Student Code of Conduct

I. Introduction

Declaration of Intent
As an instrument of the church, Austin Presbyterian Seminary is not merely an institution for academic study, and membership in it is not granted in answer solely to the private interest or personal decision of those who present themselves for admission, however thoroughly qualified academically. Both for faculty and student, membership in the community is by invitation and commitment. The call of God and the approbation of God's people are appropriately attended by a declaration of one's commitment and an acknowledgment of one's obligation to make full use of all means to the cultivation of the gifts of God for fulfilling the ministries to which one has been called. This occurs not only by devotion to study, but also by responsible participation in the whole of the community's varied life of worship and work, as well as by the exercise of personal prayer. The Seminary, therefore, invites its students to sign the following statement, which has been adopted by the faculty:

"In recognition of the claims of God upon me and in reliance upon God's grace, I declare my intention to live responsibly in this community, to be persistent in the pursuit of learning, diligent in prayer and praise, responsive to the needs of my fellow members, and open to their efforts to contribute to my equipment for the service of Christ."

II. Policy Statement

Austin Presbyterian Theological Seminary by its mission to educate and equip individuals for the ordained Christian ministry and other forms of Christian service and leadership, upholds particular standards and expectations in behavior for all its members in their life together. These qualities of life are grounded in a common faith in Jesus Christ, within which all people are regarded as children of God and are to be treated accordingly. This Student Code of Conduct outlines behavioral expectations, possible consequences, and the complaint-resolution process for behavior that violates the Code of Conduct.

III. Policy Jurisdiction

This Code of Conduct applies to all students of Austin Seminary, including all degree students and all Special Students, whether they are in residence at the Austin campus or elsewhere.
IV. Behavior Expectations

Because Austin Seminary is an educational institution and a community of theological inquiry and formation for ministry in the service of the Church of Jesus Christ, it is incumbent upon both professors and students to foster a teaching environment that is conducive for learning and is characterized by mutual respect. To ensure that all participants can give their undivided attention to the instruction at hand, maintaining proper classroom etiquette is crucial.

Austin Seminary also recognizes that the way we relate to each other in this community is a preview of how we will relate in ministry beyond seminary.

Austin Seminary is committed to creating and maintaining an atmosphere where all can work, study, and live together in an atmosphere free of behavioral misconduct. It is not possible to anticipate or list all forms misconduct could take. Below are some examples of behavioral misconduct:

A. Discriminating against others on the basis of race, national origin, ethnicity, sex, religion or denomination, color, creed, disability, sexual orientation, marital status, or age.
B. Disrupting the peaceful or orderly conduct of lectures, study groups, meetings, or worship services. Note that using computers or cell phones during class for any non-class related purposes is prohibited unless expressly permitted by the professor. This includes non-class related use of the Internet, accessing or posting to social media sites (e.g., Facebook, Twitter, etc.) as well as non-Internet based, non-class related uses. Cell phones must be turned off during class. In case of extenuating circumstances on a particular day, a student may request from the instructor an exception to this rule.
C. Causing physical injury to or threatening another.
D. Disrupting living areas of the Seminary. This is especially important with respect to noise in campus Seminary housing areas. Please refer to the Seminary's Housing Handbook for additional guidelines for those students who live in Seminary housing.
E. Bringing complaints against a community member that are spurious or that are intended primarily to harass, retaliate against, or defame another.
F. Violating the Seminary's policy on Non-Discrimination and Anti-Harassment as well as violating the policy on Sexual Misconduct.
G. Violating of the Seminary's policy on Code of Ethics for Computing.
H. Violating the Seminary's Firearms, Alcohol, or Drug Abuse and Prevention policies.
I. Serious financial irresponsibility.
J. Failure to follow an administrative directive.
K. Retaliation of any kind against a reporter/complainant, witness, or employee of the Seminary for any action taken in the course of a report/complaint, investigation, or disposition regarding this Code of Conduct.
L. Mistreatment or willful destruction of Seminary property.
M. Any form of criminal conduct.
N. Other conduct which is unbecoming to or disruptive of Christian community.
V. Possible Consequences for Behavior Violating Code of Conduct

Consequences for violation of this Code of Conduct include, but are not limited to, the following:

A. warning or reprimand issued in writing by the academic dean or the vice president for student affairs and vocation;
B. a requirement for counseling issued in writing by the vice president for student affairs and vocation;
C. non-academic probation;
D. suspension from particular classes or activities, or from the Seminary campus, including Seminary housing, for a stated period of time;
E. termination of on-campus student employment;
F. failure of a course;
G. involuntary leave of absence;
H. dismissal from the Seminary; or,
I. referral to civil authorities for prosecution.

VI. Complaint-Resolution Process

A. Reporting

Occasions or events may occur where a student, faculty, or staff member wishes to report a student’s violation of the Student Code of Conduct. The following procedures apply:

1. Reports/Complaints should be made to the academic dean or to the vice president for student affairs and vocation. Reports may be made verbally or in writing, although reporters/complainants are encouraged to put their report/complaint in writing using the form provided at the end of this document (and also available in the Office of Student Affairs and Vocation).
2. A student who is the victim of sexual misconduct or who has knowledge of another person being the victim of sexual misconduct or who believes in good faith that he/she has witnessed a possible warning sign of sexual misconduct is urged to make a formal report to the academic dean or to the vice president for student affairs and vocation and to local law enforcement authorities (see Sexual Misconduct Policy).
3. In addition to the above reporting options, persons wishing to report Student Code of Conduct violations confidentially and in good faith can call the Campus Conduct Hotline at 866-943-5787. (The Campus Conduct Hotline is available 24/7. It is operated by an independent organization, and any calls made through this Hotline are confidential and anonymous. See the Student Handbook for additional information about how the Campus Conduct Hotline works.)

B. Investigation

1. The academic dean or the vice president for student affairs and vocation will act as the investigating officer.
2. This officer will make a careful investigation, which will include an interview with the person who lodged the complaint/report and the student(s) against whom the complaint/report was lodged.
3. The investigating officer will determine what further action needs to
be taken.

C. Actions

1. Actions Determined by the Investigating Officer
   The investigating officer may take one or more of the following actions:
   a. issue in writing a warning or reprimand;
   b. issue in writing a requirement for counseling;
   c. impose suspension from particular classes or activities or from the Seminary campus for a stated period of time.

2. Actions Determined by the Student Life/Student Standing Committee
   a. The investigating officer may determine that the case should be referred to the Student Life/Student Standing committee. This referral will include a description of the alleged behavior, the policy, regulation, or guideline which the student is alleged to have violated, and can include a recommendation for consequences.
   b. The committee will hear the case at its next regular meeting or at a called meeting if the committee chair deems it necessary.

VI. Hearing Process

A. Notification of Hearing

Because the student (the respondent) must be offered the opportunity to meet with the committee and to present pertinent evidence, as soon as possible after receipt of the investigating officer's referral to the Student Life/Student Standing committee, the committee chair will draft a letter to the student in question.

The letter will outline the charge(s) and will include a copy of the investigating officer's referral, an invitation to the student to be present at a hearing before the committee in executive session (i.e., without student members), and a proposed format for the meeting.

In short order, the chair will distribute the letter and referral to the student, with copies provided to executive committee members. The student's letter will either (a) be hand-delivered to the student or (b) placed in the student's campus mail box with an additional copy mailed to the student's mailing address on file with the Seminary.

B. The Hearing

1. The matter of the alleged violation of the Student Code of Conduct is heard by Student Life/Student Standing in executive session (i.e., without student members).
2. In addition to the Respondent, the Complainant may attend.
3. In cases involving sexual misconduct and/or sexual harassment, the alleged complainant or victim may participate in the hearing via telephone conference call.
4. Also, by notifying the committee chair, the respondent and/or complainant may be accompanied by a representative (normally one) of the student's choosing. This notification must be made in writing to the committee chair at least three (3) business days prior to the hearing. The committee chair may limit the number of representatives present. In all cases, the
complainant and/or victim will be accorded the same rights to representation as the respondent.

5. The chair may conduct the hearing if the respondent chooses not to attend. A hearing may proceed if not all witnesses are present.

6. The chair of the committee will determine the procedure for the hearing, including, but not limited to, a determination about:
   a. How many persons will appear;
   b. What information may be represented and how;
   c. The manner in which witnesses will be questioned;
   d. The scope of each matter discussed; and
   e. The amount of time spent on each matter.

7. The chair may stop questions at any time.

8. After the period in which the charges are explained, evidence has been presented, questions asked, and the student (respondent) has been given the opportunity to respond, all persons in attendance, except the committee members, will be dismissed. The committee will then deliberate the matter.

C. The Student Life/Student Standing Committee's Decision

The committee may determine consequences including, but not limited to, the following:

1. warning or reprimand issued in writing by the committee;
2. a requirement for counseling issued in writing by the committee;
3. non-academic probation;
4. suspension from particular classes or activities, or from the Seminary campus, including Seminary housing, for a stated period of time;
5. termination of on-campus student employment;
6. recommendation to the Academic Dean for failure of a course or courses;
7. recommendation to the faculty in executive session that the student be placed on an involuntary leave of absence;
8. recommendation to the faculty in executive session that the student be dismissed from the Seminary; or,
9. referral to civil authorities for prosecution.

The student may be invited to return to hear the committee's decision, or the student may choose to be notified via email or in writing. If the student chooses to be notified in writing, the notification will be placed in U.S. mail and in the student's campus mailbox within three (3) business days following the committee's decision.

D. Committee Recommendation to Faculty

A recommendation may be made by Student Life/Student Standing to the faculty in executive session. If so, the case will be heard at their next regular meeting or at a called meeting scheduled at the sole discretion of the president.

The student will be notified in writing of the executive faculty meeting by campus mail with a copy mailed by U.S. mail to the student's mailing address on file with the Seminary at least three (3) business days prior to the meeting.

E. Faculty in Executive Session

A recommendation made by Student Life/Student Standing to the faculty is deliberated by the faculty in executive session.
1. By notifying the president, the student may be accompanied by a representative (normally one) of the student(s) choosing. This notification must be made in writing to president at least three (3) business days prior to the hearing. The president may limit the number of representatives present. In all cases, the complainant and/or victim will be accorded the same rights to representation as the respondent.

2. The president will determine the hearing procedure. The procedure ordinarily will include:
   a. a presentation of the recommendation of the Student Life/Student Standing committee, made by the committee chair;
   b. an opportunity for the student, or his or her representative, to respond to the recommendation; and,
   c. an opportunity for the faculty to ask questions of the student and/or his or her representative.

3. According to the procedure outlined by the president, and after the student has had an opportunity to respond to the recommendation, the student and the student(s) representative(s) will be dismissed from the meeting. The faculty will then deliberate the matter, deciding the appropriate consequences for the behavior in question.

F. Faculty Decision

The faculty's decision will be communicated in writing to the student via both campus and U.S. mail within five (5) business days of the faculty's decision.

VII. Decision-Making Criteria and Standards of Proof to Be Used

A. The Student Life/Student Standing committee in executive session and the faculty in executive session will be guided in their decision-making by this Code of Conduct and by the relative severity and/or frequency of the behavior in question.

B. Student Life/Student Standing will base its recommendation upon the preponderance of evidence presented in the committee meeting.

C. The faculty will base its decision upon the preponderance of evidence presented to the faculty in executive session.

D. The legal standard of 'beyond a reasonable doubt' is not applicable in these cases.

VIII. Appeal Procedures

A. Appealing the Decision of the Investigating Officer

1. If the course of action determined in response to the report or complaint is decided by the investigating officer, the student in question may appeal the decision to the president.

2. The appeal should be made in writing within ten (10) business days of the initial decision.

3. The decision of the president with respect to the appeal is final and may not be appealed further.

B. Appealing a Decision to Refer the Case
1. A course of action by the investigating officer to refer the case to the Student Life/Student Standing committee in executive session cannot be appealed. This is due to the fact that the student in question is given the opportunity to present his or her evidence to the committee.

2. A course of disciplinary action determined by the Student Life/Student Standing committee in executive session cannot be appealed. This is due to the fact that the student in question is given the opportunity to present his or her evidence to the committee.

3. A course of action by the Student Life/Student Standing committee in executive session to make a recommendation to the faculty in executive session cannot be appealed by the student. This is due to the fact that the student in question is given the opportunity to present his/her evidence to the faculty.

4. A decision by the faculty is final and may not be appealed further.

IX. General and Specific Rights of Complainant

A. Any student, spouse of a student, or employee of Austin Presbyterian Theological School may file a report/complaint regarding a violation of the Student Code of Conduct.

B. In the case of a report/complaint made by someone outside the Seminary community, the complainant becomes the student or employee who is first made aware of the violation in question. In this situation, the complainant should make every reasonable effort to secure as much information as possible from the outside source.

C. The complainant has the right to report any behavior which that person believes is a violation of this Code of Conduct. It is crucial that the complainant be allowed to report/complain without the fear of reprisal of any kind.

D. Lodging a spurious report is a violation of this Code of Conduct.

X. General and Specific Rights of the Accused

The accused has the right:

A. to be made aware of the substance of the report/complaint;
B. to meet with the investigating officer prior to any recommendation; C. to be notified in advance of any recommended action;
D. to have copies of any written material that will be presented to the Student Life/Student Standing committee in executive session or to the faculty in executive session;
E. to be present for any presentation at hearings before the executive session of the Student Life/Student Standing committee or to the faculty in executive session;
F. to make his/her own presentation in response;
G. to be notified of decisions of the Student Life/Student Standing committee in executive session within three (3) business days of the decision; and,
H. to be notified of decision of the faculty in executive session within five (5) business days of the decision.

The accused does not have the right to be present for deliberations of either Student Life/Student Standing in executive session or of the faculty in executive session.

Revised Code of Conduct was approved by the Faculty on Wednesday, May 18, 2011
Austin Presbyterian Theological Seminary
Report of Violation of Student Code of Conduct

- Person making report/complaint: ________________________________

- Administrator accepting report/complaint: _______________________

- Date of incident being reported, if known: _______________________
If date of incident is not known, indicate when you became aware: ____________

- Describe below the incident and behavior which you believe to be in violation of the Austin Seminary Student Code of Conduct. Provide as much detail as possible, using exact quotes when available, and including names of witnesses:

____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________
____________________________________________________________________

- Signature of person making report/complaint: ______________________

- Signature of Administrator accepting report: ______________________

- Date of report: ______________________

This form, if accepted by another administrator, should be forwarded to the Academic Dean or the Vice President for Student Affairs and Vocation as soon as possible after completion.
Revised February 16, 2011