

An Act to Create a Code of Conduct
District of Columbia College Democrats
Statute
July 3, 2020

Whereas The District of Columbia College Democrats (“DCCD”) is committed to providing a safe space for students of all races, ethnicities, gender identities, sexual orientations, and/or religious beliefs to participate in the democratic process through advocacy, campaigning, and education;

Whereas DCCD stands in solidarity with Black, Asian American and Pacific Islander, Jewish, Latinx, Indigenous, Muslim, Women, LGBTQ+, disabled, and other marginalized students as they share their experiences of discrimination in College Democrat organizations across the nation;

Whereas DCCD leaders and members must be held accountable when they engage in discrimination, sexual assault, and harassment;

Whereas Bylaws Article IX Section 3 stipulates that “the State Committee shall pass the Code of Conduct. The State Committee may amend the Code of Conduct as they see fit as long as any amendments go into effect after any ongoing Ethics Commission investigations are concluded;”

Whereas Bylaws Article IX Section 6 stipulates that “the President, Vice President, and Communications Director shall ensure that a Code of Conduct violation complaint form is available on the DCCD website. The form shall be a downloadable PDF which can be emailed to any Federation officer to initiate an Ethics Commission investigation.”

Whereas Bylaws Article IX Section 1a defines the Code of Conduct as “a statute which i. defines proper conduct of DCCD Members; ii. defines enforceable consequences for DCCD Members who breach the Code of Conduct; iii. maintains a zero-tolerance policy regarding incidents of discrimination, sexual assault, and harassment, including but not limited to (1) violations of privacy; (2) physical altercations; (3) verbal altercations; (4) intimidation; (5) stereotyping; (6) hate speech; and, (7) microaggressions; and iv. is available to the general public through the DCCD website;” now, therefore, be it

Resolved,

1. The Code of Conduct attached to this Act is hereby authorized by the DCCD State Committee;

2. DCCD Members, as defined in Bylaws Article IX Section 1e, shall abide by this Code of Conduct;
3. The DCCD State Committee, President, Vice President, and other Federation officers are authorized and directed to implement this Code of Conduct to the fullest extent;
4. The President and Vice President are hereby authorized and directed to, in consultation with the State Committee, compile a list of Former Chapter Executive Board Members who are willing to serve on an Ethics Commission if one is assembled;
5. The President and Vice President are hereby authorized and directed to create a fillable PDF for individuals to submit Code of Conduct violation complaints;
6. The Code of Conduct shall be publicly available through the DCCD website; and,
7. A Code of Conduct violation complaint form, as a PDF, shall be publicly available through the DCCD website.

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Code of Conduct District of Columbia College Democrats

Introduction

In order to accomplish our goals as a united body, District of Columbia College Democrats (“DCCD”) is committed to upholding a zero-tolerance policy regarding incidents of discrimination, sexual assault, and harassment (including, but not limited to violations of privacy, physical altercations, verbal altercations, intimidation, stereotyping, hate speech, and microaggressions). DCCD seeks to create an environment promoting inclusivity, diversity, acceptance and respect for all members.

Standards

DCCD Members, as defined in Bylaws Article IX Section 1e, shall not commit--

1. discrimination, including but not limited to,
 - a. racism;
 - b. sexism;
 - c. xenophobia;
 - d. homophobia;
 - e. transphobia;
 - f. classism;
 - g. ableism;
 - h. microaggressions; and
 - i. hate speech;
2. sexual assault, including but not limited to,

- a. rape;
 - b. sexual harassment;
 - c. sexual abuse; and,
3. harassment, including but not limited to,
 - a. physical altercations;
 - b. verbal altercations;
 - c. intimidation; and,
 - d. violations of privacy

Accountability

If, following a filed, investigated, and completed complaint, a DCCD Member is found to have violated the Code of Conduct, that member is subject to censure, removal from any DCCD position, and/or expulsion from DCCD, as recommended by the Ethics Commission. For respondent DCCD Staffers, as defined in Bylaws Article IX Section 1c, the President and Vice President shall enforce the Ethics Commission's recommendation. For respondent Federation officers, Caucus Chairs, State Committee members, or State Committee officers, the State Committee shall finalize the Ethics Commission's recommendation.

As stipulated in Bylaws Article IX Section 11, if, following review of the Ethics Commission's recommendations, the respondent's membership in DCCD is terminated by the State Committee or President and Vice President, the Ethics Commission shall notify all DCCD Federation officers, all DCCD Staffers, all Caucus Chairs, relevant CDA Regional Directors, and the respondent's and complainant's chapter President and Vice President of the name of the respondent, a summary of the Ethics Commission's disciplinary decision, and the disciplinary action taken by the DCCD State Committee or DCCD President and Vice President. The individual shall also be barred from participating in any DCCD functions, including but not limited to conventions, conferences, meetings, and other events. Furthermore, the individual shall be ineligible to register for conventions, conferences, meetings, and all other DCCD-related events. Additionally, the individual shall be ineligible to run for or serve as a DCCD Federation officer, DCCD Staffer, Caucus Chair, State Committee officer, or State Committee member. Finally, the individual shall also be ineligible to send or receive voting proxies at DCCD.

General Complaint Procedure

If an individual believes that a DCCD Member has violated the Code of Conduct, they are encouraged to submit a Code of Conduct violation complaint. According to Bylaws Article IX Section 7–10, once a report is made, all necessary parties will be kept appropriately informed throughout the entire process and the necessary chapters will be notified of the decision of the Ethics Commission in a manner that protects the best interests and privacy of the complainant. Additionally, this communication is to be kept only within the knowledge of necessary parties;

any details of the reporting, particularly concerning the complainant, are not to be shared under any circumstances outside of the Ethics Commission and involved chapter members, unless the complainant gives their express, written permission.

Complaint Procedure Outline

In order to better explain the complaint procedure contained in Bylaws Article IX Section 7–10, please see the steps below:

1. **Submitting a Complaint:** An individual submits a complaint to a DCCD Federation officer (ie. an elected Executive Board member). They should submit this complaint to whomever they are most comfortable submitting it to.
2. **Ethics Commission Formed pt. 1:** That DCCD officer notifies the President or Vice President to form an Ethics Commission in a way that protects the anonymity of all parties involved. The DCCD officer will only tell the President or Vice President the parties' universities.
3. **Ethics Commission Formed pt. 2:** The Ethics Commission is formed through random selection of former chapter executive board members. Individuals who attend/attended the university or universities of the parties will not be selected. Ethics Council members will recuse themselves if they are personally connected to any party.
4. **Investigation:** The Ethics Commission will investigate the complaint by individually consulting the complainant, the respondent, witnesses, and other evidence. The investigation must be conducted in a timely manner.
5. **Recommendation:** By simple majority vote, the Ethics Commission will submit a recommendation to the State Committee (if the respondent is a DCCD elected leader) or the President and Vice President (if the respondent is a DCCD staffer). If the respondent is found to have violated the Code of Conduct, they are subject to censure, removal from any DCCD position, and/or expulsion from DCCD.
6. **Accountability:** The State Committee or President and Vice President will finalize the Ethics Commission recommendation.

Confidentiality

Ethics Commission investigations shall be highly confidential. At the conclusion of an investigation, if a recommendation of action against a respondent is presented to the State Committee or President and Vice President, the complainant's name shall be redacted. If a recommendation of no action is reported to the State Committee or President and Vice President, the complainant and respondent's names shall be redacted. Additionally, a witness may request the redaction of their name from the recommendation materials.

Appendix 1: District & Title IX Resources

District-Wide Resources

- <https://mayor.dc.gov/sexualharassment>
- <https://ohr.dc.gov/page/EEOcounselors>
- http://docs.udc.edu/misc/Discrimination_Harassment_Policy.pdf

American University

- <https://www.american.edu/ocl/titleix/>

Catholic University of America

- <https://title9.catholic.edu/>

George Washington University

- <https://haven.gwu.edu/gw-policies-title-ix>

Georgetown University

- <https://titleix.georgetown.edu/title-ix-contacts/>

Howard University

- <https://www2.howard.edu/title-ix/home>

University of the District of Columbia

- <https://www.udc.edu/student-life/cwc/title-ix/>

Appendix 2: Campus Counseling Resources

American University Counseling Center Crisis Intervention, (202) 885-7979

Catholic University Counseling Center, (202) 319-5765

George Washington University Counseling Center, (202) 994-5300

Georgetown University Counseling and Psychiatric Services, (202) 687-6985, after hours (202) 444-7243

Howard University Counseling Service, (202) 806-6870, after hours (202) 345-6709

University of DC Counseling and Wellness Center, (202) 274-6000

Appendix 3: Relevant Bylaws Section

[Updated 7/6/20]

ARTICLE IX Ethics Commission

Section 1. For the purposes of this article--

- a. The term “Code of Conduct” means a statute which--
 - i. defines proper conduct of DCCD Members;
 - ii. defines enforceable consequences for DCCD Members who breach the Code of Conduct;
 - iii. maintains a zero-tolerance policy regarding incidents of discrimination, sexual assault, and harassment, including but not limited to--

- (1) violations of privacy;
 - (2) physical altercations;
 - (3) verbal altercations;
 - (4) intimidation;
 - (5) stereotyping;
 - (6) hate speech; and,
 - (7) microaggressions; and,
- iv. is available to the general public through the DCCD website.
- b. The term “Ethics Commission” means a body convened to investigate a Code of Conduct complaint against a DCCD Member;
 - c. The term “DCCD Staffer” means someone who is categorized as
 - i. Senior Staff, as defined in Article VII Section 1;
 - ii. Junior Staff, as defined in Article VII Section 11; or,
 - iii. staff serving under a State Committee officer.
 - d. The term “Chapter Member” means a current student at an institution in the District of Columbia who is a member, as defined by their home chapter, of a chartered chapter of DCCD.
 - e. The term “DCCD Member” means
 - i. a State Committee member, as defined in Article III Section 1;
 - ii. a DCCD Federation officer, as defined in Article IV Section 2;
 - iii. a State Committee officer, as defined in Article IV Section 2;
 - iv. a Caucus member, as defined by their caucus;
 - v. a Caucus Chair, as defined by Article II Section 9;
 - vi. a DCCD Staffer;
 - vii. a Chapter Member; or,
 - viii. an attendee of a DCCD event.
 - f. The term “Former Chapter Executive Board Member” means a person who--
 - i. is elected by Chapter Members to serve as a chapter’s President, Vice President, or in a director capacity;
 - ii. no longer serves as a chapter’s President, Vice President, or in a director capacity
 - iii. has not served as a chapter’s President, Vice President, or in a director capacity for no more than two years; and,
 - iv. is not a DCCD Federation officer, State Committee officer, Caucus Chair, or DCCD Staffer at the time the Ethics Commission is assembled.

Section 2. The President and Vice President, in consultation with the State Committee, shall compile a list of Former Chapter Executive Board Members who are willing to serve on an Ethics Commission if one is assembled. There shall be no application process for being admitted to the Former Chapter Executive Board Member list.

Section 3. The State Committee shall pass the Code of Conduct. The State Committee may amend the Code of Conduct as they see fit as long as any amendments go into effect after any ongoing Ethics Commission investigations are concluded.

Section 4. Should a Code of Conduct violation occur during a DCCD event, the present DCCD Member(s) shall intervene to deescalate the incident to the best of their ability.

Section 5. Any complaints which allege a Code of Conduct violation by a DCCD Member shall be reviewed by the Ethics Commission, and a record of the incident kept.

Section 6. The President, Vice President, and Communications Director shall ensure that a Code of Conduct violation complaint form is available on the DCCD website. The form shall be a downloadable PDF which can be emailed to any Federation officer to initiate an Ethics Commission investigation.

Section 7. Using the complaint form provided, any person may file a Code of Conduct complaint with any DCCD Federation officer.--

- a. When a Federation officer receives a complaint they--
 - i. are barred from divulging any details of all parties involved, except to the President or Vice President following the procedure of paragraph ii.
 - ii. shall notify the President or Vice President in a manner which--
 - (1) divulges the university of each party named in the complaint; but,
 - (2) maintains the anonymity of all parties involved in the complaint.
- b. Upon the receipt of a complaint, the President or Vice President is required to assemble an Ethics Commission.--
 - i. The President or Vice President shall assemble an Ethics Commission by randomly selecting five Former Chapter Executive Board Members who--
 - (1) have expressed a willingness to serve on an Ethics Commission and have been placed on the Former Chapter Executive Board Member list; and,
 - (2) do not attend the university of any party named in the complaint.
 - ii. A Former Chapter Executive Board Member shall recuse themselves if--
 - (1) their impartiality might reasonably be questioned;
 - (2) they have a personal bias or prejudice concerning a party, or personal knowledge of disputed evidentiary facts concerning the complaint; or,
 - (3) a person within the second degree of relationship to either of them--
 - (a) is a party to the complaint;
 - (b) is known by the Former Chapter Executive Board Member to have an interest that could be substantially affected by the outcome of the complaint; or,
 - (c) is to the Former Chapter Executive Board Member's knowledge likely to be a material witness in the proceeding.
 - iii. If a Former Chapter Executive Board Member selected to serve on an Ethics Commission recuses themselves, a new Ethics Commission member shall be randomly selected from the list of Former Chapter Executive Board Members.
 - iv. The President or Vice President shall notify the State Committee that an Ethics Commission has been assembled within three days of its being formed.

- v. If the President or Vice President has not assembled an Ethics Commission within fourteen days of the complaint notification from a Federation officer,--
 - (1) the Federation officer who received the original complaint shall notify the State Committee in a manner which--
 - (a) divulges the university of each party named in the complaint; but,
 - (b) maintains the anonymity of all parties involved in the complaint; and,
 - (2) the State Committee shall assemble an Ethics Commission by randomly selecting five Former Chapter Executive Board Members who--
 - (a) have expressed a willingness to serve on an Ethics Commission and have been placed on the Former Chapter Executive Board Member list; and,
 - (b) do not attend the university of any party named in the complaint.

Section 8. Within five days of an Ethics Commission being assembled, the Federation officer who received the original complaint shall confidentially transfer the complaint in its entirety to the investigating Ethics Commission.--

- a. The Ethics Commission shall maintain the report's confidentiality during and after the investigation, unless otherwise specified in Section 10.
- b. The Ethics Commission shall investigate the report and--
 - i. shall consult the complainant;
 - ii. shall consult the respondent;
 - iii. may consult third-party witnesses at the discretion of the Ethics Commission;
 - iv. may consult any previous Code of Conduct violation reports made against the respondent; and,
 - v. shall conduct the investigation in a timely manner.

Section 9. If an Ethics Commission member fails to execute their duties, the Ethics Commission may petition the Federation officers to remove that individual and replace them with a randomly selected individual from the Former Chapter Executive Board Member list.

Section 10. Upon the completion of an investigation, an Ethics Commission shall conduct a simple majority vote on a recommendation that--

- a. is presented to the State Committee--
 - i. if the respondent is a Federation officer, Caucus Chair, State Committee member, or State Committee officer; and,
 - ii. if the respondent is a State Committee member, they shall be barred from voting on the recommendation;
- b. is presented to the President and Vice President if the respondent is a DCCD Staffer; and,

- c. includes witness statements, written, digital, and/or physical evidence, and findings.--
 - i. A witness may request the redaction of their name from the recommendation materials;
 - ii. if a recommendation of no action is reported to the State Committee or President and Vice President, the complainant and respondent's names shall be redacted; and,
 - iii. if a recommendation of action is reported to the State Committee or President and Vice President, the complainant's name shall be redacted.

Section 11. If, following review of the Ethics Commission's recommendations, the respondent's membership in DCCD is terminated by the State Committee or President and Vice President,--

- a. the Ethics Commission shall notify all DCCD Federation officers, all DCCD Staffers, all Caucus Chairs, relevant CDA Regional Directors, and the respondent's and complainant's chapter President and Vice President of the name of the respondent, a summary of the Ethics Commission's disciplinary decision, and the disciplinary action taken by the DCCD State Committee or DCCD President and Vice President;
- b. the individual shall be barred from participating in any DCCD functions, including but not limited to conventions, conferences, meetings, and other events;
- c. the individual shall be ineligible to register for conventions, conferences, meetings, and all other DCCD-related events;
- d. the individual shall be ineligible to run for or serve as a DCCD Federation officer, DCCD Staffer, Caucus Chair, State Committee officer, or State Committee member; and,
- e. the individual shall also be ineligible to send or receive voting proxies at DCCD.