



STUDENT AFFAIRS



# Student Rights and Responsibilities

Student Members of The Evergreen State College Community:

Congratulations! You have become a member of our community and now share with all of us the right to, and responsibility for, maintaining the conditions under which learning can flourish. Let me tell you more about what this means.

While at Evergreen, you have all the rights afforded to you by the state of Washington, including right to due process if charged with a violation of one of our campus regulations. You also have the right to seek redress should you be negatively affected by the behavior of others. In addition, you must abide by the laws of the state of Washington, and the special regulations that apply to behavior on our campus.

This document, "Rights and Responsibilities-Yours and Ours," explains many of Evergreen's special goals and regulations. The place to start learning about these is the *Social Contract*, our unique statement of conditions necessary for positive educational relationships. Some of the values set forth in the Social Contract exist as ideals which cannot and should not be formulated as regulations, but over the years the College has created a wide range of specific policies and processes that flow from the Social Contract.

If you have not read the Social Contract, I encourage you to do so and to strive to live by its principles. If difficulties arise in academic programs, in housing, in your relationships with other students, in parking, in athletics, or in other areas, the other more detailed grievance and appeals procedures may well apply to you (*Student Conduct Code*).

What an institution views as important is often embodied in its policies and procedures. In reading this document, you will understand what we value as a community. Grievance policies require adherence to procedures and deadlines. If you become involved in a grievance, your knowledge of the specific content of this document could be critical. Should you have any questions about the content of this publication, please call me at 867-6296.

Sincerely,

*Art Costantino*

Vice President for Student Affairs

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## **How to use this Document**

This document contains a collection of policies and guidelines likely to be useful to students. The information in this document is especially important to students who find themselves in conflict with another person at the college or with a college policy. This introduction describes some important general principles underlying the policies in this document, provides some help in deciding which policies to refer to in specific cases, and describes some additional resources and sources of help.

## **General principles**

### **Direct communication**

Many of Evergreen's core values and aspirations are described in the *Social Contract*. The authors of the Social Contract described a college that protects the right of individuals to express unpopular and controversial points of view and that values intellectual freedom and honesty. In such an environment, conflicts inevitably arise. The Social Contract says that "All must share alike in prizing academic and interpersonal honesty, in responsibly obtaining and providing full and accurate information, and in resolving their differences through due process and with a strong will to collaboration." This means that, as a general

rule, most conflicts should be addressed through direct and honest communication among the people involved. Like most general rules, this one requires some qualification (for instance, in cases involving discrimination, including sexual harassment).

## Mediation

Sometimes people in conflict may need the assistance of a third person to communicate directly with each other. *The Center for Mediation Services* provides a group of trained volunteers with the skills to help parties in conflict examine their individual needs, identify common interests, and begin to craft a mutually beneficial agreement. The Center's clients sign agreements stating that information discussed in a mediation session will be confidential and not discussed outside that session. The Center for Mediation Services can be contacted at 867-6656.

## Safety

Direct communication would not be wise if it would compromise personal safety. Students who believe that their personal safety or the safety of the community is at risk should contact the *Police Services Office* (867-6140). The office is open 24 hours a day, seven days a week. In addition to receiving the training necessary to become commissioned police officers, Evergreen's police officers receive additional training in areas such as conflict resolution, assisting survivors of sexual assault, and other topics that will better enable them to serve the college community. Police Services is located at Seminar 2150.

## Sexual Assault

Trained advocates are available to survivors of sexual assault. Police Services Officers (867-6140), the Campus Grievance Officer (867-5052), or the Sexual Assault Prevention Coordinator (867-5221) can help students get in touch with advocates. The section on *Sexual Assault* provides additional information for survivors of sexual assault.

## Discrimination and Sexual Harassment

Evergreen is committed to creating a discrimination-free environment and has developed policies and practices for addressing allegations of discrimination, including sexual harassment. Students who believe they may have been victims of discrimination or sexual harassment may also use state and federal systems for pursuing their complaints. The section titled *Equal Opportunity and Non-Discrimination* provides some additional information about these options. The President's Special Assistant for Civil Rights is available to assist students in understanding the options available and can be contacted at 867-6386 (Library 3103).

## Which Policy Applies?

The policies and guidelines published in this document describe several additional processes for addressing grievances and resolving conflicts. When the general principles described above do not address or resolve a conflict, one of the processes listed below may be appropriate. This section is intended to help students determine which processes may be useful to them in specific situations. In some situations, a student may find that none of the processes in this document seem to apply or that more than one process seems appropriate. The office of the *Dean of Student and Academic Support Services* (867-6034) and the office of the *Vice President for Student Affairs* (867-6296) can assist students in understanding their options.

## Other students

If a student has a grievance against another student and the general guidelines described above do not apply, it is likely that one of the following two processes might be used to address the grievance:

- If both students live in the residence halls and the conflict is centered in Housing, the Housing

dispute resolution process may be appropriate. The process is described in the [Housing Handbook](#). Residence Assistants can answer questions about the Housing process. Contact Housing at 867-6132.

- In most other cases, grievances against students are pursued through the process described in the [Student Conduct Code](#). A student wishing to pursue a complaint through the Student Conduct Code would contact the Campus Grievance Officer (867-5052). The Grievance Officer might decide to seek a resolution by following the process in the Student Conduct Code or might refer the complaint to another dispute resolution process.

Complaints involving discrimination, including sexual harassment, may be directly referred to the President's Special Assistant for Civil Rights (867-6386).

## Members of the faculty

The [Academic Policies](#) section of this document may be helpful to a student having a dispute with a member of the faculty. The section outlines the specific process for resolving a dispute over academic credit or the content of student evaluations. Other disputes with faculty that are not addressed by the general principles described above can be referred to the Academic Deans' office (867-6870).

## Student Employment

The [Student Employment](#) section of this document describes the process for resolving conflicts related to student employment. The Student Employment Office (L1115, 867-5520) can assist students and employers with their questions about the grievance process. The office serves as a neutral contact for students with disputes related to their employment at the college.

## Other conflicts

Many areas of the college have processes for resolving conflicts specific to those areas. Several of these processes are included in this document. For instance, the [Parking Policies](#) section describes the process for appealing parking fines to an infraction review board composed of students, faculty, and staff. If none of the processes described above or included in this document seem to apply, the office of the Dean of Student and Academic Support Services (867-6034) and the office of the Vice President for Student Affairs (867-6296) can provide additional assistance.

## Important resources

Below are some important resources and situations in which they might be used. For additional help, students can contact the office of the [Dean of Student and Academic Support Services](#) (867-6034, Library 1414) or [Vice President for Student Affairs](#) (867-6296, Library 3236).

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## Resources

### Places to Go - People to see

#### **On Campus:**

1. Faculty
2. Academic Deans, 867-6870
3. President's Assistant for Civil Rights and Legal Affairs, 867-6386
4. On-campus Mediation Center, 867-6656
5. Housing Staff, 867-6132

6. Financial Aid, 867-6205
7. Counseling Center, 867-6800 (hours: 8 a.m. - 7 p.m. M-Th, 8 a.m. - noon, F)
8. Evergreen Health Center, 867-6200
9. Sexual Assault Prevention Coordinator, 867-5221
10. Campus Grievance Officer, 867-5052
11. Ombudsperson - see campus phone book under "Sexual Harassment Ombudsperson," page A13 (in the back section)
12. Core Connector - call Academic Advising, 867-6312
13. Academic Advising, 867-6312
14. First Peoples' Advising (advocacy for Persons of Color), 867-6467
15. Evergreen Police Services, 867-6140 (call also for Housing or Counseling issues after office hours)
16. Access Services for Students with disabilities, 867-6348

**Off Campus:**

- 17.
18. Dispute Resolution Center of Thurston County (DRC), 956-1155
19. Legal Aid (Thurston County Volunteer Legal Clinic Foundation ), 705-8194
20. SafePlace, 754-6300 (24 hours)
21. Crisis Clinic of Thurston County, 586-2800 (24 hours)
22. Domestic Violence Hotline, 800-562-6025
23. Planned Parenthood, 754-1556
24. Health Dept., 786-5581 or 786-5583
25. Thurston Co. Sheriff, 911 or 786-5500
26. Olympia Police Dept., 911 or 753-8300

## Some Example Situations with Suggested Resources

Below are some common situations in which you might find yourself. The numbers after each refer to the Resources listed above.

### Academic Issues

- Evaluation or academic program conflict with faculty - 1 first, then 2, 13
- Seminar conflict with fellow students - fellow student first, then 1, 4
- Accommodation for disabilities - 16

### Social Issues

- Roommate conflicts - Fellow roommate(s) first, then 5, 4, 7
- Sexual harassment (repeated unwanted gestures, comments, acts that do not cease upon request) - 3, 9, 11
- Discrimination (non-sexual harassment) - 3, 14
- Homelessness - 13 (some info available), 20
- Domestic relationship issues - 7, 18, 21

### Medical and/or Health Issues

- HIV testing - 8 or 23
- Pregnancy testing - 8 or 22
- Drug and Alcohol evaluations - 8

### Legal Issues

- Rape - Hospital (St. Peter's is the only local hospital with rape kit), 7, 3, 19, 5 (if Housing resident), 15
- Domestic violence - 15, 7
- Landlord/tenant conflict - 18, 17
- Non-college legal issues - e.g., Protection orders, arrest, DWI, etc. - 18, 24, 25
- Financial problem - 6, 18

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## Conflict Resolution Process Matrix

### On-Campus Resources for Individuals in Conflict

**Note:** The Mediation Center is a resource for any conflicts described below. If a conflict may involve discrimination or sexual harassment, the President's Special Assistant for Civil Rights can provide assistance.

<b>About ====&gt; By</b>	<b>Student</b>	<b>Student Employee</b>	<b>Faculty</b>	<b>Classified Staff</b>	<b>Exempt Staff</b>
<b>Student</b>	Faculty  Grievance Officer  Housing Staff	Student's Supervisor  Grievance Officer	Academic Dean	Supervisor	Supervisor
<b>Student Employee</b>	Supervisor  Grievance Officer	Supervisor  Grievance Officer	Supervisor  Student Employment Director	Supervisor  Student Employment Director	Supervisor  Student Employment Director
<b>Faculty</b>	Grievance Officer  Academic Dean	Student's Supervisor  Grievance Officer	Academic Dean  Faculty Grievance Process	Supervisor	Supervisor
<b>Classified Staff</b>	Grievance Officer	Student's Supervisor  Grievance Officer	Academic Dean	Union Representative  Supervisor	Union Representative  Supervisor
<b>Exempt Staff</b>	Grievance Officer	Student's Supervisor	Academic Dean	Union Representative	Supervisor

		Grievance Officer		Supervisor	
<b>Community Member</b>	Grievance Officer	Student's Supervisor Grievance Officer	Academic Dean	Supervisor	Supervisor

**Police Services Office:** Questions of law or safety

**Special Assistant for Civil Rights:** Questions of Civil Rights, discrimination or harassment

**First Peoples' Advising:** Variety of support for students of color

**Employee Assistance Program:** Off-campus, confidential problem-solving assistance

**Access Services:** Questions regarding ADA

**Human Resource Services:** Questions related to employment

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## Parking Regulations

### Purpose

- To expedite college business, protect state property, provide maximum safety and convenience for all.
- To assure access at all times for emergency vehicles and personnel.
- To provide funds to obtain and maintain suitable campus parking facilities.
- To protect and control vehicular traffic.
- To protect the environment by encouraging parking and transportation alternatives that minimize the need for additional parking lots.

Drivers and owners of vehicles on the property of The Evergreen State College are responsible for safe and lawful operation of those vehicles. Individuals operating or parking vehicles on college-owned property must at all times comply with the campus regulations, ordinances of Thurston County and laws of the state of Washington.

### Enforcement

Whenever an unattended vehicle is observed in violation of the regulations, the parking or public safety department shall take the registration number and other identifiable information and shall fix to the vehicle a parking infraction in a conspicuous visible location.

### Responsibility for illegal parking

1. The registered owner or permit holder is responsible for all parking violations involving the vehicle on which the permit is displayed.

2. In any review, appeal or hearing alleging the violation of any parking regulation, proof that the particular vehicle described was stopped, standing or parked in violation of such regulation together with proof that the person named in the complaint or infraction at the time of such violation was the registered owner or permit holder of such vehicle constitutes evidence that the registered owner or permit holder was the person who parked or placed the vehicle in the location the violation occurred.

## Parking--Prohibited places

1. No vehicle shall stop, stand or park so as to obstruct traffic along or upon any street or sidewalk or in any parking lot.
2. No vehicle shall park, stop or stand in a location likely to interfere with traffic flow except momentarily to pick up or discharge passengers.
3. No vehicle shall be parked on any lawn or grass areas except as required for maintenance or construction authorized by the director of facilities.
4. No vehicle shall be parked so as to occupy any portion of more than one parking space or stall as designated within the parking area. The fact that other vehicles may have been so parked as to require the violator to occupy a portion of more than one space or stall shall not constitute an excuse for a violation of this section.

## Impounding of vehicles

1. No disabled or inoperative vehicle shall be parked on the campus for a period in excess of seventy-two hours. Vehicles which have been parked for periods in excess of seventy-two hours and which appear to be disabled or inoperative may be impounded and stored at the expense of the registered owner. Neither the college nor its employees shall be liable for loss or damage of any kind resulting from impounding and/or storage services provided by a private vendor. Notice of intent to impound will be posted on the vehicle twenty-four hours prior to impound. In any case, the owner or operator of a disabled vehicle should notify the public safety or parking office of the vehicle's location and estimated time of removal or repair.
2. Any vehicle parked upon property of The Evergreen State College in violation of these regulations, including the motor vehicle and other traffic laws of the state of Washington, may be impounded and removed to such place for storage as the director of public safety selects. The expense of such impounding and storage shall rest solely on the owner or operator of the vehicle. Vehicles in violation of campus regulations or state traffic laws may also be impounded in place. Release from in-place impounds is contingent on payment of all outstanding fines and charges prior to release of the impounded/immobilized vehicle. The college and its employees shall not be liable for loss or damage of any kind resulting from such impounding and/or storage services provided by a private vendor.

## Fines

### 1. **Payment**

- a. Persons cited for violation of these regulations are required to pay a fine within ten days of the date of notice of infraction.
2. All fines are payable at the parking office. Fines may be paid in person during normal business hours or by mail. The notice of infraction must accompany any fine payment.

### ■ **Unpaid fines**

If any fine remains unpaid after ninety days from the date of the notice of infraction, the account may be referred to the controller's office for collection and the following actions may be taken:

- a. All services on campus may be withheld including academic registration for the following academic period.

- b. Transcripts may be withheld for any persons having outstanding unpaid fines.
- c. The college has authority to contract with collection agencies in order to collect public debts according to RCW 19.16.500.
- d. A vehicle accumulating three or more unpaid citations with one or more being ninety days delinquent in payment, may be impounded in-place until the outstanding fines are paid.

## Deciding whether to pay or contest a notice of infraction

The notice of infraction issued pursuant to these regulations shall direct the alleged violator that he/she may elect either to pay the fine applicable to the violation charged or to request a review with the infraction review committee within ten calendar days of the date of the infraction.

1. If the alleged violator chooses to contest, a written request for a review will be filed with the chairperson of the infraction review committee, through the parking office. Requests for review forms are available at the parking office and at the parking booth. Requests for a review may be submitted without posting of the fine within ten calendar days after date of infraction.
2. The infraction review committee will review the written request for review and notify the appellant by mail of its decision.

## Appeal/hearing procedure

1. If the decision of the infraction review committee is not supportive of the alleged violator's request, the alleged violator may request one hearing before the review committee to present his/her case in person. The infraction review committee will meet a minimum of once a month to hear such appeals.
2. Persons requesting a hearing before the infraction review committee must make such requests to the chairperson of the committee in writing within ten calendar days of notification of the initial review decision.
3. The appellant will be notified by the chairperson of the infraction review committee of the time and date of such hearing. Decisions rendered by the infraction review committee on appeals heard shall be binding.

**Appeal/hearing procedure--Rules of evidence:** The rules of evidence applicable to courts of law do not apply. Any oral or documentary evidence may be received. The chairperson of the infraction review committee may exclude evidence as is irrelevant, immaterial or repetitious.

**Appeal/hearing--Procedure--Review decision:** Upon conclusion of the review and/or appeal, the chairperson of the infraction review committee shall render the decision of the review committee as to appropriateness of the assessed fines. The decision shall be recorded in the records maintained by the parking office and the secretary of the infraction review committee shall endorse his/her signature therein, certifying the record to be correct.

**Appeal/hearing--Mitigation and suspension of fines:** Upon the showing of good cause or mitigating circumstances, the infraction review committee may impose any lesser fine than those established in WAC 174-116-260 of these regulations or may dismiss the fine. The chairperson may grant an extension of time within which to comply with the review and/or appeal decision. A person charged with a parking infraction who deems himself or herself aggrieved by the final decision in an internal adjudication may, within ten calendar days after written notice of the final decision, appeal further by filing a written notice with the parking office indicating their intention to pursue the infraction through the civil courts. Documents relating to the appeal shall be maintained for such court process.

*WAC Sections: Parking Regulations*

## Responsibilities Driving On Campus: Questions And Answers

### Where may I park?

In any marked stall in a designated parking lot. If you hold a permit for B, C and F lots, you may NOT park in the MODS lot without a clearance from the Parking Office or (after Parking Office hours) Police Services. MODS lot permit holders may park in any lot. All other areas are prohibited to parking.

### Are there time restrictions?

The parking in all areas other than B, C, or F lot is time restricted and signed as such. Some stalls in B lot are restricted to one-hour parking and are marked as such; a one-hour pass from the Parking Booth is required to park in these stalls.

### If I need to park in a restricted area, what do I do?

Phone the Parking Office, 867-6352, to request a clearance. Be prepared to give car make, model, color, location and license plate number. If the request is granted, you must vacate the spot by the time agreed upon. Otherwise: unless you are cleared, you are liable to being cited. Don't assume you are cleared by leaving a message at the office. When the Parking Office is closed, call Police Services, 867-6140.

### I received a parking ticket and want to contest it. What do I do?

You must file an appeal within ten days of receiving the citation (as stated on the back of the citation). Appeals are read by the Infraction Review Committee, which represents the campus community: two students, one faculty, one classified staff and one exempt employee compose the committee. Appeal forms are available at the Parking Booth and the Parking Office.

### Can't the Office just tear a ticket up?

Sorry, no. Being licensed to issue citations by the Attorney General means that we may only cancel tickets which are in obvious error or which are one of a few well defined special cases. Mitigating/extenuating circumstances must be heard through the appeal process.

### Why not build more parking lots closer to classrooms and make parking free?

Evergreen has a long history of environmental activism. We try to be as responsible as possible about our impact on the ecosystem surround the College. Parking lots have serious consequences for storm water runoff and habitat for salmon and other species. We need to be aware of the costs of parking-both financial and ecological-while working toward more sustainable transportation alternatives.

### Why do Evergreen police patrol the Parkway?

Although the Parkway is used by many non-Evergreeners, it runs through college property and falls under the jurisdiction of the College's Police Services. Over the years, there have been a number of serious accidents on the Parkway that have led to many requests from community members for increased traffic enforcement.

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## Pet Policy

### ■ **Pet policy - purpose**

The intent of this policy is that pets and other animals must at all times be treated with due care and consideration for their well being.

### ■ **Pet policy - animal control**

All persons bringing animals onto college property shall be subject to Thurston county code 9.10.050 et seq., as amended, relating to the keeping and control of pet animals. Pets and other animals will not be allowed in campus buildings except for: guide animals accompanying disabled persons, shows or other similar approved events, or research or other study of animals sponsored as part of the instructional program. Pets and other animals may be on campus only when under the physical control of their owners or keepers. No animal shall be permitted to run at large; animals left tied up in the absence of the owner shall not be considered under direct control but, rather, to be running at large. Any pet animal found in a college building, or on campus not under direct physical control, is subject to impounding according to provisions of the Thurston county code, as amended, attached to and made a part of this policy.

■ **Pet policy - enforcement**

Any pet or other animal in a college building, or on the campus, not under the direct physical control of its owner or keeper, is subject to impounding by campus police. Owners or keepers may be subject to disciplinary action. Although principal responsibility rests with campus police, community support is urged in reminding pet owners of their obligation if a violation is observed by a community member. Impounded animals may be turned over to Thurston county animal control if left unclaimed, and fines may be imposed by county animal control.

■ **Pet policy - definitions:**

- Pets and other animals means any animal other than:
  - a human being;
  - a caged bird;
  - a fish in an aquarium.
- Physical control means:
  - control by means of a leash, cage, bridle, bowl, or other restraining device held by the owner/keeper and leading to the pet or animal. Voice control or indirect control by tying a leash to a railing, for example, shall not constitute physical control.
- Owner or keeper means:
  - the person the pet or other animal is accompanying.

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## Habiting In Unauthorized Places

**Purpose.** In the interest of health and safety, and to preserve campus ecosystems, The Evergreen State College expressly prohibits overnight habitation by any person in any place on the campus, including its buildings.

This prohibition does not apply to:

- The facilities provided for such specific purpose by the college housing operation;
- The permanent domiciles located on the college's "organic farm," on the extension of Indian Rock Road;
- Individuals for whom the prohibition is waived by a Vice President or his or her designee for fixed temporal periods and at fixed locations.

**Penalties for violation.** Any person who violates the above section may be referred to civil authorities for appropriate prosecution, including prosecution for violation of the law of criminal trespass. Students may be subject to the Student Conduct Code for repeated violations of this policy.

*WAC Sections: Habitation Regulations*

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## **Related Documents**

### *Housing Policies*

Enrollment Services Regulations, Available in Enrollment Services, L1221.

Athletics and Recreation Users' Covenants and Policies, Available in the College Recreation Center office (CRC 210).

Student Athlete Handbook, Available in the College Recreation Center office (CRC 210).

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