

# Student conduct code to be modified

**■ CHANGES:** The definition of unwanted sexual behavior becomes clearer

By Doug Irving  
Student Activities Reporter

Three major changes have been proposed to the student conduct code, ranging from sexual conduct rules to the nature of the hearings themselves.

The proposals were authored by student groups and faculty and could be added to the code as early as next fall, said Elaine Green, the student conduct coordinator. A public hearing will be held next fall before the changes can be implemented, she said.

The first proposed change would redefine the offense of "unwanted sexual behavior," Green said. This proposal would change four parts of the sexual conduct code.

Under the proposal, the definitions of rape, assault and unwanted behavior are clearly defined. The jurisdiction for sexual misconduct would also be extended to include "University sponsored or supervised activities" that occur off campus.

The proposed sexual misconduct code would also change the issue of consent, Green said.

"This is currently very ambiguous," she said. "We want to make this more explicit."

Finally, the proposed sexual misconduct code would implement a rape shield law. This would block the use of "evi-

dence of the sexual behavior of a survivor" in a formal hearing.

"The intent is to have some effect on behavior, some effect on relationships," Green said.

The proposed conduct code changes would also alter the way formal hearings are administered. This change would bring the decision-making powers into the University, Green said.

Under the change, hearings would be conducted by a panel of two students, one faculty member, one administrator and an outside hearings officer.

The hearings are currently administered by a hearings officer from outside the University who has been trained in writing legal briefs, said Marlene Drescher, the director of the Office of Student Advocacy.

"If we try to put someone without the expertise in that role, it will create chaos and confusion," she said. "We need that kind of legal expertise."

The change was proposed because faculty members were concerned that outside hearings officers might not represent the University's interests in academic dishonesty cases, Green said.

"Universities all over the country trust their students and faculty [to make hearings decisions]," she said. "It would bring it to more of an interpersonal level."

However, Drescher said the outside hearings officer adds a perspective to the hearings that

an internal officer could not.

"It's healthy to have someone from outside the University review these matters and keep them in the real world," she said. "That perspective is healthy, and the perspective from within campus can be lacking in insight."

Finally, the proposed conduct code changes would provide for emergency action in a situation that poses an immediate threat to the University, Green said.

"If somebody exhibits very dangerous behavior, the University has a real obligation to protect other students from that threat," she said. "At the same time, we have to protect the due process rights of the accused."

The proposed code would allow the student conduct coordinator to take emergency action against a student, including suspension from the University, when it is immediately necessary.

However, Drescher said the proposed code could give too much power to the administration.

"This can destroy a student's chances to academically progress," she said. "It could essentially destroy a student's career."

The accused student would be allowed to protest the emergency action within two days, Green said. The student conduct coordinator would then have to hold a preliminary hearing to determine whether the emergency action is warranted.

## Lifeguards punished for David Letterman 'Top Ten' appearance

LOS ANGELES (AP) — David Letterman got a lot of laughs using real lifeguards to announce his nightly "Top 10" list while doing his show in Southern California last year.

Lifeguard bosses weren't watching, but they heard about it months later — and they were not amused.

The Los Angeles County Lifeguard Service's star lifeguard, who has dominated national swimming, rowing and running competitions against other lifeguards for most of the '90s, got



slapped with a three-week suspension without pay last week.

Ten others, including one whose bit was edited out of the show, got written reprimands.

The suspended lifeguard, Craig Hummer, 31, questioned the discipline, especially objecting to an order prohibiting him from using his lifeguard achievements to promote a budding modeling and acting career.

"Who gives them the right to control my life and what I say?" Hummer said. "Up until this inci-

dent, they were perfectly willing to take credit for me being part of the organization."

The Letterman sketch featured guards filmed at the beach reciting a list of humorous lifeguard pickup lines.

Samples include:  
• "Coast Guard regulations — Miss, I have to inspect you for sand mites."

• "I want to be with you tonight, even though you are a plastic CPR dummy."

• "The Red Cross has certified me as a fully trained love machine."

Rohrer called the lifeguards' appearance "inexcusable behavior" that "set back the reputation of lifeguards 50 years."

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