, with the aim of healing individuals and preserving our common interests.</p>	<p>The purpose of this chapter is to provide currently enrolled students, faculty and staff with a process to address grievances related to student conduct. If the person wishing to file a grievance against a student is not an enrolled student, staff or faculty, but is here at the invitation of the college, they may contact the campus grievance officer, who will decide whether or not to take on the case on behalf of the college. Students at The Evergreen State College enjoy the basic rights of all members of society. At the same time, students have an obligation to fulfill the responsibilities incumbent upon all citizens as well as the responsibilities of their particular roles within the academic community. Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law. Students may be accountable to civil and criminal authorities and to the college for acts occurring on college premises and at college sponsored events.</p>
STUDENT RIGHTS		
	<p>Every student has a duty to know, understand and abide by the rules and policies of the College.</p> <p>(2) Students alleged to have violated the Code have the following procedural protections:</p> <p>(a) to be informed of the charges against them and know who the Complainant is;</p> <p>(b) to request an informal resolution of the complaint;</p> <p>(c) to participate in developing a mutually agreed upon Contract of Accountability with the Student Conduct Administrator;</p> <p>(d) to appeal a Determination of Responsibility and/or Resolution and Sanctions issued by a Student Conduct Administrator to the Student Conduct Appeals Board</p> <p>(e) to hear and respond to information upon which a charge is based;</p> <p>(f) to call relevant persons to provide information, and question any person who provides information, at hearings before the Student Conduct Code Appeals Board;</p> <p>(g) to request that any person conducting a conduct conference, or serving as a Student Conduct Code Appeals Board member be disqualified on the grounds of bias; and</p>	NA

	(3) to be provided with any other process stated in the Code.	
DEFINITIONS		
College	(1) "College" means The Evergreen State College.	NA
Student	(2) "Student" means any person: (a) currently enrolled at the College; (b) accepted for admission or readmission to the College; (c) 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; or (d) applicants who become students, for violations of the Code committed as part of the application process; (e) applicants who become students, for violations of the Code that occur following a student's submittal of the application through his or her official enrollment; and (f) former students for violations of the Code that occurred while a student; or (g) any person who resides in College housing.	(15) "Student" means a person enrolled for any amount of credit at the college. On-leave students, i.e., those admitted but not currently enrolled, may have their enrollment eligibility withdrawn if they do not abide by the student conduct code while on campus and are accountable to civil and criminal authorities.
Faculty Member	(3) "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 its faculty.	NA
Staff Member	(4) "Staff member" means any person employed by the College for non-teaching purposes.	NA
College Official	(5) "College official" means any person employed by the College performing assigned teaching, administrative or professional responsibilities.	NA
Member of the College Community	(6) "Member of the College Community" means any person who is a student or College official. A person's status in a particular situation shall be determined by the Vice President for Student Affairs.	(8) "Evergreen community" means currently enrolled students and currently employed faculty and staff members.
Guest	(7) "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.	NA
College Premises	(8) "College premises" means all land, buildings, facilities, and other property in the possession of or owned, used, leased or controlled by the College including adjacent streets and sidewalks.	(5) "College facilities/premises" means property owned, leased, operated, controlled, or supervised by the college.
Adjacent	(9) "Adjacent" means properties that border the Evergreen property line and/or border the streets that surround College property.	NA
College-sponsored event or activity	(10) "College-sponsored event or activity" means activities or events involving planning or funding, or other approved authorized participation by the College.	(6) "College-sponsored event or activity" means activities or events involving planning or funding or other approved or authorized participation by the college

Organization	(11) "Organization" means any number of persons who have complied with the formal requirements for College recognition and is an officially recognized College organization. A group's status in a particular situation shall be determined by the Vice President for Student Affairs.	NA
Policy	(12) "Policy" means the written regulations of the College found in the College website, catalog, or the individual requirements of a program or service posted anywhere on College premises or at College-sponsored events or activities.	NA
Vice President for Student Affairs	(13) "Vice President for Student Affairs" is that person designated by the College President to be responsible for the administration of the Code and for performing other duties and obligations of the position.	NA
Senior Student Conduct Administrator	(14) "Senior Student Conduct Administrator" means the primary College official responsible for administering the Code.	(2) Campus grievance officer review: The basic role of the campus grievance officer is to seek justice and educate the students about their rights and responsibilities. The campus grievance officer is responsible for determining if violations of the student conduct code have occurred, handling investigations in a thorough and timely manner, proposing corrective action on behalf of the college if warranted and for keeping all records specified in these grievance procedures.
Student Conduct Administrator	(15) "Student Conduct Administrator" means a College official authorized to administer the Code in response to a complaint.	(4) "Campus grievance officer" means a faculty or staff person who shall be appointed by and accountable to the vice-president for student affairs. The grievance officer is responsible for determining if violations of this policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college, and for keeping all records specified in these hearings procedures. (11) "Housing grievance officer" means the director of housing or his/her designee. The housing grievance officer is responsible for determining if violations of the housing policy have occurred, for investigating and initiating formal disciplinary action on behalf of the college, and for keeping all records specified in the procedures.
Complainant	(16) "Complainant" means any person who submits a complaint alleging that a student violated the Code. When a student believes that he or she has been the victim of or observed another student's misconduct, he or she will have the same rights under the Student Conduct Code as are provided to the Complainant, even if another member of the College community submitted the complaint itself. The Complainant has the right to inquire about the status of the complaint.	NA

Respondent	(17) “Resolution and Sanction(s)” means those tasks or consequences, and associated deadlines, the Respondent must execute to address violations of the Code.	NA
No Contact Order	(18) “No Contact Order” means an order of “no contact” with a member of the College community. In the case where a “no contact order” is issued, a student may be required to organize his or her activities in order to avoid contact with designated individuals.	NA
Conduct Hold	(19) “Conduct Hold” means a block placed on the student’s official file with the registrar by the Senior Student Conduct Code Administrator prohibiting a student from registering for academic credit or receiving a copy of his or her transcript until the hold is removed by the Senior Student Conduct Code Administrator.	(1) "Adjudicative hold" means a notification by the campus grievance officer or vice-president for student affairs that a student will not be allowed to register for classes until he/she gets a clearance from the grievance officer.
Resolution and Sanction	(20) “Resolution and Sanction(s)” means those tasks or consequences, and associated deadlines, the Respondent must execute to address violations of the Code.	NA
Contract of Accountability	(21) “Contract of Accountability” means a written mutual agreement between the Respondent and Student Conduct Administrator which states the determination of responsibility and the required resolution and sanction(s).	NA
Required Resolution and Sanction	(22) “Required Resolution and Sanction” means the decision of the Student Conduct Administrator regarding the Resolution and Sanction(s) appropriate to the level of responsibility for violating the Code as determined in the determination of responsibility.	NA
Final Determination	(23) “Final Determination” means a decision by the Student Conduct Appeals Board stating the outcome of the hearing.	NA
Notice	(24) “Notice” means delivery via the student’s assigned College account electronic mail address. Service will be considered delivered upon the message being sent to the student’s account.	NA
Calendar Day	(25) “Calendar day” means every day of the month including weekends and state holidays. In cases where a specified date falls on a weekend or holiday, the working day closest to the date due will be used (i.e., if the tenth day deadline falls on Saturday the document will be done on Friday).	(3) "Calendar day" means all days of the month not just working days. In cases where a specified due date falls on a weekend or holiday, the working day closest to the date due will be used (i.e., if the tenth day deadline falls on Saturday, the document will be done on Friday).
Business Day	(26) “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.	NA
Binding arbitration	NA	(2) "Binding arbitration" means a process in which parties in conflict submit their differences to the judgment of an impartial third party appointed by the

		campus mediator with the consent of both parties.
Default judgment	NA	(7) "Default judgment" means a decision made by the trier of fact that, due to the appealing student's failure to appear, the proposed sanctions of the campus grievance officer will be adopted by the trier of fact.
Exception to trier of fact's findings	NA	(9) "Exception to trier of fact's findings" means a written request by either the campus grievance officer or the student requesting a review of the findings by the reviewing officer.
Mediator	NA	(12) "Mediator" means an impartial, neutral third party who helps disputants reach their own mutually agreeable settlement. Trained volunteer mediators are available through the campus center for mediation services, which also provides telephone conciliation and resource referral. In addition, the dean of student and academic support service is the campus mediator and has been appointed by the vice-president for student affairs. Any third party may serve as a mediator if mutually agreed upon by the parties in conflict.
Preponderance of evidence	NA	(13) "Preponderance of the evidence" means the greater weight of evidence or evidence more convincing to the mind than not
Reviewing Officer	NA	(14) "Reviewing officer" means an individual designated by the president to provide a review of the trier of fact's findings, conclusions, and sanctions, if any.
Trier of fact	NA	(16) "Trier of fact" means the hearing board, administrative law judge, or any other individual(s) designated by the vice-president for student affairs and responsible for hearing appeals of the campus grievance officer's findings and proposed corrective action.
JURISDICTION		
On-campus and adjacent	(a) Prohibited conduct that occurs on College premises, property adjacent to the College, or at College-sponsored events or activities; and applies in all locations of the College, including locations other than Olympia, Washington; and	Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law.
Off-campus	(b) Prohibited conduct that occurs off campus (i.e., behavior that does not occur on College premises or in the context of a college-sponsored event or activity) where it is reasonable to conclude that the presence of the Respondent at the College would constitute a danger to the health or personal safety of a member of the College community, or where harm has occurred to a member of the College community and the continued presence of the Respondent at the College may cause additional harm to that person or other members of the College community. The Vice President for Student Affairs shall determine	Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law.

	whether the Code shall be applied to conduct occurring off campus on a case by case basis.	
Student	(2) Each student is responsible for his or her conduct from the time of acceptance for admission through the actual awarding of a degree, even though conduct may occur before or after a program or course begins or ends, as well as during the academic year and during periods between terms of actual enrollment, even if the person's conduct is reported after a degree is awarded.	NA
Student	(3) The Code applies to a student's conduct even if the student withdraws from the College while a complaint is pending.	NA
Student Organization	(4) Alleged misconduct by a student organization will be addressed by Student Activities' policies and procedures.	NA
Rights and Obligations	(5) Nothing herein shall 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.	NA
STANDARDS		170-120-035
	Students are required to engage in responsible conduct that reflects credit upon the College community and to model good citizenship. 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. Attempting or engaging in any of the following conduct is specifically prohibited under the Code and shall be the basis for required resolution and sanctions as set forth in the Code when a Respondent is found responsible for engaging in the prohibited conduct.	These examples of student conduct code violations are not designed to define violations in exhaustive terms. The student conduct code does not supplant other existing policies.
Academic Dishonesty	(1) Academic dishonesty which includes, but is not limited to, the following: (a) Plagiarism defined as appropriating or incorporating any other person's published or unpublished work in one's own work without full, clear and correct acknowledgement. (b) Copying from another person's academic work without proper acknowledgment; (c) Using unauthorized assistance or materials to complete an academic product or assignment; (d) The unauthorized collaboration with any other person during the completion of independent academic work; (e) Knowingly falsifying or assisting in falsifying in whole, or in part, the contents of one's academic work;	(1) Academic dishonesty: Cheating, facilitating academic dishonesty and plagiarism are violations of the academic honesty policy and if persistent or severe may be treated as violations of the student conduct code.

	(f) Permitting any other person to substitute oneself to complete academic work; or (g) Engaging in any academic behavior specifically prohibited by a faculty member in the course covenant, syllabus, or class discussion.	
Obstruction or Disruption	(2) Conduct that obstructs or disrupts any College learning, teaching, research, administration, adjudicative process, public service functions or College-sponsored events or activities.	(3) Disrupting college functions: Intentionally, recklessly and/or persistently interfering with normal college or college-sponsored activities, including but not limited to studying, teaching, research, college administration, fire, police, emergency services, or public safety.
Failure to be truthful and forthcoming	(3) Failure to be truthful to the College or a College official. This includes making false charges against another member of the College community; and providing false or misleading information in an application for admission, to gain employment, or in a College investigation, hearing or process.	(7) False information: Intentionally providing false information to the college for the purpose of gaining admission or employment or to avoid determination of facts in accordance with any college investigation or hearing. (5) False accusations: Intentionally making false charges against another member of the college community to harass, harm, defame and/or intimidate that individual.
Forgery	(4) Forgery, alteration, or the misuse of College documents, records or identification cards.	NA
Failure to comply	(5) Failure to comply with the directions of College officials or other public official acting in the performance of his or her duties. This includes the failure to identify oneself to these persons when requested to do so.	
Harm/Harassment/Stalking	(6) Physical abuse of any person including, but not limited to, physical assault with bodily injury or the threat of physical harm to another person; (7) Harassment which is defined as unwelcome conduct directed at an individual that is sufficiently severe, pervasive, or persistent such that it diminishes or interferes with the ability of the student to participate in or benefit from the services, activities, or privileges provided by the College or an employee to engage in his or her work duties. (8) Stalking defined as behavior in which a person repeatedly engages in a course of conduct directed at another person and places that person in reasonable fear for his or her safety, or the safety of his or her family.	(8) Harm/harassment: Discriminating against, sexually harassing, and threatening or intimidating against another person by word or gesture, or physically molesting or assaulting another person which substantially harms or causes reasonable apprehension of such harm to that person or which is intended to harm him or her. This includes, but is not limited to, physical, psychological or sexual harm/harassment or harassment based on religion, nationality, ability/disability, gender, sexual orientation, racial or ethnic origin, cultural identity or political affiliation. This provision in the codes is intended to protect members of the college community against damage or threat of damage to property and injury or threat of injury to physical person or psychological well-being.
Audio recording	(9) The recording of any private conversation, by any device, without the consent of all persons engaged in the conversation. For purposes of this section, the term “consent” shall be considered obtained only when one party has announced to all other parties engaged in the communication or conversation that such communication or conversation is about to be recorded or transmitted; and the announcement itself is recorded as part of the	NA

	conversation or communication.	
Voyeurism	(10) Viewing, photographing, or filming another person without that person's knowledge and consent, while the person being photographed, viewed or filmed is in a place where he or she would have a reasonable expectation of privacy.	
Possessing firearms or weapons	(11) Possessing firearms or other dangerous weapons; the unauthorized use, possession or storage of any explosives, fireworks, dangerous chemicals, or substances; or the possession or use of any instrument designed to cause harm, or realistic replica of such instrument, which might reasonably threaten or cause fear or alarm to others.	(17) Weapons, firearms, explosives and dangerous chemicals: Firearms and weapons, as defined by state law, are prohibited on campus. Unauthorized use, possession or storage of any explosives, dangerous chemicals, substances or instruments which may be used to inflict bodily harm on another individual or damage upon college premises or at a college-sponsored event are prohibited.
Unauthorized entry	(12) Unauthorized entry into or onto, or the unauthorized remaining in, or upon, any College premise; or the unauthorized possession, duplication, or use of a College key or other access device.	NA
False alarm	(13) Intentional sounding of a false alarm which includes, but is not limited to, initiating or causing to be initiated any false report, warning or threat, such as that of fire, explosion or emergency that intentionally causes a false emergency response; and the improper use or disabling of safety equipment and signs.	(6) False alarms: Intentionally causing a false police or fire alarm that involves college property or a college-sponsored event.
Failure to properly evacuate	(14) Failure to evacuate during a fire alarm; the improper use or damaging of fire prevention or safety equipment, such as fire extinguishers, smoke detectors, alarm pull stations, or emergency exits; or the unauthorized setting of fires.	NA
Liquor	(15) The possession, use, manufacture, or distribution of alcohol except as expressly permitted by law or College policy; or public appearance on College premises while intoxicated. Alcoholic beverages may not, in any circumstance, be used, possessed, or consumed by, or distributed to, any person under the legal age.	(12) Liquor: Use, possession, or distribution of liquor on college property. This is not intended to apply to use by students of legal age in a residence or at a college-sponsored event provided the event has an approved alcoholic beverage banquet permit (chapter 174-157 WAC , as amended). However, public appearance on campus or at any college-sponsored event while intoxicated, as defined by state law, will be considered a violation.
Drugs	(16) Possession, use, manufacture, cultivation, packaging, distribution, selling, or the providing of an illegal substance, or any controlled substance as identified in RCW 69.50; or the possession or use of drug paraphernalia as defined in RCW 69.50.102; use of a prescription drug other than as prescribed, use of a prescription drug not issued to the student, or the distribution or sale of a prescription drug to a person to whom the prescription was not originally issued; or public appearance while under the influence of	(4) Drugs: Using, possessing, or distributing of any controlled substance or illegal drug on college premises or at college-sponsored activities (as defined in the Uniform Controlled Substances Act chapter 69.50 RCW , as amended). Public appearance on campus or at any college-sponsored event while under the influence of illegal drugs will be considered a violation.

	a controlled or illegal substance.	
Destroying and damaging college or others property	(17) Damaging, defacing, destroying, or tampering with, College property or other personal or public property. This includes but is not limited to graffiti and vandalism.	(2) Destroying or damaging property: Intentionally, recklessly and/or persistently destroying or damaging college property or the property of others on college premises or at college-sponsored events.
Theft	(18) The attempted or actual theft of property or services. This includes, but is not limited to, taking, attempting to take, possessing, or aiding another to take College property or services, or property belonging to any person, without express permission.	(15) Theft or conversion: Deprivation of another's property, including college property or services, without that individual's or the college's authorization
Sexual misconduct	(19) Sexual Misconduct which includes the following: (a) The actual or attempted sexual intercourse or sexual contact that is forced upon another without the consent of that person. Consent means that at the time of the act of sexual intercourse or sexual contact there are actual words or conduct indicating a voluntary and mutually understandable agreement between the parties to have sexual intercourse or sexual contact. Consent may not be given or granted when one's capacity for effective decision making has been diminished by the use of alcohol or drugs, or a person is unconscious, or is experiencing some other cognitive impairment. Sexual misconduct can occur with any combination of genders, gender expressions and sexual orientations. (b) The photographing or filming of the intimate areas of another person without that person's knowledge and consent and under circumstances where the person has a reasonable expectation of privacy, whether in a public or private place. (c) The indecent exposure of a person's genitals, for the gratification of the person engaged in such exposure, when done in a place where such exposure is likely to be an offense against generally accepted standards of decency.	(8) Harm/harassment: Discriminating against, sexually harassing, and threatening or intimidating against another person by word or gesture, or physically molesting or assaulting another person which substantially harms or causes reasonable apprehension of such harm to that person or which is intended to harm him or her. This includes, but is not limited to, physical, psychological or sexual harm/harassment or harassment based on religion, nationality, ability/disability, gender, sexual orientation, racial or ethnic origin, cultural identity or political affiliation. This provision in the codes is intended to protect members of the college community against damage or threat of damage to property and injury or threat of injury to physical person or psychological well-being.
Failure to respond	(20) Failure to respond to any notice to appear for a meeting as part of the student conduct process and failure to comply with or violation of the Contract of Accountability, a Required Resolution and Sanction, conditions in an Interim Suspension, Final Determination, or any agreement made during the conduct process.	(11) Interfering with the adjudicative process: Harassment of students, faculty or staff involved in the adjudicative process. Violation of any agreement made during the adjudicative process, including but not limited to no-contact orders. Perjury or retaliatory or disruptive behavior will also be grounds for further disciplinary action.
Guest	(21) Failure to ensure that a guest adheres to the Code.	NA
Policy violation	(22) Violation of any College policy including, but not limited to, Residential and Dining Services policies.	(10) Housing contract violations: Violation of residence hall contracts. (16) Violation of published campus policies: Violation of published campus policies including, but not limited to, the academic honesty policy, the habitation policy,

		the sexual harassment policy, the discrimination policy, the hazing policy and the pet policy.
Hazing	(23) Hazing which includes any activity or method of initiation into a student social, living, learning, or athletic group that causes, or is likely to cause, bodily danger or physical, mental, or emotional harm to any member of the College community.	(9) Hazing: According to chapter 28B.10 RCW hazing is defined as any method of initiation into a student organization or living group, or any pastime or amusement engaged in with respect to such an organization or living group that causes, or is likely to cause, bodily danger or physical harm, or serious mental or emotional harm.
Election tampering	(24) Tampering with the election of any student organization or group.	NA
Federal, state, local laws	(25) Accusation of an alleged violation of federal, state, or local law by law enforcement, or conviction of a felony or misdemeanor, under circumstances where it is reasonable to conclude that the presence of the person on College premises would constitute a danger to the health, or personal safety of members of the College community.	Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law. Students may be accountable to civil and criminal authorities and to the college for acts occurring on college premises and at college sponsored events.
Assisting and failure to intervene	(26) Knowingly assisting another person to violation of the Code or failing to intervene with a violation by, at a minimum, bringing the action to the attention of College officials.	NA
Interfering with the adjudicative process	NA	(11) Interfering with the adjudicative process: Harassment of students, faculty or staff involved in the adjudicative process. Violation of any agreement made during the adjudicative process, including but not limited to no-contact orders. Perjury or retaliatory or disruptive behavior will also be grounds for further disciplinary action.
Refusal to desist	NA	13) Refusal to desist from prohibited conduct: Refusal of students to desist from conduct prohibited by these rules.
Smoking	NA	(14) Smoking: Smoking in an area not designated as a smoking area as defined by college rules. (WAC 174-136-160 to 174-136-170, as amended.)
INTERIM SUSPENSION		
	(1) The Vice President for Student Affairs or designee may suspend a student from the College for an interim period prior to an investigation of an alleged Code if the Vice President has reason to believe that the student's alleged act of misconduct is of such a serious nature that his or her continued enrollment at the College presents a threat to the safety, health, and well-being of other College community members, or the protection of College property. The interim suspension remains in effect until the complaint is resolved.	(a) Students presenting imminent danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s). (1) Emergency suspension: Students presenting immediate danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s). A hearing will be scheduled within twenty calendar days unless otherwise waived by the student. At the hearing, the trier of fact will determine whether or not the summary suspension shall remain in effect throughout the

		duration of the grievance and appeals process. At the time of the suspension, the student shall be notified in writing if possible, and otherwise orally, of the basis for the emergency suspension and of his/her right to a formal hearing. If oral notification is given at the time of the emergency suspension, written notification shall be delivered or sent to the student's last known address within twenty-four hours. At least three days before the hearing, the grievance officer shall notify the student of her/his findings, proposed sanctions, witnesses to be called at the hearing and, if intended, representative. Except as noted here, the process will be followed as set forth in 174-120-065 (Student conduct code-- Formal hearing notice, process and rights).
PROCEDURES		
	The procedures governing a Student Conduct Administrator's handling of complaints under the Code are designed to afford Complainants and Respondents a fair and accessible process that educates students about their rights and responsibilities, holds students accountable for their actions, and provides due process.	
Filing of Complaint	(1) Any person may submit a complaint against a student alleging a violation of the Code. The complaint must be submitted in writing to a College official who will forward it to the appropriate Student Conduct Administrator. A complaint should be submitted as soon as possible after the event takes place.	
	(2) The Vice President for Student Affairs shall delegate the responsibility for addressing a complaint to the Senior Student Conduct Code Administrator. The Senior Student Conduct Administrator is generally responsible for addressing most alleged violations of the Code and specifically addresses those where the Respondent is alleged to have engaged in acts and threats of physical abuse; sexual misconduct; violations occurring near the end of, or after a student's contract with RAD; conduct reported by Police Services; and conduct that may result in suspension or expulsion from the College. Student Conduct Administrators identified in Residential and Dining Services (RAD) are generally responsible for addressing most violations of the Code allegedly committed by on-campus residents in or near residential facilities. If a question of who is responsible for addressing a complaint is present, the Senior Student Conduct Administrator determines who shall be authorized to address the complaint and if necessary, serve as a Student Conduct Administrator.	(2) Campus grievance officer review: The basic role of the campus grievance officer is to seek justice and educate the students about their rights and responsibilities. The campus grievance officer is responsible for determining if violations of the student conduct code have occurred, handling investigations in a thorough and timely manner, proposing corrective action on behalf of the college if warranted and for keeping all records specified in these grievance procedures. Exceptions: (a) Students presenting imminent danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s). (b) In cases involving violations of the housing contract, the director of housing or his/her designee shall act as the campus grievance officer.
	(3) A Complainant or Respondent may request	(11) "Housing grievance officer" means the director of housing or his/her designee. The housing grievance officer is responsible for determining if violations of the housing policy have occurred, for investigating and initiating formal disciplinary action on behalf of the

	to have a complaint addressed by an alternate Student Conduct Administrator if a conflict of interest is identified. The Vice President of Student Affairs shall have the final authority to determine the appropriate Student Conduct Administrator to assign in this case.	college, and for keeping all records specified in the procedures.
NOTIFICATION TO RESPONDENT		
	(1) The Respondent shall meet with the Student Conduct Code Administrator for a conduct conference on the date and at the time notified by any College official or the Respondent must schedule a conduct conference by the deadline indicated on the notice of alleged violations as issued by a Student Conduct Administrator.	
Interim Restrictions	(2) The Student Conduct Administrator 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 other member of the College community is deemed at risk. The interim restriction(s) shall remain in place until such time that the Student Conduct Administrator notifies the Respondent in writing that the interim restrictions have been modified or are no longer in effect. If the Respondent files an appeal of the Student Conduct Administrators' determination of responsibility and required resolution and sanction, the interim restrictions shall remain in effect until the Board issues a final determination. These interim restrictions may include, but are not limited to, loss of privileges or no contact orders.	(7) Temporary ejection from the premises: Students on college property who willfully refuse to obey an order of the president, the president's designees, or law enforcement officers to desist from conduct prohibited by the college's rules and regulations may be ejected from the premises for a specified period of time not to exceed forty-eight hours. After a temporary ejection takes place, the campus grievance officer will conduct an investigation to determine if a violation of the student conduct code has occurred and, if so, what additional corrective action should be proposed. Refusal to obey the temporary ejection order will subject the student to arrest under state criminal trespass laws, in addition to such other sanctions as may be applicable. (3) Temporary no-contact order: The campus grievance officer may impose a temporary order to restrict contact between parties or access to facilities for the duration of the student conduct code grievance and appeals process.
CONDUCT CONFERENCE		
	(1) During the conduct conference, which may occur over a series of meetings, the Student Conduct Administrator shall explain to the Respondent the process for addressing complaints under the Code, advise the Respondent of his or her rights and responsibilities, and review with the Respondent the complaint and alleged violation(s) of the Code. (2) If there is more than one Respondent involved in the complaint, the Student Conduct Administrator, in his or her discretion, may permit the conduct conferences concerning each Respondent to be conducted either	(1) Reaching a settlement agreement: If the campus grievance officer decides to pursue a case in the name of the college, the student may accept or deny responsibility for the violation. If the student accepts responsibility, she or he may propose a sanction in writing to resolve the case. The campus grievance officer may also propose a sanction. If agreement on responsibility and sanction(s) are reached, the settlement agreement shall be made in writing and signed by the student and the campus grievance officer. The student may withdraw the settlement by submitting a written statement of withdrawal which is received by the office of the vice-president for student

	<p>separately, or jointly.</p> <p>(3) Failure to meet with the Student Conduct Administrator at the appointed time during the conduct conference process may subject a Respondent to a conduct hold. If the Respondent fails to meet with the Student Conduct Administrator as required the complaint may be determined in the Respondent's absence.</p> <p>(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.</p> <p>(5) If the complaint is determined to have merit, the Student Conduct Administrator shall proceed with informal resolution, enter into a contract of accountability with the Respondent, or complete an investigation and make a determination of responsibility and determine the required resolution and sanction(s). If the Student Conduct Administrator determines that the Respondent is not responsible for violating the Code, no action shall be taken.</p>	<p>affairs within twenty-four hours after being signed by the student.</p> <p>(2) Settlement agreement: An agreement on responsibility and sanctions, if appropriate, shall be written and contain:</p> <p>(a) A description of the violation for which responsibility is accepted;</p> <p>(b) The agreed upon sanction, if any;</p> <p>(c) Signatures of the student and the campus grievance officer.</p> <p>(3) Temporary no-contact order: The campus grievance officer may impose a temporary order to restrict contact between parties or access to facilities for the duration of the student conduct code grievance and appeals process.</p> <p>(4) Failure to respond to the campus grievance officer's request for a meeting: Failure to respond to a request for a meeting will result in an adjudicator hold on a student's registration file and could result in more serious sanctions.</p> <p>(5) Decision by campus grievance officer of no cause finding: If the campus grievance officer determines, based on the evidence collected, that the accused has not violated the student conduct code, the accuser may request in writing within twenty calendar days that the vice-president for student affairs review the process and evidence collected by the campus grievance officer. No further review will be allowed if the vice-president for student affairs agrees that the process followed by the campus grievance officer was appropriate and that the act did not constitute a violation of the student conduct code.</p> <p>(6) Failure to reach a settlement agreement: If the campus grievance officer is satisfied that sufficient evidence exists to substantiate a violation and if a settlement has not been reached, he/she shall send to the student a notice of the formal charges, recommended corrective action, and the right to a hearing. If a student is not charged with a violation potentially punishable by emergency suspension, he/she must petition the vice-president for student affairs for a formal hearing within twenty calendar days after receipt of the campus grievance officer's charges. If the student fails to petition the vice-president for student affairs for a formal hearing, the recommended disciplinary action shall go into effect (unless emergency suspension has already occurred).</p>
<p>INFORMAL RESOLUTION</p>		
	<p>(1) If the Student Conduct Administrator concludes that efforts at informal resolution are appropriate to resolve a complaint, he or she shall take whatever steps are useful to that end, including mediation, arbitration or restorative justice intervention.</p>	<p>(1) Voluntary mediation: Community members who come into conflict with one another should make a determined effort to resolve problems peacefully and constructively between themselves. To facilitate this objective, the college encourages voluntary mediation</p>

	<p>(2) If an informal resolution is reached and the Respondent complies with the agreed terms and conditions, if any, of the resolution, no further action against the Respondent will be taken and the matter will be closed. If a resolution is not reached or 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.</p>	<p>through mediators. The mediators will assist the two parties to reach resolution. If successful, the parties will sign an agreement stating that resolution has been reached. If unsuccessful, both parties may agree to binding arbitration or either party may file a grievance with the campus grievance officer. The accuser may bypass mediation/arbitration and file a complaint directly with the campus grievance officer. If voluntary mediation is not agreed to and the matter is referred to the campus grievance officer, the case becomes a disciplinary matter between the accused and the college. The complainant serves as a witness during the college's presentation of evidence, if a hearing occurs.</p>
CONTRACT OF ACCOUNTABILITY		
	<p>(1) The Student Conduct Administrator may work with any Respondent who acknowledges responsibility for engaging in prohibited conduct to identify the required resolution and sanction. If an agreement is reached, the required resolution and sanction(s) shall be contained in a written Contract of Accountability signed by both the Respondent and the Student Conduct Administrator.</p> <p>(2) A Respondent who enters into a Contract of Accountability shall comply with the required resolution and sanction(s) set forth in the Contract and shall have no further right of appeal under the Code. A Respondent's failure to comply with the required resolution and sanction in the Contract of Accountability shall be the basis for a separate violation of misconduct under the Code and may result in a Conduct Hold.</p>	
DETERMINATION OF RESPONSIBILITY		
	<p>(1) If a complaint is not resolved through informal resolution or by entering into a Contract of Accountability, the Student Conduct Administrator shall issue a notice of determination of responsibility and required resolution and sanction(s).</p> <p>(2) The determination of responsibility based on a standard of more likely than not shall identify the specific prohibited conduct to have been violated by the Respondent. The required resolution and sanction(s) shall provide for those tasks or consequences, and associated deadlines, the Respondent must execute to address violations of the Code.</p> <p>(3) The Student Conduct Administrator's determination of responsibility and required resolution and sanction(s) shall be final unless the Respondent files a timely appeal to the</p>	<p>(2) Campus grievance officer review: The basic role of the campus grievance officer is to seek justice and educate the students about their rights and responsibilities. The campus grievance officer is responsible for determining if violations of the student conduct code have occurred, handling investigations in a thorough and timely manner, proposing corrective action on behalf of the college if warranted and for keeping all records specified in these grievance procedures. Exceptions:</p> <p>(a) Students presenting imminent danger to others, college property, and/or the educational process may be immediately suspended from the college by the president, vice-president for student affairs, or their designee(s).</p>

	Student Conduct Appeals Board.	(b) In cases involving violations of the housing contract, the director of housing or his/her designee shall act as the campus grievance officer.
RESOLUTIONS & SANCTIONS		174-120-045
Warning	(1) <i>Warning</i> . A notice in writing to the student that the student is violating, or has violated, the Code.	(4) Reprimand: Warning(s) that further misconduct may result in more severe sanctions.
Educational Discretionary	(2) <i>Educational and Discretionary Actions</i> . This includes, but is not limited to, work assignments, essays, behavior assessment and recommended treatment, completion of a workshop or training, or service to the College.	(8) Other sanctions and conditions for enrollment: Other sanctions or conditions may be imposed if related to the violation. Sanctions could include, but are not limited to: Limiting extracurricular activities, restricting registration of motor vehicles, assigning community service. Students may also be removed from college housing for contract violations. Conditions for enrollment could include, but are not limited to: A psychological assessment and/or counseling.
Probation	(3) <i>Probation</i> . A written reprimand and notice that for a designated period of time a student will be on special status with conditions imposed that includes the probability of additional Required Resolution and Sanctions if the student is found to violate the Code during the probationary period of time.	(3) Probation: A trial period during which the student's conduct is monitored. Any additional violations of the student conduct code during this period may be subject to exceptional disciplinary action.
Loss of Privileges	(4) <i>Loss of Privileges</i> . This may include, but is not limited to, limited access or restriction from College premises, College-sponsored activities or events, student employment, or participation in co-curricular activities.	(7) Temporary ejection from the premises: Students on college property who willfully refuse to obey an order of the president, the president's designees, or law enforcement officers to desist from conduct prohibited by the college's rules and regulations may be ejected from the premises for a specified period of time not to exceed forty-eight hours. After a temporary ejection takes place, the campus grievance officer will conduct an investigation to determine if a violation of the student conduct code has occurred and, if so, what additional corrective action should be proposed. Refusal to obey the temporary ejection order will subject the student to arrest under state criminal trespass laws, in addition to such other sanctions as may be applicable.
Restitution	(5) <i>Restitution</i> . Compensation for loss, damage, or injury for expenses incurred by the College or other persons resulting from a violation of the Code. This may take the form of appropriate service, monetary or material replacement, or a combination of both.	(5) Restitution: Payment may be made to the college or to other persons, groups, or organizations for damages incurred as a result of prohibited conduct.
No Contact	(6) <i>No Contact</i> . A directive that a student may have no contact with other stated members of the College community.	
Residence Hall Suspension	(7) <i>Residence Hall Suspension</i> . Separation of the student from the residence halls for a definite period of time, after which the student is eligible to return. Conditions allowing for a	(8) Other sanctions and conditions for enrollment: Other sanctions or conditions may be imposed if related to the violation. Sanctions could include, but

	student to return to the Hall may be specified in the suspension.	are not limited to: Limiting extracurricular activities, restricting registration of motor vehicles, assigning community service. Students may also be removed from college housing for contract violations. Conditions for enrollment could include, but are not limited to: A psychological assessment and/or counseling.
Residence Hall Expulsion	(8) <i>Residence Hall Expulsion.</i> Permanent separation of the student from the residence halls.	(8) Other sanctions and conditions for enrollment: Other sanctions or conditions may be imposed if related to the violation. Sanctions could include, but are not limited to: Limiting extracurricular activities, restricting registration of motor vehicles, assigning community service. Students may also be removed from college housing for contract violations. Conditions for enrollment could include, but are not limited to: A psychological assessment and/or counseling.
Deferred Action	(9) <i>Deferred Action.</i> Resolution and Sanctions that will be immediately imposed if conditions of a Contract of Accountability are not met or additional violations occur during a Probation.	
Suspension	(10) <i>College Suspension.</i> Separation of the student from the College for a definite 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 re-enrolling. Conditions for reenrollment may be specified in the suspension.	(6) Suspension: Temporary dismissal from the college and temporary termination of community membership for a stated period of time, but no longer than one year. The student shall not participate in any college-sponsored activity and may be barred from college premises. Suspension implies that the student may eventually return if evidence or other assurances are presented that convincingly ensure that prohibited conduct will not be repeated.
Expulsion	(11) <i>College Expulsion.</i> Permanent separation of the student from the College with a notation on the student's transcript.	(2) Expulsion: Permanent separation from the college and termination of community membership. The student may also be barred from college premises and/or college-sponsored events.
Withholding Admission or Degree	(12) <i>Withholding Admission or Degree.</i> Admission to or a degree awarded from the College may be withheld for a specified amount of time.	
Revocation of Admission or Degree	(13) <i>Revocation of Admission or Degree.</i> Admission to or a degree awarded from the College is revoked and noted on the transcript. In general, this action is reserved for conduct that includes, but is not limited to, academic dishonesty, failure to be truthful, and forgery.	
Records Hold	(14) <i>Records Hold.</i> A hold placed on transcripts, diplomas(s) or other records until a student satisfies the terms and conditions of any Required Resolution and Sanction.	
Reprimand	NA	(4) Reprimand: Warning(s) that further misconduct may result in more severe sanctions.

APPEALS		
Filing of Appeal	<p>(1) A Respondent may appeal a Student Conduct Administrator’s determination of responsibility and required resolution and sanction(s) to the Student Conduct Appeals Board. An appeal must be in writing and received by the Vice President for Student Affairs within five calendar days of service of the Student Conduct Administrator’s determination of responsibility and required resolution and sanction(s).</p> <p>(2) Except in cases of an interim suspension, the Respondent’s student status will not be altered until the final opportunity for appeal has passed.</p>	
Notice of Hearing	<p>(1) After receipt of a timely request for a hearing, the Vice President for Student Affairs shall schedule a hearing before the Student Conduct Appeals Board and provide written notice to the Respondent at least seven business days in advance of the hearing. The seven days advance notice may be waived by the Vice President for Student Affairs, with the student’s permission.</p> <p>(2) The written notice provided to the Respondent shall include the following:</p> <p>(a) the date, time, location, and nature of the proceeding;</p> <p>(b) a date by which the Respondent and Student Conduct Administrator must identify individuals who will be involved in sharing information on his or her behalf;</p> <p>(c) a date by which the Student Conduct Administrator and Respondent must provide copies of any documents to be provided to the Board at the hearing. The date for providing documents must be at least two business days prior to the hearing date.</p>	<p>(3) Hearing process: Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten calendar days before any hearing. The appealing student and campus grievance officer shall inform each other of witnesses and, if applicable, representatives (through the office of the vice-president for student affairs) at least three calendar days before the hearing. Failure to provide a list of witnesses and/or the name(s) of their representatives at least three calendar days before the hearing will most likely result in disqualification of those witnesses and/or representatives. Both parties may submit brief written position statements to the designated trier of fact. Both parties have the right to:</p>
Procedure at Hearing	<p>The procedures to be followed at hearings conducted by the Student Conduct Appeals Board are as follow:</p> <p>(1) All procedural questions and other decisions are subject to the final decision of the Chair of the Board. The Chair shall insure that the proceeding is held in an orderly manner such that the rights of all parties to a full, fair and impartial proceeding that adheres to the Code and any other applicable laws are maintained;</p> <p>(2) The hearing is a closed proceeding which includes only members of the Board; the advisor to the Board; the Student Conduct Administrator; the Respondent and their advisor(s), if any; and persons requested to provide information at the hearing. Admission</p>	<p>174-120-065</p> <p>(1) Formal hearings will be subject to the following:</p> <p>(a) Students have a right to a fair and impartial hearing on any charge of prohibited conduct and the right to confer with a representative present during the hearing.</p> <p>(b) Pursuant to state law, the college president authorizes the vice-president for student affairs to determine the trier of fact.</p> <p>(c) Unless the vice-president for student affairs determines otherwise, the trier of fact conducting a formal hearing shall be a hearing board.</p> <p>(d) Any such hearing shall be conducted pursuant to state law, RCW 34.05.410 through 34.05.494, as amended or superseded.</p> <p>(e) Hearings will be closed to the public and shall be deemed confidential.</p>

of any other person to the hearing is at the discretion of the Board's chair and subject to the requirement set forth in subsection (4).

(3) The Complainant and the Respondent are neither encouraged nor required to be assisted by an advisor of their choosing at their own expense. The Complainant and Respondent are responsible for presenting all information during the proceedings, and therefore, advisors are not permitted to speak or to participate directly in any proceeding. Proceedings will not be delayed due to the scheduling conflicts of an advisor.

(4) There will be a single verbatim sound recording of the hearing, and the record shall be on file with the Vice President for Student Affairs and is the property of the College.

(5) The Respondent's failure to cooperate with or attend a hearing shall not preclude the Board from proceeding and making a final determination or denying the appeal.

(6) Only those materials and information presented at the proceeding will be considered. The Chair may exclude or limit incompetent, irrelevant, or unduly repetitious information.

(7) Any person disruptive of the proceeding shall be duly warned and subsequently may be excluded from the hearing by the Chair. Any student engaging in such interference shall be in violation of the Student Conduct Code.

(8) The Chair is authorized to take reasonable measures to maintain control over the proceedings in order to elicit relevant facts, to prevent the mistreatment of participants, to insure that proceedings are not disrupted and the interests of fairness are served. This may include regulating the timing, length and manner of presentations, declaring recesses in the proceedings, and taking other appropriate actions.

(9) As required by the Jeanne Cleary Disclosure of Campus Security Policy and Campus Crime Statistics Act, 20 USC 1092(f), if a complaint alleges facts that would, if proven, constitute a sex offense for purposes of the Cleary Act: (a) The complainant may be present during the proceedings and is entitled to the same opportunities as provided to the Respondent to have others present during the proceedings; and (b) the complainant is to be informed of the final determination with respect to the alleged offense and any sanction imposed against the Respondent.

(10) Only members of the Appeal Board and the advisor to the Board shall be present for deliberations. Deliberations are not recorded. During deliberations the Board shall consider all the information presented and decide by

(f) The student may request the presence of his/her representative.

(g) An open hearing may be held, at the discretion of the trier of fact with the consent of the student.

(h) In cases of emergency suspension, the process will be modified as set forth in WAC [174-120-075](#) (Student conduct code -- Examples of corrective action).

(3) Hearing process: Notice of the hearing, including a statement of the particular rules involved and matters asserted, shall be provided at least ten calendar days before any hearing. The appealing student and campus grievance officer shall inform each other of witnesses and, if applicable, representatives (through the office of the vice-president for student affairs) at least three calendar days before the hearing. Failure to provide a list of witnesses and/or the name(s) of their

representatives at least three calendar days before the hearing will most likely result in disqualification of those witnesses and/or representatives. Both parties may submit brief written position statements to the designated trier of fact. Both parties have the right to:

(a) Question witnesses and have a representative advise them throughout the process. The parties shall inform each other of their witnesses (with a maximum of one character witness) and representatives at least three calendar days before the hearing. Representatives may not appear in lieu of the student charged.

(b) Have subpoena(s) issued by the vice-president for student affairs and/or trier of fact, subject to a convincing showing of the general relevance and reasonable scope of the evidence sought.

(c) Petition for disqualification of a member of the hearing board.

(d) Challenge any hearing board member based on cause, such as personal bias. The unchallenged hearing board members shall hear the challenge for cause and make a finding. If cause is found, the vice-president for student affairs shall fill the vacancy forthwith. If the hearing board has an advisor, he/she may also challenge a hearing board committee member. Except for petitions for disqualification, hearing board members may be disqualified upon majority vote of the remaining board members.

(4) The trier(s) of fact should not discuss the case outside of the hearing, and shall base their decision upon the evidence presented at the hearing.

(5) The burden of proof shall be on the college which must establish, by a preponderance of the evidence, that the student is responsible for a violation of the student conduct code.

(6) Formal judicial rules of evidence shall not be applicable, nor shall harmless procedural errors necessarily invalidate a decision or proceeding, unless significant prejudice to the rights of the student or the college would result. The trier of fact shall recognize rules of confidentiality and privilege, but shall otherwise admit all matters into evidence which

	<p>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.</p>	<p>reasonable persons would accept as having probative value in the conduct of their affairs.</p> <p>(7) Undue repetitious or irrelevant evidence may be excluded.</p> <p>(8) Illegally obtained evidence cannot be used.</p> <p>(9) The trier of fact shall reach a final decision within thirty calendar days of receipt of the petition or within fifteen calendar days of the close of the hearing, whichever is greater. Decisions of the trier of fact shall be by majority vote of the members present and voting. The trier of fact's written findings and conclusions shall be delivered to the accused student by hand or certified mail to his/her last known address.</p>
<p>Appeal Board</p>	<p>(1) The Student Conduct Appeals Board shall hear all appeals filed by a Respondent of the determination of responsibility and required resolution and sanction(s) issued by the Student Conduct Administrator. The Board shall be composed of five members consisting of one faculty member, one staff member, and three students. One member shall be designated by the Vice President to serve as the Chair of the Board for a hearing.</p> <p>(2) The faculty member serving on the Board shall be appointed by the faculty agenda committee. The committee shall appoint three alternate faculty members to serve in the event the faculty member is unavailable or is unable to serve due to a conflict of interest.</p> <p>(3) The Vice President for Student Affairs shall 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, shall be done through an open selection process established by the Vice President.</p> <p>(4) A Respondent may request removal of a member of the Board at the commencement of the hearing for reasons of bias. The Chair of the Board shall 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 remove himself or herself, a quorum of the remaining members shall decide whether removal is warranted. If a member is removed, an appropriate alternate member (i.e., faculty, student or staff) shall serve on the Board for the excused member.</p>	<p>(10) "Hearing board" means five community members appointed by and from the different sectors of the college community, which includes one faculty; one classified or exempt staff; and three students; to hear appeals of the campus grievance officer's findings. The vice-president for student affairs shall be responsible for ensuring that hearing board members and their alternates are appointed. The vice-president for student affairs will appoint the chair of the hearing board, who, with technical and clerical assistance of the vice-president for student affair's office, will write and issue the board's finding. An assistant attorney general, an administrative law judge, or any qualified community member may serve as a nonvoting advisor to the hearing board on the hearing process.</p> <p>(c) Petition for disqualification of a member of the hearing board.</p> <p>(d) Challenge any hearing board member based on cause, such as personal bias. The unchallenged hearing board members shall hear the challenge for cause and make a finding. If cause is found, the vice-president for student affairs shall fill the vacancy forthwith. If the hearing board has an advisor, he/she may also challenge a hearing board committee member. Except for petitions for disqualification, hearing board members may be disqualified upon majority vote of the remaining board members.</p>
<p>Final Determination</p>	<p>The Board shall issue a final determination that: (a) upholds the determination of responsibility and required resolution and sanction(s) of the Student Conduct Administrator. (b) upholds part, or all, of the determination of responsibility; and upholds the required resolution and sanction(s), or modifies the resolution and sanction(s); or (c) determines that the student is not responsible</p>	<p>(2) Default judgment process: The failure of the appealing party to appear may result in a default judgment. In cases of default judgment, the student has a minimum of seven calendar days in which to file a written motion requesting that the order be set aside and stating the grounds for this request. The trier of fact must respond to this request in writing within seven calendar days. The student or campus grievance</p>

	for violating the Student Code of Conduct, reverse the determination of responsibility issued by the Student Conduct Administrator, and dismiss the case.	officer may appeal the trier of fact's response to the reviewing officer as set forth in WAC 174-120-080 (6) and (7).
Reconsideration	<p>(1) Within ten business days of the service of the final determination, the Respondent may file a petition for reconsideration with the Student Conduct Appeals Board. The petition must state the specific grounds upon which relief is requested.</p> <p>(2) The petition shall be filed: (a) by 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 NW, Olympia, Washington, 98504; or (b) by personal service on the Student Conduct Appeals Board which shall be deemed accomplished by hand delivering the petition to the Office of the Vice President for Student Affairs at the address listed in subsection(2)(a).</p> <p>(c) The final determination remains in effect until the petition for reconsideration is complete. The Board is deemed to have denied the petition for reconsideration if, within twenty business days from the date the petition is filed, the Board does not: (a) dismiss the petition; or (b) serve the Respondent with a written notice specifying the date by which it will act on the petition.</p>	
Procedural Appeals		<p>174-120-085</p> <p>Within ten calendar days of receipt of the trier of fact's findings and conclusions, either the campus grievance officer or the student may submit to the president (L3109, ext. 6100) a written appeal. The president will appoint a reviewing officer who will conduct a procedural review. The reviewing officer will review the written and audio taped record. Within fifteen calendar days of the filing of the appeal, the reviewing officer must render a final written order. No further agency appeal is required or provided.</p> <p>If the accuser is a victim of conduct which is considered violent, she/he is entitled, according to the Federal Education Rights to Privacy Act, to receive the results of the process, upon request, after the final opportunity for appeal has passed.</p>
RECORDS		
Retention	(1) A student's conduct record may be retained for seven years after the final disposition of the case. When the resolution and sanction includes College expulsion or revocation of a	NA

	<p>degree the record will be retained in perpetuity. Final disposition is defined as when:</p> <p>(a) Respondent fulfills the Contract of Accountability or the required resolution and sanctions issued the Student Conduct Appeals Board; or (b) a case is closed at the discretion of the Student Conduct Code Administrator when the Respondent has not completed the required resolution and sanction and has not been enrolled for twelve months.</p> <p>(2) Other than College expulsion, degree revocation, or withholding of a degree, resolution and sanctions shall not be made part of the student's permanent academic record, but shall be part of the student's conduct record.</p>	
<p>SIMULTANEOUS CIVIL OR CRIMINAL PROCEEDINGS</p>		
	<p>(1) 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 shall 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.</p> <p>(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 shall have the discretion to grant or deny the request.</p> <p>(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 his or her status as a student. If the alleged 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.</p>	<p>Students may be accountable to civil and criminal authorities and to the college for acts occurring on or off campus which constitute violations of law. Students may be accountable to civil and criminal authorities and to the college for acts occurring on college premises and at college sponsored events.</p>