

Highlights of Recommended Changes to the Student Code of Conduct May 11, 2009

The Student Conduct Code DTF has recommended changes to the language of the Code that warranted a “start from scratch” approach rather than an “edit the existing document” approach. See <http://www.evergreen.edu/committee/studentconduct/resources.htm> for documents. The following highlights significant process or content changes:

Item	Changes	Rationale	Location
Language	Modified the following: - “Campus grievance officer” to “Student Conduct Administrator”; “Hearing board” to “Student Conduct Appeal Board”;	To better match current practice in the field	Recommended Code – p.1-3 Current Code – Section 174-120-025
Defined	“Respondent”, “Complainant”, “Finding”, “Corrective Action”, “Recommendation for Corrective Action”, “Accountability Contract”, and “Final Determination”	To clarify and match current practice in the field	Recommended Code – p.1-3 Current Code – Section 174-120-025
Purpose	Modified	To refine and eliminate extraneous language	Recommended Code – p. 1 Current Code – Section 174-120-015
Authority	Explicitly stated which Student Conduct Administrators (College, RAD, as appointed) will respond to complaints	To provide clarity and transparency of current practice	Recommended Code – p. 3 Current Code – not explicit
Jurisdiction	Added that complaints about conduct that occurs off campus which adversely affects the College community and/or the pursuit of its objectives may be adjudicated	To afford the option to address misconduct that may negatively impact students in the course of their academic pursuits that normally could only be addressed civilly or criminally	Recommended Code – p. 3 Current Code – not explicit; implied in Section 174-120-035
Jurisdiction	Clarified that the Code applies from the time of acceptance through the actual awarding of degree	To provide clarity and enable the College to respond to allegations prior to enrollment and between the end of a student’s final quarter and receipt of degree	Recommended Code – p. 3 Current Code – 174-120-025 (15)
Standards	Added overarching	Attempting to preface	Recommended Code –

	statement of expectations	specifically prohibited conduct with overarching standards of conduct in order to convey positive expectations while also delineating some specific conduct that is unacceptable	p. 4 Current Code – not included
Standards	Obstruction or disruption expanded to include freedom of speech, movement, conduct process	To address conduct that limits other members of the community’s movement and speech and to merge two prohibitions	Recommended Code – p. 4 #1 Current Code – 174-120-035(3) and (11)
Standards	Added more specificity to academic dishonesty	To provide more clarity, awareness	Recommended Code – p. 4 #2 Current Code – 174-120-035(1)
Standards	Added failure to be truthful and forthcoming	To simplify and combine several prohibitions and to stress the expectation for honesty in all interactions	Recommended Code – p. 4 #3 Current Code – 174-120-035(5) and (7)
Standards	Added forgery	Lacking in current code; see Model Code recommendations	Recommended Code – p. 4 #4 Current Code – 174-120-035 – not specified
Standards	Added failure to comply with College officials or emergency response personnel	Lacking in current code; see Model Code recommendations	Recommended Code – p. 4 #5 Current Code – 174-120-035 – not specified – perhaps (13) and (3)
Standards	Revised threats, harassment prohibition	Provide clarity and specificity; separate and delineate specific types of this kind of misconduct	Recommended Code – p. 4 #6 Current Code – 174-120-035 (8) and (11)
Standards	Added stalking	Lacking in current code; see OSAP Coordinator, RCW, CALCASA, Model Stalking Code, WCASA, WCSAP	Recommended Code – p. 4 #7 Current Code – 174-120-035 (8)
Standards	Making an audio or video record	Lacking in current code: see other WA codes	Recommended Code – p. 5 #8 Current Code – 174-120-035 – not specified

Standards	Expanded/refined firearms and weapons definition	Current code too limiting in light of previous concerns/cases at TESC; also see Model Code	Recommended Code – p. 5 #9 Current Code – 174-120-035 (17)
Standards	Unauthorized entry	Not specified in current code	Recommended Code – p. 5 #10 Current Code – 174-120-035 (16)
Standards	False alarms-added disabling of safety equipment or signs	Not specified in current code	Recommended Code – p. 5 #11 Current Code – 174-120-035 (6)
Standards	Changed “liquor” to “alcohol” and clarified	Similar	Recommended Code – p. 5 #12 Current Code – 174-120-035 (12)
Standards	Provided definition of “drugs”; added misusing prescription or nonprescription drugs	Enhance capacity to respond to conduct that may be harmful to self or others	Recommended Code – p. 5 #13 Current Code – 174-120-035 (4)
Standards	Merged damaging property and theft	Simplification	Recommended Code – p. 5 #14 Current Code – 174-120-035 (2) and (15)
Standards	Added misconduct motivated by bias	Lacking in current code; interest in addressing conduct with this motivation	Recommended Code – p. 5 #15 Current Code – 174-120-035 – not specified
Standards	Added specific prohibition and more explicit definition of sexual misconduct	Current code lacked specificity; see OSAP Coordinator recommendations, RCW, CALCASA, Model Code, WCASA, WCSAP	Recommended Code – p. 5 #16 Current Code – 174-120-035 (8)
Standards	Added failure to respond or comply re: code of conduct	Lacking in current code	Recommended Code – p. 6 #18 Current Code – 174-120-035 – not specified
Standards	Added failure to ensure your guest adheres to the Code	Lacking in current code; see Model Code	Recommended Code – p. 6 #19 Current Code – 174-120-035 – not specified
Standards	Eliminated list of policies and clarified source of College policy	Make more current	Recommended Code – p. 6 #20 Current Code – 174-120-035 (16)
Standards	Clarified and expanded	Current code cited only	Recommended Code –

	hazing to include social, learning, or athletic group	the RCW; recommendations raise the expectations	p. 6 #22 Current Code – 174-120-035 (9)
Standards	Added alleged violation of federal, state or local law, etc.	Lacking in current code; affords the opportunity to address community membership if deemed necessary for community safety	Recommended Code – p. 6 #23 Current Code – 174-120-035 – not specified
Standards	Added failing to intervene with or knowingly assisting in misconduct	Lacking in current code; affords the opportunity to hold bystanders responsible and to raise expectations for community responsibility in campus safety and climate	Recommended Code – p. 6 #24 Current Code – 174-120-035 – not specified
Procedures	Clarified who can report alleged misconduct	Seeking specificity and to ensure that anyone could submit a complaint; See Model Code	Recommended Code – p. 6 #2 Current Code – not specified
Procedures	Clarified options for resolution	Seeking greater transparency and simplification	Recommended Code – p. 6 (b) Current Code – 174-120-045 and 055
Procedures	Refined description of process	Seeking greater transparency and clarification	Recommended Code – p. 7 Current Code – 174-120-045 and 055
Procedures	Added that failure to meet with the Student Conduct Administer may result in the complaint being addressed in the Respondent’s absence	Lacking in current code	Recommended Code – p. 7
Procedures	Modified board hearings process – those for which the corrective action may be suspension or expulsion remain the same and follow the Administrative Procedures Act; those for which the corrective action may be anything else follow stated procedures (e.g. appeals due within 5 days)	To reduce time delays between complaint and resolution	Current Code – 174-120-045 and 055
Procedures	Offered option for the Board	To reduce time delays	Recommended Code –

	to be composed of different ratios of representatives if necessary in order to proceed in a timely manner (e.g. 1 student, 2 staff, 2 faculty instead of 3 students, 1 staff, 1 faculty)	between complaint and resolution	p. 8 #2 Current Code – 174-120-025 (10)
Corrective Action	Changed “reprimand” to “warning”	More appropriate language	Recommended Code – p. 11 #1 Current Code – 174-120-075 (4)
Corrective Action	Added “loss of privileges”; “discretionary actions”, “no contact”, “withholding admission or degree”, “revocation of admission or degree” specifically	Provide clarity	Recommended Code – p. 11 #3, #5, #6 Current Code – 174-120-075 (8)
Corrective Action	Delineated “loss of privileges” and “residence hall suspension and expulsion”	Provide clarity	Recommended Code – p. 11 #3, 7, 8 Current Code – 174-120-075 (7)
Corrective Action	Added “deferred action”	Offers the opportunity to immediately issue additional corrective action if Respondent fails to meet obligations	Recommended Code – p. 11 #9 Current Code – 174-120-075 (8)
Records	Clarified record retention policy	Provide clarity and transparency	Recommended Code – p.12 Current Code – not specified