



May 31, 2018

TO: The Board of Trustees of the University of Oregon

FR: Angela Wilhelms, Secretary

RE: Notice of Academic and Student Affairs Committee Meeting

The Academic and Student Affairs Committee of the Board of Trustees of the University of Oregon will hold a meeting on the date and at the location set forth below. Subjects of the meeting will include: the provost's standing report, the 2018 Institutional Hiring Plan, proposed changes to the student conduct code, and an annual report on student success initiatives.

The meeting will occur as follows:

**Thursday, June 7, 2018 at 8:30 a.m.**  
Ford Alumni Center, Giustina Ballroom

The meeting will be webcast, with a link available at [www.trustees.uoregon.edu/meetings](http://www.trustees.uoregon.edu/meetings).

The Ford Alumni Center is located at 1720 East 13th Avenue, Eugene, Oregon. If special accommodations are required, please contact Jennifer LaBelle (541) 346-3166 at least 72 hours in advance.

BOARD OF TRUSTEES

6227 University of Oregon, Eugene OR 97403-1266 | (541) 346-3166 | [trustees.uoregon.edu](http://trustees.uoregon.edu) | [trustees@uoregon.edu](mailto:trustees@uoregon.edu)

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**Board of Trustees | Academic and Student Affairs Committee**  
**Public Meeting | June 7, 2018, 8:30 a.m.**  
**Ford Alumni Center | Giustina Ballroom**

**Convene**

- Call to order, roll call
- Approval of March 2018 minutes (Action)

**Provost's Quarterly Report**

- 1. Student Conduct Code – Proposed Revisions (Action):** Kris Winter, Dean of Students; Jill Creighton, Assistant Dean of Students for Conduct and Operations; Keegan Williams-Thomas, Undergraduate Student and Member of the Community Standards/Student Conduct Committee
- 2. Institutional Hiring Plan – Strategic Priorities and Direction:** Jayanth Banavar, Provost and Senior Vice President
- 3. Annual Report: Student Success Initiative:** Doneka Scott, Associate Vice Provost for Student Success

**Meeting Adjourns**

# **Agenda Item #1**

## **Student Conduct Code**

The Board of Trustees has sole authority to amend UO Policy III.01.01, the Student Conduct Code (“Code”). The Code establishes a Community Standards/Student Conduct Committee (“Committee”), tasking it with “the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.

The Committee met over the course of the last several months to discuss possible changes to the Code. The Committee has submitted 17 changes to the board by the Committee with the support/agreement of the Dean of Students and the administration, generally.

One change (#18 in subsequent materials) has been recommended by the Dean of Students, but it does not have support from the Committee; and one further change (#19 in subsequent materials) has been recommended by the Committee, but it does not have support from the Dean of Students.

At the board meeting, the Dean of Students will provide a brief overview of the process and the underlying premises of the 17-agreed upon changes. Please read these in advance as the presentation will *not* focus on them. She will then provide a brief overview of proposed change 18, with a response following a representative chosen by the Committee. That process will repeat for change 19, with the Committee rep providing an overview and the Dean a response.

Given the number of changes before you and the pending disagreement between the Committee and the administration, please read these materials carefully to ensure a background understanding before the meeting.

1. An executive summary further articulating the changes, with particular focus on items #18 and #19 and the rationales for and against provided by the Dean of Students and the Committee.
2. A document summarizing all proposed changes, cross-referencing the explanation to the redline language.
3. A resolution with blank space to indicate which edited version(s) of the Code ASAC wishes to forward to the full board as a seconded motion, if any.
4. A redline of the Code, known as VERSION A in these materials. This includes the 17 agreed-upon changes plus the Dean of Students’ recommendation (#18).
5. A redline of the Code, known as VERSION B in these materials. This includes the 17 agreed-upon changes plus the Committee’s recommendation (#19).

*Provided by the Board of Trustees’ office.*

**Academic and Student Affairs Committee  
Board of Trustees of the University of Oregon**

**Resolution: Adoption of Proposed Changes to Student Conduct Code**

Whereas, UO Policy III.01.01, the Student Conduct Code (“Code”) stipulates that the primary mission of the Code is to “set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning”;

Whereas, UO Policy III.01.01 notes that a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community...and to encourage the development of good decision-making and personal integrity;

Whereas, to be effective, the Student Conduct Code must be updated and kept current, and must be aligned with state law, federal law and best practices;

Whereas, certain portions of the UO’s Student Conduct Code require updates to reflect best practices, provide greater clarity, and reflect new knowledge, issues, and understanding since the Code’s last update (2015);

Whereas, the Board of Trustees has been presented with a set of recommended changes put forward by the Community Standards/Student Conduct Committee, the Dean of Students and Division of Student Life, or—in most cases—both;

Whereas, the UO’s Policy on the Retention and Delegation of Authority stipulates that the Board retains authority to approve any and all changes regarding student conduct policies;

Whereas, ORS 352.029 provides that the Board manages the affairs of the university by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the board by law, or that are implied by law or are incident to such powers, rights and duties; and,

Whereas, the Board’s Policy on Committees authorizes the Academic and Student Affairs Committee to refer matters to the full Board of Trustees as a seconded motion;

NOW, THEREFORE, the Academic and Student Affairs Committee of the Board of Trustees of the University of Oregon hereby refers to the Board as a seconded motion the proposed changes to the Student Conduct Code attached hereto in \_\_\_\_\_, recommending adoption.

Moved: \_\_\_\_\_ Seconded: \_\_\_\_\_ Date: \_\_\_\_\_ Initials: \_\_\_\_\_

Trustee	Yes	No	Trustee	Yes	No
Ballmer, Connie			Paustian, Will		
Curry, Ann			Schill, Michael		
Ford, Allyn			Wilcox, Mary - Chair		
McIntyre, Laura Lee					

**EXECUTIVE SUMMARY OF PROPOSED CHANGES TO THE STUDENT CONDUCT CODE**

Through a collaborative process, the Office of Student Conduct and Community Standards (OSCCS) and the Student Conduct Committee (“the Committee”) agreed upon 18 proposed changes to the University of Oregon Student Conduct Code. The changes primarily reflect language adjustments to offer clarification of definitions and policies and are labeled in the Crosswalk Document as items 1-17. They also appear identically in both the Version A and Version B proposals. We respectfully submit these 17 changes for review and approval by the Board of Trustees.

In addition to the proposed changes where OSCCS and the Committee reached consensus, there are two areas of dissent. These are reflected in the Crosswalk Document as items 18-19. Item 18 can be found in Version A only. Item 19 can be found in Version B only. Following is a brief discussion providing rationales for the support and dissent for items 18 and 19.

**Item 18- Version A: Proposed new violation.**

“Violation of Law: - Actions and behaviors that violate local, state, or federal law, but are not expressly defined in the standards above, which negatively and significantly impact the university community and its members, may also be addressed through the procedures set forth in this code.”

Rationale from OSCCS and Office of the Dean of Students (In Favor)	Rationale from Student Conduct Committee (Opposed)
<p>OSCCS recommends that a “Violation of Law” section be added to allow the office to respond to serious criminal behavior that, negatively and significantly impacts the university community, but is not otherwise defined in the student conduct code. The language in the provision clearly limits this jurisdiction to both the requirements set forth in the Code (Section IV and language passed by the Board in 2014) as well as the additional language requiring it to negatively and significantly impact the university community. The intention behind this provision is to create the opportunity for the University to address concerning behavior including but not limited to:</p> <ul style="list-style-type: none"> <li>• Possession of child pornography</li> <li>• Kidnapping</li> <li>• Homicide, attempted or actualized</li> <li>• Sexual abuse of a minor</li> <li>• Vehicular manslaughter</li> <li>• Large-scale vandalism and natural resource damage</li> </ul> <p>We have encountered these types of cases and have been unable to charge them under the current code. This type of violation is found in the</p>	<p>The committee opposes the addition that would make any violation of state, federal or local law a conduct violation for the following reasons:</p> <ul style="list-style-type: none"> <li>• Lack of clarity around off-campus jurisdiction would allow this policy to be applied broadly, potentially bringing conduct violations against students for off-campus behavior that has no perceivable impact on the UO community.</li> <li>• The proposal does not specify what would constitute a violation of law (i.e., arrest, arraignment, conviction), meaning that the “preponderance” standard of evidence will hold in determining student sanctions. This places undue value on the criminal justice system at the point of arrest. Students facing legal sanction should only face further sanction from the University in cases that explicitly relate to their status as students or the safety of the campus community.             <ul style="list-style-type: none"> <li>○ Furthermore, this reliance on the criminal justice system will mean that students belonging to groups that</li> </ul> </li> </ul>

student conduct code of many peer institutions, including Portland State University, Oregon State University, the University of Colorado, and the University of Washington.

These are the types of violations that have significant potential to impact the university community, create risk for our community members and implicate our obligations to assess risk and respond where necessary. (For example, we host many minors on campus during the summer months, and have children in daycare on campus.)

In addition, adding this violation protects the University of Oregon, specifically our investigators, from investigating cases involving sex crimes against minors. Our investigators do not have legal immunity from possessing illegal images of children, nor do they have expertise in performing forensic interviews with children. Thus, they would be placing themselves and the University at legal risk should they investigate these types of cases. We would then be forced to hire external resources to perform investigations into conduct that has already been adjudicated, and at a typically higher evidentiary standard. It is much better for the University to investigate whether a violation of law or policy was found in these cases rather than investigate the behavior itself.

Issuance of charges under this violation would be limited to cases where a legal charges had been issued or a finding made in a court of law or government agency with adjudicative powers. Staff will be trained to examine all cases for disproportionate impact on students related to marginalized identities.

face disproportionate policing also will face disproportionate impact under this addition.

**Item 19 – Version B: Proposal to reinstate panel hearings**

The Student Conduct Committee supports in principle re-establishing panel adjudications for Student Conduct Code violations, with the exception of Title IX related cases, according to a format and procedures to be determined by the end of spring term 2019 and implemented by the first day of Law School classes, fall term 2019.

Rationale from OSCCS and Office of the Dean of Students (Opposed)	Rationale from Student Conduct Committee (In Favor)
<p>OSCCS and the Office of the Dean of Students oppose the reintroduction of panel hearings based on the following rationale:</p> <ul style="list-style-type: none"> <li>• The University Community already has an established Appeal Panel that hears appealed cases decided by OSCCS and Residence Life. This Panel has 3 Faculty and 3 Students and has the authority to overturn decisions made by the original hearing officer. As such, the UO community already actively participates in the oversight of the student conduct process and serves as a great check-and-balance.               <ul style="list-style-type: none"> <li>○ Participation in current appeals board has been a challenge. The University Senate and ASUO were not able to recommend the Appeals Panelists until Winter Term of this year, over 14 weeks into the academic year. Students who had their cases decided in the fall and who chose to appeal had to wait 3-4 months to hear a decision on their appeal, which had a negative impact.</li> <li>○ The Appeals Board that was appointed, while passionate and participatory, struggled to meet regularly and to compose appeals decision letters that met the 30-day requirement outlined in the code.</li> </ul> </li> <li>• Panels tend to create an adversarial tone for students because they are a construct of the adversarial process. Students are less likely to engage in educational development in a panel model compared to a single adjudicator model because of the intimidating nature of a panel and the ability of a single adjudicator to nuance a conversation to a specific student’s needs. In addition, panels can perpetuate a hostile environment and have the potential to exacerbate trauma, far more than do administrative conferences.</li> </ul>	<p>The Committee supports the reimplementa-tion of a panel hearing option for students at the point of first adjudication (with the exception of Title IX-related cases) for the following reasons:</p> <ul style="list-style-type: none"> <li>• Students should have the right to more than a single adjudicator when they believe they will be treated more justly with the involvement of students and faculty.</li> <li>• In fall 2017, the University Senate passed a resolution calling upon the Student Conduct Committee to develop procedures to allow for the inclusion of students’ peers in cases involving free speech.** Determining what constitutes a free speech could be problematic; therefore the Committee proposes that students should be able to request a panel including peers in any non-Title IX case.</li> <li>• The right to request a panel hearing was removed in 2014 for unclear reasons. By excluding Title IX cases from this reimplementa-tion, the committee seeks to address the unique concerns about panels including students and faculty hearing such cases.</li> <li>• We recognize the Office of Student Conduct and Community Standards’ concern about capacity for panels, which is why we allow a year to develop procedures and build that capacity before implementation. Based on historical trends, we estimate that panels will be requested in a small percentage of cases.</li> </ul> <p>**From Senate Resolution US17/18-02 “Resolution to Support the UO Student Collective” Section II, 2.3: “BE IT FURTHER RESOLVED that the Senate calls on the Student Conduct Code and Community Standards Committee to ensure that the Student Conduct Code is revised to include student peers in judgements on disciplinary cases involving free speech, as required by the Policy on Academic Freedom. Given the importance of free</p>

<ul style="list-style-type: none"> <li>• Creating different processes for Title IX-related cases compared to general student conduct cases is ill-advised. Per the United States Office of Civil Rights' latest guidance, it is suggestive of discrimination to have two separate standards for adjudication for Title IX vs. general conduct cases.</li> <li>• There are 2.0 FTE Officers of Administration designated to hear cases, down from 3.0 FTE when panels were last used in 2014. There are staffing capacity issues, regardless of caseload size. Compared to our OUS Peer Institutions in the Pac 12 and AAU, UO has the least amount of professional conduct officers on staff and the highest student-per-conduct-officer ratio. A staffing comparison sheet can be provided upon request.</li> <li>• According to the Association for Student Conduct Administration's (ASCA) Foundations of Professional Practice Academy, beginning student conduct officer training requires 36 hours of learning. In addition to training, the administrative burden for panel hearings is considerable. Schedules of availability for students involved, advisors (often attorneys), witnesses, panelists, and administrators must be coordinated. Due to the sensitive and confidential nature of conduct cases, professional staff time must be used to do this.</li> <li>• Student Conduct is a profession for which professional administrators train in Masters-degree level academic programs. Student conduct professionals are trained to work through issues of fundamental fairness, due process, weighing a standard of evidence, student ethical and moral development, educational action plans, coached conflict resolution, and sensitive dialogue.</li> </ul>	<p>speech and academic freedom, the Senate urges the Committee to develop Student Conduct Code procedures distinct from standard discipline charges"<sup>1</sup></p>
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<sup>1</sup> This resolution was rejected by the President and its components not enacted.

## **“CROSSWALK” DOCUMENT**

The page numbers correspond to the redline code provided. Language in red are the proposed changes in the code itself. Proposed changes 1-17 are agreed upon by both the Office of Student Conduct and Community Standards and the Student Conduct Committee. Proposed change 18 can be found in Version A only; proposed change 19 can be found in Version B only.

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### **1. (page 3) Section II (Definitions), 5**

The Office of Student Conduct and Community Standards (OSCCS) recommends an official change of the name of the “Community Standards/Student Conduct Committee” to the **“Student Conduct Committee”**. In practice, this is what the committee is called, and it would be preferable if the language was the same in the Student Conduct Code.

### **2. (page 3) Section II (Definitions), 8**

OSCCS recommends that the definition of **‘Contact of a sexual nature’ for purposes of Sexual Misconduct in the Student Conduct Code means: Intentionally touching a part of another person’s body that, under the circumstances, a reasonable person would know that the other person regards as an intimate part, including but not limited to the other person’s genitals, breasts, groin, or buttocks, without the consent of the other person; Intentionally causing a person to touch an intimate part of another person; or, Intentionally causing a person to touch their own intimate part. For this definition, ‘touching’ includes contact made with bodily fluids.**

This new definition is also more consistent with the variety of cases that the office regularly handles. This language is approved by the Title IX Coordinator and the AAEO team in addition to OSCCS and the Student Conduct Committee.

### **3. (page 3) Section II (Definitions) 10 (proposed new definition)**

The code did not previously define Dean of Students. The following definition addition is proposed: **“Dean of Students” is the person designated by the University President and Vice President for Student Life as the person titled with and given responsibility for oversight of the Dean of Students portfolio.**

### **4. (page 4) Section II (Definitions), 16**

OSCCS recommends that the existing University of Oregon policy on harassment be added to the student conduct code for the purpose of clarity. The code already references this policy, and it will be useful for students to have the policy available for review in this section. **“The University’s policy prohibiting sexual harassment specifically prohibits discrimination on the basis of sex or gender, sexual harassment, sexual violence, sexual assault, dating or domestic violence, sex or gender based stalking or bullying, and other gendered harassment. “Harassment” as defined under the Student Conduct Code will be interpreted to include sexual harassment as defined by the university’s Discrimination Complaint and Response policy. Sexual harassment and sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identify of those involved”.**

**5. (page 4) Section II (Definitions), 17**

OSCCS recommends that, “recruitment and continuing involvement and belonging to an organization”, be added to the definition of hazing in the student conduct code. This change reflects a definition of hazing that is more accurately reflective of the issues OSCCS generally sees when responding to hazing incidents. In addition OSCCS recommends adding “University of Oregon policy” to, section i. Other activities which violate Federal, State, or local laws, or University of Oregon policy. This addition will help the office address incidents of hazing that may violate University policy, but not Federal/State law.

**6. (page 5) Section II (Definitions), 21**

OSCCS recommends that language be added to the definition of “Mental Incapacitation” in the student conduct code to ensure that it is clear that the condition of being a minor as defined by law should be considered under incapacitation analysis when determining whether consent was present in a sexual misconduct case. (“Minors and children are unable to provide consent when defined as such by Oregon law.”)

**7. (page 5) Section II (Definitions), 23**

OSCCS recommends that the definition of penetration (related to sexual misconduct), be adjusted to ensure that the definition is more inclusive of sexual contact between a variety of gender identities and sexual orientations. “Any degree of insertion, however slight, by any body part or object into the oral, anal, or vaginal parts of a person.”

**8. (page 6) Section II (Definitions), 32**

OSCCS recommends that the word group be changed to, “organizational”, related to the definition of a student organization. This change is recommended because it is more consistent with how the term is used at UO when discussing student organizations.

**9. (page 6) Section II (Definitions) 2.c. Sexual Advances**

The Title IX Coordinator has requested a modification of the definition of sexual advances for clarity.

Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive that interferes with work or access to educational benefits and opportunities because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant’s status.

**10. (page 8) III (Delegations of Authority) 2.b Student conduct committee.**

Dean of Students requests that the role of student conduct committee convener be transitioned upward to the Assistant Dean of Students for Conduct and Operations role. This will help to build the capacity of the Director of SCCS.

... the Dean of Student’s designee (typically an Assistant Dean of Students) ... shall be non-voting, ex-officio members of the Student Conduct Committee.

**11. (page 11) Section V (Student Conduct Code Violations), 1d**

OSCCS recommends adding additional language to the definition of Academic Misconduct for the sake of clarity for both students and instructors. There is currently no language in the Student Conduct Code that makes it clear that intentionally assisting others in the commission of misconduct, is inherently academic misconduct. **“Intentionally assisting others in the commission of academic misconduct is in itself an act of academic misconduct.”**

**12. (page 11) Section V (Student Conduct Code Violations), 2b**

OSCCS recommends that the language be added to the student conduct code to make it clear that the additional off-campus jurisdiction provided by the 2014 changes applies to this section (Damage, destruction or unauthorized use of property). Without the change, this section is inconsistent with the jurisdiction section of the code because it only prohibits conduct when it takes place on UO owned or operated property. **“or property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code)”**

**13. (page 12) Section V (Student Conduct Code Violations), 2e**

OSCCS recommends that language be added to the student conduct code to make it clear that the additional off-campus jurisdiction provided by the 2014 changes applies to this section (Failure to comply with public officials acting in the performance of their duties). Without the change, this section is inconsistent with the jurisdiction of the code, because it only prohibits conduct when it takes place on UO owned or operated property. **“or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code)”**

**14. (page 12) Section V (Student Conduct Code Violations), 3b**

OSCCS recommends that language be added to the student conduct code to add clarity for students that hazing both defined by UO and by Oregon law is a violation of the code. **“and by Oregon Revised Statute.”**

**15. (page 13) Section V (Student Conduct Code Violations), 3i,A**

OSCCS recommends that language be added to the student conduct code to make it clear that the additional off-campus jurisdiction provided by the 2014 changes applies to this section (possession or consumption of alcohol by those under 21 years of age). Without the change, this section is inconsistent with the jurisdiction of the code, because it only prohibits conduct when it takes place on UO owned or operated property. **“or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code)”**

**16. (page 16) VI (Sanctions) 1.k. (proposed change of language for clarity)**

OSCCS recommends a change in language from “suspended sanction” to “sanction held in abeyance.” This change in language is intended to clarify the use of the word “suspension” from meaning both separation from the university as well as a temporary abeyance period. This change will assist students in understanding what is meant when a sanction is applied but not implemented. E.g., suspension in abeyance, eviction in abeyance. Currently students receive language like suspended suspension or suspended eviction, and we receive repeated feedback that this is confusing.

Sanction held in Abeyance. The execution of any sanction authorized under the Student Conduct Code may be held in abeyance. When holding a sanction in abeyance, a time limit for the abeyance period shall be designated, and subsequent violations of the Student Conduct Code that will terminate the abeyance period and result in the imposition of the original sanction specified. In the absence of any such violation, the original sanction shall be deemed completed at the end of the abeyance period.

**17. (page 18) Section 2 (Student Rights) 6i (proposed new section)**

OSCCS recommends that a statement on access to accessibility services to students be added to the student conduct code. This is already a practice utilized by the office, but it is recommended that it is memorialized in the Student Conduct Code.

The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center as soon as possible. Any accommodations deemed necessary and approved by the Accessible Education Center will be incorporated into the student conduct process as possible.

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**18. (page 14) Section V (Student Conduct Violations), 3m (proposed new section) in Version A only.**

OSCCS recommends that a “Violation of Law” section be added to allow the office to respond to serious criminal behavior that, negatively and significantly impacts the university community, but is not otherwise defined in the student conduct code. The intention behind this provision is to create the opportunity for the University to address concerning behavior including but not limited to: possession of child pornography, kidnapping, homicide, sexual abuse of a minor, vehicular manslaughter, or large-scale vandalism and natural resource damage. This type of violation is found in the student conduct code of many peer institutions, including Portland State University and Oregon State University.

Violation of Law: - Actions and behaviors that violate local, state, or federal law, but are not expressly defined in the standards above, which negatively and significantly impact the university community and its members, may also be addressed through the procedures set forth in this code.

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**19. (page 30) Intention to alter the process for adjudication (proposed new section) in Version B only.**

By unanimous vote on May 11, 2018, the Committee passed the following motion.

The Student Conduct Committee supports in principle re-establishing panel adjudications for Student Conduct Code violations, with the exception of Title IX related cases, according to a format and procedures to be determined by the end of spring term 2019 and implemented by the first day of Law School classes, fall term 2019.

**VERSION A**  
**(Includes 17 agreed-upon**  
**changes PLUS change #18)**

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**Reason for Policy**

The Student Conduct Code establishes community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon.

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**Entities Affected by this Policy**

All students enrolled at the University of Oregon, Division of Student Life, and Academic Affairs

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**Web Site Address for this Policy**

<https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>

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**Responsible Office**

For questions about this policy, please contact the Office of Student Conduct and Community Standards at (541) 346-1141 or [conduct@uoregon.edu](mailto:conduct@uoregon.edu)

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**Enactment & Revision History**

Technical revisions made by the Secretary on June 29, 2015  
Amended by the Board of Trustees on June 4, 2015  
Amended by the Board of Trustees on September 11, 2014  
Become UO policy by operation of law on July 1, 2014  
Enacted as OAR Chapter 571, Division 21 in 2006

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**Policy**

All revisions to Student Conduct Code procedures, including but not limited to jurisdictional revisions, shall apply retroactively to pending Student Conduct complaints, filed on or after September 11, 2014

**Section 1: Student Conduct Policies****I. Mission**

1. The primary mission of the Student Conduct Code is to set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning

and in keeping with the educational objectives of the University of Oregon. Founded upon the principle of freedom of thought and expression, an environment conducive to learning is one that preserves the freedom to learn -- where academic standards are strictly upheld and where the rights, safety, dignity and worth of every individual are respected.

2. Learning is a process defined by the exchange of ideas and the advancement of knowledge. As such, learning entails a community of scholars united by their participation in, and commitment to, intellectual exchange. The University is, first and foremost such a community. Learning also involves reflecting on decisions and improving decision-making in the future. By establishing the standards of this community, the Student Conduct Code serves not just as a disciplinary system, but also as a part of the educational system. Hence, a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community, and for the property, common resources, code of conduct, and laws associated with that community, and to encourage the development of good decision-making and personal integrity.
3. Students are simultaneously members of the University community and the broader community (e.g. city, state, nation, and world). The Student Conduct Code, and the processes of its administration and enforcement, is directed specifically toward maintaining the standards of the University community. Within its jurisdiction the University may impose disciplinary sanctions against students or student organizations when their conduct materially interferes with the educational objectives of the University or university community member.

## **II. Definitions**

For purposes of the Student Conduct Code,

1. "Academic Misconduct" means the violation of university policies involving academic integrity. Examples include, but are not limited to:
  - a. Intentional tampering with grades, resubmitting assignments for more than one class without the permission of the professor; and
  - b. Intentionally taking part in obtaining or distributing any part of a test that has not been administered;
  - c. Cheating, as defined in this code;
  - d. Plagiarism, as defined in this code;
  - e. Knowingly furnishing false information to a University Official; and
  - f. Fabrication, as defined in this code.
2. "Accused Student" means any student accused of violating the Student Conduct Code.

3. "Cheating" means any act of deception by which a student misrepresents or misleadingly demonstrates that the student has mastered information on an academic exercise that the student has not mastered. Examples include but are not limited to:
  - a. Giving or receiving unauthorized help in an academic exercise;
  - b. Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
  - c. Acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and
  - d. Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

4. "Community Standards Administrator" means the University official, as designated on a case-by-case basis by the Director of Student Conduct and Community Standards, authorized to impose sanctions upon any student found to have violated the Student Conduct Code.

5. ~~"Community Standards/ Student Conduct Committee"~~ **Student Conduct Committee** means the Committee established pursuant to this Code, comprised of persons appointed by the President with the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.

**Commented [SW1]:** The actual name of the "Committee" Student Conduct Committee

6. "Complainant" means any person who submits a complaint alleging that a student violated the Student Conduct Code. The Complainant need not be a person who was the target or victim of the alleged violation.

7. "Contacting" has its common meaning. It includes, but is not limited to, communicating with or remaining in the physical presence of the other person.

~~8. "Contact of a Sexual Nature" for purposes of Sexual Misconduct in the Student Conduct Code means the touching of the genitalia, anus, buttocks or breasts of a person or causing such person to touch the genitalia, anus, buttocks or breasts of another.~~ ["Contact of a sexual nature" for purposes of Sexual Misconduct in the Student Conduct Code means: Intentionally touching a part of another person's body that, under the circumstances, a reasonable person would know that the other person regards as an intimate part, including but not limited to the other person's genitals, breasts, groin, or buttocks, without the consent of the other person; Intentionally causing a person to touch an intimate part of another person; or, Intentionally causing a person to touch their own intimate part. For this definition, "touching" includes contact made with bodily fluids.](#)

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**Commented [JC2]:** 05/04/18  
TIX Coordinator, AAEO, and Dean of Students propose this definition change to be more inclusive of gender and to incorporate the use of objects.

9-8. "Contempt" means disregard of, or disobedience to, the rules or orders of any process under this Code or an interruption of its proceedings by disorderly behavior or insolent language in a way or place that disturbs the proceedings or ignores the authority of the tribunal.

9. [“Dean of Students” is the person designated by the University President and Vice President for Student Life as the person titled with and given responsibility for oversight of the Dean of Students portfolio.](#)

10. “Director of Student Conduct and Community Standards” is the person designated by the University Senate, Board of Trustees and University President or designee to be responsible for the administration of the Student Code.

11. “Drug” means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C.811 to 812 or as defined in ORS475.005 or modified in ORS475.035.

12. “Explicit Consent” for purposes of Sexual Misconduct in the Student Conduct Code means voluntary, non-coerced and clear communication indicating a willingness to engage in a particular act. “Explicit consent” includes an affirmative verbal response or voluntary acts unmistakable in their meaning.

13. “Fabrication” means the intentional use of information that the author has invented when the student states or implies otherwise, or the falsification of research or other findings with the intent to deceive.

14. “Faculty Member” means a person hired by the University to conduct classroom, research or teaching activities or who is otherwise considered by the University to be a member of its faculty, including officers of instruction, officers of research and officers of administration.

15. “Gambling” means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. “Gambling” does not include those activities expressly excluded by ORS167.117.

16. “Harassment” means:

- a. Intentionally subjecting a person to offensive physical contact;
- b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, conventional mail, social media and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
- c. [The University’s policy prohibiting sexual harassment specifically prohibits discrimination on the basis of sex or gender, sexual harassment, sexual violence, sexual assault, dating or domestic violence, sex or gender based stalking or bullying, and other gendered harassment. “Harassment” as defined under the Student Conduct Code will be interpreted to include sexual harassment as defined by the university’s discrimination complaint and response policy. Sexual harassment and sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identify of those involved](#)

**Commented [SW3]:** OSCCS recommends this addition to make sure that the Student Conduct Code is in line with University Policy.  
Relocated into definitions from the violations section. JLC  
04/26/18

d. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment as defined by law.

17. "Hazing" means any initiation rites, recruitment and continuing involvement and belonging to an organization on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether the activity constitutes hazing. Activities and situations that may occur as part of hazing include, but are not limited to:

**Commented [SW4]:** OSCCS recommends this change to help respond to the fact that hazing often occurs outside of simply "initiation rituals"

- a. Sleep deprivation or causing excessive fatigue;
- b. Physical or psychological shock;
- c. Public stunts or jokes;
- d. Compelled ingestion of any substance;
- e. Degrading or humiliating games or activities;
- f. Activities that have an adverse effect on academic progress;
- g. Forced servitude;
- h. Activities which are not consistent with the parent organization's rules and regulations; or
- i. Other activities which violate Federal, State, or local laws or University of Oregon policy.

**Commented [SW5]:** OSCCS recommends this change to allow better enforcement of hazing policy

18. "Institution" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "University."

19. "May" is used in the permissive sense.

20. "Mental Disorder" for purposes of Sexual Misconduct in the Student Conduct Code means that a person suffers from a mental disease or disorder that renders that person incapable of appraising the nature of the conduct of another person.

21. "Mental Incapacitation" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is rendered incapable of appraising or controlling one's own conduct at the time of the alleged offense because of the influence of a controlled or intoxicating substance or because of any act committed upon the person without consent. Minors and children are unable to provide consent when defined as such by Oregon law.

**Commented [SW6]:** OSCCS recommends adding language that would include minors/children being unable to consent as defined by Oregon Law

22. "Member of the University Community" includes any person who is a student, faculty member, University official or any person employed by the University.

23. "Penetration" for purposes of Sexual Misconduct in the Student Conduct Code means any ~~degree of insertion, however slight, of the penis or any object into the vagina or anus, or the~~

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penis into the mouth. Any degree of insertion, however slight, by any body part or object into the oral, anal, or vaginal parts of a person.

24. "Physical Helplessness" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to engage in an act.
25. "Plagiarism" means using the ideas or writings of another as one's own. It includes, but is not limited to:
  - a. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and
  - b. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
26. "Policy" means the written regulations of the University. Examples of where written policies may be found include, but are not limited to:
  - a. The Student Conduct Code;
  - b. Residence Life Contract;
  - c. Information posted by the University on its web pages;
  - d. Computer Acceptable Use Policy;
  - e. Living Group Alcohol Policy;
  - f. Greek Social Policy;
  - g. Graduate/Undergraduate Catalog; and
  - h. Student Handbook.
27. "President" means the University President.
28. "Shall" and "will" are used in the imperative sense.
29. "Sexual Misconduct" means:
  - a. Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one:
    - A. Does not first obtain Explicit Consent from that person; or
    - B. Knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.
  - b. Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress:
    - A. Without having first obtained Explicit Consent; or

**Commented [SW7]:** •OSCCS suggests changing this definition to, "Oral, anal, or vaginal penetration, to any degree of insertion, however slight, by any body part or object."  
•This definition covers potential sexual misconduct between various genders that the code does not explicitly currently cover.

B. When he or she knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

c. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive that interferes with work or access to educational benefits and opportunities academic performance because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant's status. when the conduct is unwelcome and sufficiently severe or pervasive that it deprives that person of benefits of the University's educational environment.

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d. A single episode of behavior that meets a., b., or c. can be sufficient for a finding of sexual misconduct.

Commented [JC8]: This definition change is requested by the Title IX Coordinator.

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30. "Student" means any person who has student status pursuant to Section IV (Jurisdiction) of this code.

31. "Student Organization" means any group of University of Oregon students meeting criteria for ~~group~~ organizational recognition established by the University.

Commented [SW9]: OSCCS recommends this change as it is more consistent with the language already found in the definition

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32. "University" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "institution."

33. "University Appeals Board" means the person or persons authorized by this Code to consider an appeal from the outcome of an administrative conference.

34. "University Official" means a person having assigned University responsibilities who is performing their University assignment.

35. "University Premises" includes all land, buildings or grounds owned, leased, operated, controlled or supervised by the University including adjacent sidewalks and streets.

36. "University Sponsored Activity" means any activity, including activities sponsored or organized by recognized student organizations, on or off University premises that is directly initiated or supervised by the University.

37. "Unwanted Contact" means repeated or persistent contact or attempts to contact another person when the contacting person knows or should know that the contact is unwanted by the other person; and

- a. The contact would cause a reasonable person fear of physical harm; or
- b. The contacting person knows or should know that the contact substantially impairs the other person's ability to perform the activities of daily life.

### III. Delegations and Authority

**The Board of Trustees of the University of Oregon delegates authority for administering this Code and the Student Conduct program as provided below:**

1. The Director of Student Conduct and Community Standards shall develop policies for the administration of the student conduct system and procedural that are consistent with provisions of the Student Conduct Code.
  - a. Consistent with this code the Vice President for Student Life's designee may serve ad hoc in place of the Director of Student Conduct and Community Standards.
2. The Student Conduct Committee shall be responsible for recommending to the Board of Trustees of the University of Oregon policy or administrative changes in any aspect of the Student Conduct Program.
  - a. The Committee shall be appointed by the President and shall consist of four faculty members to be recommended by the Committee on Committees and four student members to be recommended by the ASUO. Faculty and student members shall serve staggered, two-year terms and may be reappointed, up to three consecutive terms, or a maximum of six consecutive years. The President may appoint temporary members to assure full Committee membership during summer session or at such other times as are necessary.
  - b. The Director of Residence Life or designee, the ~~Director of Student Conduct and Community Standards~~ Dean of Student's designee (typically an Assistant Dean of Students) and the Director of the Office of Student Advocacy shall be non-voting, ex-officio members of the Student Conduct Committee.
3. Sub-delegation of Authority to alternative processes and hearing officers.
  - a. With the consent of the President of the University, the Community Standards Committee may sub-delegate jurisdiction to handle violations of the Student Conduct Code to University officials, committees or alternative processes. In all instances such sub-delegation shall be defined by the Committee in terms of specific jurisdiction, enforceable regulations, and maximum disciplinary sanctions that may be imposed.
  - b. Subject to approval by the President, the Community Standards Committee sub-delegates to the Interfraternity Council, Panhellenic Council, Club Sports Executive Committee, and Residence Hall Association the authority to formulate:
    - A. Regulations governing the conduct of their respective organization members;
    - B. Hearing procedures and administrative practices to be followed by their respective process;
    - C. Disciplinary sanctions exclusive of expulsion, suspension, eviction or negative notation on transcript appropriate to the enforcement of their respective regulations; and

- D. Procedures for publication and notification to affected students of such regulations, hearing procedures and disciplinary sanctions.
- c. All such regulations, hearing procedures, and disciplinary sanctions shall be reduced to writing and approved by the Student Conduct Committee prior to implementation.
- d. The authority granted to alternative processes and their respective governing bodies is conditional and may be withdrawn at any time by the Community Standards Committee when a is either unable or unwilling to assume its responsibilities as part of the University's Student Conduct Program.

#### **IV. Jurisdiction**

**Jurisdiction describes where and when the Student Conduct Code applies.**

1. Jurisdiction over types of actions and events. The Student Conduct Code applies to actions by Students that materially interfere with:
  - a. An educational opportunity of a University community member;
  - b. The health and safety of any person;
  - c. The maintenance or protection of University property or personal property located on campus;
  - d. University record keeping;
  - e. University living accommodations and other services; or
  - f. University sponsorship or supervision of non-classroom activities such as lectures, concerts, athletic events and social functions.
2. Jurisdictional boundaries.
  - a. On-Campus. The Student Conduct Code routinely applies to actions which occur on University Premises or at a University Sponsored Activity.
  - b. Off-Campus. The University extends jurisdiction without exception to off-campus sexual misconduct that consists of unwanted penetration or non-consensual personal contact as defined in Section 1, II (29) of this code. The University shall have discretion to extend jurisdiction over conduct that occurs other than on University Premises or at a University Sponsored Activity. In determining whether or not to extend jurisdiction, the University will consider its ability to gather information, including testimony of witnesses. The University may extend jurisdiction if the alleged conduct would have violated the Student Code of Conduct if the conduct had occurred on campus and:
    - A. Adversely and significantly affects the learning or living environment; or
    - B. Involved violence or produced a reasonable fear of physical harm; or

C. Involved academic work or any records, documents, or identifications of the University.

3. Student Status. An individual's status as a "student" is established by:
  - a. An application for admission, housing, financial aid, or any other service provided by the University which requires student status;
  - b. Registration for one or more credit hours; or
  - c. Enrollment in a special non-credit program approved by the University.
4. Jurisdiction over non-enrolled students. Jurisdiction is maintained between periods of enrollment unless the accused individual's official record in the Office of the Registrar shows a complete withdrawal prior to the expiration of the published deadline for registration for the succeeding period of enrollment. For students enrolled in the spring term, jurisdiction is maintained until the expiration on the published deadline for registration for the succeeding fall term.
  - a. If a student withdraws from the University after a Student Conduct complaint has been initiated, the University will maintain jurisdiction over the conduct matter until it is fully processed.
  - b. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be filed at any time, whether or not the student is currently enrolled or registered.
5. The University has jurisdiction to address all conduct that would have violated the terms of the Student Conduct Code while the student was enrolled, if the conduct occurred from the date the Student is admitted to the University until the Student graduates or otherwise completely withdraws from the University, as described above, even if the conduct is not discovered until after the student completely withdraws or graduates.
6. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be considered at any time regardless when the alleged misconduct occurred.
7. Students may be accountable both to civil and criminal authorities and to the University for behavior that constitute violations of the law and the Student Conduct Code. Since the action of civil and criminal authorities is independent from University action, the University may decide whether to initiate or consider an alleged violation of the Student Conduct Code while criminal charges are pending or before they are filed or after they are resolved.

## V. Student Conduct Code Violations

The following conduct violates the community standards that are essential to the core educational mission of the University of Oregon and subjects a Student or Student Organization to sanctions under the Student Conduct Code: (see Section 1, I for definitions)

1. Standards Relative to Academic and Personal Integrity. Integrity is a bedrock value of the University community and includes respect for open and honest intellectual exchange as well as respect for University records and for the Student Conduct Code itself. The following conduct violates standards of academic integrity:

- a. Cheating;
- b. Fabrication;
- c. Plagiarism;
- d. Academic misconduct; **Intentionally assisting others in the commission of academic misconduct is in itself an act of academic misconduct**
- e. Intentionally furnishing false information to a University Official;
- f. Forgery, alteration or unauthorized use of University documents, records, keys student identification, keycards or services;
- g. Creation or distribution of false identification;
- h. Failure to comply with the terms of any sanction imposed in accordance with the Student Conduct Code; or
- i. Contempt of adjudicative proceedings including impairing or interrupting the due course of proceedings in the presence of any process created under this Code. Adjudication of contempt and imposition of sanctions may be imposed summarily consistent with procedures outlined in this code.

**Commented [SW10]:** OSCCS recommends this change to add clarity to this section of the code

2. Standards Relative to Respect for Property and for Shared University Resources. The following conduct violates standards of respect for property and shared University resources:

- a. Engaging in behavior that could reasonably be foreseen to cause disruption of, obstruction of, or interference with the process of instruction, research, administration, student discipline, or any other service or activity provided or sponsored by the University;
- b. **Damage, destruction, theft, or unauthorized use of property located on the University campus or property owned or controlled by the University; or other property when applicable under rules regulating "Off-Campus Jurisdiction" (section 2,IV,2,b of this Code)**
- c. Unauthorized entry into or use of University property or University-recognized living units, facilities, residence halls, equipment, or resources;

**Commented [SW14]:** OSCCS recommends enumerating this policy in the student conduct

- d. Disorderly conduct (including that resulting from the use of alcohol), unreasonable noise, or conduct that results in unreasonable annoyance;
- e. Failure to comply with the reasonable directions of public officials acting in performance of their duties on University Premises or at a University Sponsored Activity or -when applicable under rules regulating "Off-Campus Jurisdiction" (section 2,IV,2,b of this Code) when such conduct poses a danger to personal safety or property or obstructs or impairs educational or other Institutional activities;
- f. Violation of University Policy on the acceptable use of computing and network resources. Unacceptable uses of computing resources include, but are not limited to:
  - A. Use of electronic forums to violate other sections of the Student Conduct Code;
  - B. Sharing of accounts or computer lab passes;
  - C. Violation of electronic privacy;
  - D. Interference with computer use or operations;
  - E. Commercial or illegal use of electronic or computer resources;
  - F. Violation of copyright law; or
  - G. Threats, abuse or Harassment, as defined in this code made or transmitted via electronic forums, social media platforms or electronic mail.

**Commented [11]:**

**Commented [SW12]:** OSCCS recommends this change to put this section in line with changes made in 2014.

**3. Standards Relative to the Rights of Individuals and to the Welfare of the University Community. An environment conducive to learning is one where the rights, safety, dignity and worth of every individual are respected. The following conduct endangers such an environment, and threatens the welfare of the University community as a whole:**

- a. Physical contact that endangers, threatens, or harms the health or safety of any person or behavior that causes a reasonable person to fear such contact;
- b. Hazing, as defined in this code; and by Oregon Revised Statute.
- c. Possession, use, or threatened use of a weapon, ammunition, or any object or substance used as a weapon on University Premises or at a University Sponsored Activity unless expressly authorized by law or University Policy. A concealed weapons permit does not constitute authorization.
- d. Unauthorized possession, use, or threatened use of dangerous chemical or biological substances or explosives;
- e. Tampering with fire-fighting equipment, turning in a false alarm, or engaging in conduct that constitutes a significant fire hazard;
- f. Harassment, as defined in this code because of another person's race, ethnicity, color, gender, gender identification, national origin, age, religion, marital status,

**Commented [SW13]:** OSCCS recommends this change to put this section in line with changes made in 2014.

disability, veteran status, sexual orientation, or for other reasons, including but not limited to harassment prohibited by University Policy;

- g. Unwanted Contact, as defined in this code;
- h. Sexual Misconduct as defined in this code;
  - A. Sexual gratification or pleasure of any party involved is not relevant to a determination of whether Sexual Misconduct occurred.
  - B. A violation of provisions of the alcohol or drug policy in the Student Conduct Code does not affect a person's ability to file a complaint regarding another person's Sexual Misconduct on the same occasion.
  - C. Consent to one form of sexual activity does not automatically operate as explicit consent to any other form sexual activity. A "no" always means that explicit consent is not present, whereas a "yes" to one act at one time does not mean "yes" to other acts or to the same act at other times. Voluntarily making oneself incapacitated does not mean one is giving explicit consent to any form of sexual activity.
- i. Prohibited alcohol use, which includes:
  - A. Possession or consumption of alcohol by those under 21 years of age on University Premises or at a University Sponsored Activity; or when applicable under rules regulating "Off-Campus Jurisdiction" (section 2,IV,2,b of this Code)
  - B. Furnishing of alcohol to a person under 21 years of age; or
  - C. Consumption of an alcoholic beverage by a person at least 21 years of age or furnishing of an alcoholic beverage by or to a person at least 21 years of age, except in such areas and at such times as the University authorizes.
- j. Prohibited drug use, which includes:
  - A. Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by both State and Federal law;
  - B. Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or
  - C. Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.
- k. Lewd or indecent conduct on University Premises or at a University Sponsored Activity. Lewd or indecent conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record that would be an

**Commented [SW15]:** OSCCS recommends this change to put this section in line with changes made in 2014.

invasion of privacy pursuant to ORS163.700. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

l. Gambling, as defined and prohibited in ORS167.108 to 167.164 except as authorized by ORS464.270 to 464.530.

+ m. Violation of Law: - Actions and behaviors that violate local, state, or federal law, but are not expressly defined in the standards above, which negatively and significantly impact the university community and its members, may also be addressed through the procedures set forth in this code.

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**Commented [SW16]:** Using the language of the 2014 code changes (see section on Jurisdiction, this allows the University to respond to serious criminal behavior that could have a significant impact on the campus community, but it not otherwise specifically defined in the Student Conduct Code. This addition is not supported by the Student conduct committee.

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## VI. Sanctions

**The University utilizes an educational sanctioning model; administrators will make every attempt to provide an educational sanction that will help a student to make better choices in the future. The educational sanction applied will become progressively more demanding if the student repeats violations, demonstrating that learning has not taken place. An accumulation of a variety of violations including sexual assault may result in severe sanctions such as suspension, expulsion or negative notation on a transcript. Academic dishonesty and violations affecting the health, safety and ~~well-being~~well-being of anyone are deemed the most severe and may result, upon the first violation, in a negative notation being placed on a transcript, suspension, or expulsion.**

### 1. Forms of Sanctions

- a. Expulsion. Student status is severed permanently. A Student who has been expelled from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises.

- b. Suspension.
  - A. Individual Suspension. Student status is severed for a specified period. A student who has been suspended from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises during the period the student is suspended.
  - B. Group Suspension. A Student Organization loses University recognition and all privileges associated with such recognition for a specified period. Imposition of this sanction against the ASUO or a recognized Student Organization requires approval by the Vice President for Student Life's designee
- c. Negative Notation on Transcript. Entry of the fact of violation on the Student's permanent academic record as the sole or an additional sanction may be imposed at the discretion of the administrator. After the expiration of the period of time, if any, set by the hearing officer, the notation shall be removed upon the request of the Student or former Student.
- d. Revocation of Degree. An academic degree previously awarded by the University may be revoked if it was obtained by fraud or a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree constitutes Plagiarism. The Academic Requirements Committee may, upon appeal of a University graduate subjected to degree revocation, stipulate the requirements for obtaining a degree.
- e. Grade Penalty. A Student admitting Academic Misconduct or found responsible for Academic Misconduct is subject to a grade penalty as determined by the instructor in the course in which the violation occurred.
- f. Disciplinary Probation. In lieu of another sanction, a period of probation may be imposed during which any violations of the Student Conduct Code will result in more serious sanctions than might be otherwise imposed. A Student or Student Organization on probation may or may not lose designated privileges during the period of probation. During the time on probation, a Student or Student Organization may, by demonstrating good conduct, avoid additional sanctions. Imposition of this sanction against the ASUO or an ASUO-recognized group requires approval by the Vice President for Student Life's designee
- g. Restitution. The Student or Student Organization is required to replace or restore damaged, stolen, or misappropriated property.
- h. Educational Activity. The Student or Student Organization is required to complete a project or activity designed to help the Student or Student Organization understand why the behavior was inappropriate and encourage future compliance with the Student Conduct Code. The educational activity is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on

Members of the University Community. Educational activities may include, but are not limited to, assessments of substance abuse and other behaviors, community service, workshops, papers and similar assignments. Community service, papers, and similar assignments will not be used for cases of unwanted penetration

~~h.i.~~ or nonconsensual physical contact.

~~h.j.~~ Loss of Privileges. The Student or Student Organization is denied specified privileges normally associated with Student Status or recognized Student Organization status, such as participation in or sponsorship of University activities, use of University facilities or services, or living in University-owned or supervised housing. Imposition of this sanction against the ASUO an ASUO-recognized group requires approval by the Vice President of Student Life's designee.

~~j.k.~~ Conduct Reprimand. The Student or Student Organization is given written notice that the conduct engaged in is inconsistent with University standards and expectations and informed that future violations of the Student Conduct Code may result in the imposition of more serious sanctions.

~~k.l.~~ ~~Suspended~~ Sanction held in Abeyance. The execution of any sanction authorized under the Student Conduct Code may be ~~suspended~~held in abeyance. When ~~suspending-holding~~ a sanction in abeyance, a time limit for the ~~suspension-abeyance~~ period shall be designated, and subsequent violations of the Student Conduct Code that will terminate the suspension-abeyance period and result in the imposition of the original sanction ~~shall be~~ specified. In the absence of any such violation, the original sanction shall be deemed completed at the end of the abeyance suspension period.

2. Medical Leave. Actions taken pursuant to University policies on medical leave shall not be deemed disciplinary sanctions within the meaning of the Student Conduct Code.
3. Failure to complete a sanction will be handled pursuant to Processes found in this code.

## Section 2: Student Rights

**Procedural fairness is basic to the proper enforcement of all University regulations. Accordingly, no disciplinary action shall be initiated or sanction imposed against a Student or Student Organization until they have been notified in writing of the complaints against them and their rights under this Code, and given the opportunity to be heard. Complainants shall also be accorded certain accommodations, as provided below.**

1. Regulations and disciplinary sanctions affecting the conduct of all Students shall be based on general principles of equal treatment.
2. The Director of Student Conduct and Community Standards shall insure that the best interests of Students and Student Organizations are served, regardless of whether disciplinary action is taken, by making full use of appropriate medical, counseling and other professional services at the University, or if necessary by making referrals to community

resources. For purposes of this Division, the Director may authorize another staff member to carry out any of the Director's responsibilities unless expressly prohibited from doing so.

3. Students shall have an opportunity to participate in the formulation of all regulations and policies pertaining to the Student Conduct Code at the University of Oregon.
4. All University regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their contents to Students or Student Organizations.
5. Students accused of violations of the Student Conduct Code can expect the following procedural protections:
  - a. To be informed of the complaint and alleged misconduct upon which the complaint is based;
  - b. To appear before the Director of Community Standards or their designee in an administrative conference, as outlined at in this code;
  - c. To be allowed reasonable time to prepare for the conference;
  - d. To be informed of the information upon which a complaint is based and accorded an opportunity to offer a relevant response;
  - e. To propose relevant witnesses and submit suggested questions to the Director;
  - f. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - g. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
  - h. To be considered not responsible for the alleged conduct until proven responsible by a preponderance of the information;
  - i. To have an adviser of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the conference. The director shall determine what constitutes an "unreasonable" delay.
6. A student accusing another student of a violation of the Student Conduct Code can expect the following procedural accommodations:
  - a. To be allowed reasonable time to prepare for any participation in the conference;
  - b. To be accorded the opportunity to offer a relevant response to any assertions made;
  - c. To propose relevant witnesses and submit suggested questions to the Director;
  - d. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - e. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;

- f. To be protected against retaliation for filing a complaint;
- g. To have an advisor of their choice present at the conference provided that the advisor’s schedule does not unreasonably delay the proceeding. The Director shall determine what constitutes an “unreasonable” delay;
- h. Upon request in the case of sexual misconduct, to be present in a separate room instead of the same room as the accused student.
- h.i. The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center as soon as possible. Any accommodations deemed necessary and approved by the accessible education center will be incorporated into the student conduct process as possible.

**Section 3: Administration of the Student Conduct Process**

**I. Administrative Policies**

**This section of the code designates who is in control of the Conduct Process, and how the code and cases are administered.**

1. Disciplinary Records and Files. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the Student is found not responsible for the complaints, the disciplinary file will become void.
  - a. Voided files will be so marked and shall not result in a disciplinary record. Voided files will normally be destroyed after one year. Where a Student files a conduct complaint against another Student, a file shall be created for both Students.
  - b. Disciplinary records may be voided by the Director of Conduct and Community Standards for good cause, upon written petition from the student. Factors to be considered in review of such petitions shall include:
    - A. The conduct of the Student subsequent to the violation; and
    - B. The nature of the violation and the severity of any damage, injury, or harm resulting from it.
2. Student Conduct Reports.
  - a. The Community Standards Committee shall require from University officials, hearings boards, referees, committees and tribunals periodic written reports of the disposition of all student conduct cases dealt with under their jurisdiction. The Committee shall examine such reports for consistency with existing policies and, when necessary, review the reports with the appropriate officials or tribunals.
  - b. At the end of each academic year, the Committee shall submit to the Board of Trustees President, University Senate, Deans, Department Heads, the ASUO President, and the Office of Student Advocacy, a written report covering the entire Student Conduct Program, including an evaluation of the existing rules, policies, and

**Commented [SW17]:** OSCCS recommends that a statement on access to accessibility services to students be added to the student conduct code. This is already a practice utilized by the office, but it is recommended that it is memorialized in the Student Conduct Code.

enforcement procedures. This report shall also detail all Code revisions approved during the previous year and shall be available to any person upon request.

3. Director of Student Conduct and Community Standards.
  - a. The President of the University shall designate a Director of Student Conduct and Community Standards who shall have primary responsibility for administering the Student Conduct Program and coordinating the activities of all University officials, hearing officers, referees, committees, or tribunals that are concerned with the Community Standards Program.
  - b. The Director shall be responsible to the Student Conduct Committee for maintaining complete records pertaining to the activities of the Community Standards Program. Those records shall include a summary of the business of the Community Standards Committee and a report of the disposition of each disciplinary case handled by any person or group authorized to impose disciplinary sanctions in the name of the University. For record keeping purposes, the Director may prescribe reporting procedures to be followed, in addition to those in paragraph (2) above by those authorized to impose disciplinary sanctions.
  - c. The Director shall serve as non-voting Secretary of the Community Standards Committee and as advisor to all individuals and groups authorized to impose disciplinary sanctions. The Director shall serve as a non-voting, ex-officio member of the Residence Hall Governance Committee and of the residence hall Peer Judicial Board.
  - d. The Director shall be responsible for gathering and presenting to the Student Conduct Committee the reports required by this code.
4. Student Conduct Code Adoption, Amendment and Revision.
  - a. Code establishment. Upon approval by the Board of Trustees of the University of Oregon, this Student Conduct Code becomes effective and supersedes all previous regulations and policies pertaining to student discipline at the University of Oregon.
  - b. Code Amendment. This Code may be amended by the Board of Trustees of the University of Oregon, consistent with the Policy on Retention and Delegation of Authority upon consultation with the president, faculty, and students.
  - c. Code Revision. This Code shall be continuously reviewed in its entirety to make sure it is consistent with best practices.

## **II. Student Conduct Procedures**

**This section of the code describes the process that the Student Conduct office adheres to following an alleged violation of the code.**

1. Complaint. Any Member of the University Community or the public may file a complaint against a Student (or non-enrolled student as defined in this code) for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the

Director of Student Conduct and Community Standards. Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to Section 1 of this code. The longer one waits to file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has 60 days to send written notice to the accused Student of the complaint, unless for good cause an extension of six months is provided in writing by the Vice President for Student Life's designee

2. Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall serve a written notice upon the Student, either by electronic mail or by mailing to the latest address of the Student on file at the Office of the Registrar of the University, or, if necessary, by registered or certified mail or by personal service. A status update on the case shall be sent to the member of the university community who filed the complaint. Such notice shall inform the student of:
  - a. The alleged Code violation;
  - b. The opportunity for the student to meet with the Director for purposes of discussing the options for disposition of the case;
  - c. The Student's right to assistance. At an administrative conference with the Director (or their designee or before the Appeals Board, of the Vice President for Student Life's designee, if applicable, a Student may, but need not represent his or her own interests, or be assisted by someone including but not limited to one of the following representatives:
    - A. The Office of Student Advocacy;
    - B. Another Student;
    - C. A member of the faculty or administration;
    - D. An attorney.
  - d. The requirement to respond within 7 calendar days to arrange a meeting with the hearing officer. The hearing officer will proceed as provided below if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.
  - e. To the extent the University provides free legal representation to students who are party to student conduct proceedings, it will ensure that free legal representation is equally available to student respondents and student complainants.
3. Response: If after receiving notice, pursuant to this rule, the Student does not arrange to meet with the Director within 7 days or if the Student arranges to meet with the Director but does not attend such a meeting, the Director of Student Conduct and Community Standards may take any of the actions specified in this code for disposition of the case without consultation with or agreement by the Student.

4. With the consent of an Accused Student, the Director of Student Conduct and Community Standards may defer proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending complaints may be withdrawn thereafter at the discretion of the Director of Student Conduct and Community Standards or designee.

### **III. Administrative Conferences**

**This section of the code outlines the rights that an accused student holds during the Conduct procedures, including rights relating to the student's mental capacity and any mental disorder the from which the student may suffer.**

1. Complainants, witnesses, and accused students may have an advisor, as defined this code, present during any interviews with the Director of Student Conduct and Community Standards, or designee, and any other conduct proceeding.
2. Students accused of violations will have an administrative conference with the Director of Student Conduct and Community Standards, or designee. The following procedural protections are provided to accused students in administrative conferences:
  - a. Reasonable access to the case file prior to and during the conference, except to the extent access to such material is prohibited by law. The case file may contain materials that are considered "education records" pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended and personal notes of University staff members and complainants. Access to these materials may be prohibited by law. Otherwise, to the extent allowed by law, copies of the case file will be provided upon request.
  - b. An opportunity to respond to all information provided and to ask the Director or designee hearing the case to contact relevant and necessary witnesses.
  - c. The right to have the case referred outside the Office of Community Standards if the Student can articulate a reasonable basis from which to conclude that the Office of Community Standards is biased for some reason that would prevent the student from receiving a fair hearing by the office. Such cases are referred to the Vice President for Student Life's designee.
3. In cases where the Director of Student Conduct and Community Standards concludes that a Student accused of any offense under the Student Conduct Code lacks the mental capacity to respond to the complaint, the Director shall stay the proceeding until such time that the Director concludes that the Student may adequately respond. A stay granted pursuant to this section shall not in any manner preclude a proceeding for medical leave under OAR Chapter 571, Division 23. If the student has been accused of Academic Misconduct, no academic sanction may be imposed during a stay granted pursuant to this section, but the faculty member for the coursework out of which the complaint of Academic Misconduct arose shall request the Registrar to assign a grade of "I" until the disciplinary proceeding has been completed.

4. No sanctions shall be imposed against a Student who acknowledges engaging in the specific conduct alleged and who submits a written statement from a Student Health Center psychiatrist or a Counseling Center psychologist stating that, as a result of mental disorder at the time of the offense, the Student did not appreciate the wrongfulness of the conduct or could not conform his or her behavior to the requirements of the Code. The Student may submit any other supplemental information pertinent to his or her mental condition to the Director of Student Conduct and Community Standards. If, based upon all information received, the Director decides that the conduct of the Student resulted from mental disorder, the Director shall seek professional assistance and advice, and, if appropriate and legally authorized, consult with the Student's parent or guardian or take other measures to assure a fair disposition of the case. If the Student has been accused of Academic Misconduct, the faculty member for the coursework in which the Academic Misconduct took place shall assign an appropriate grade.
5. Administrative conferences regarding Sexual Misconduct will generally be complete within 60 days of the receipt of the complaint; however, the 60 day period may be extended for good cause including but not limited to situations where the complexity of the investigation, the number of witnesses identified, or the volume of information which needs to be gathered and reviewed necessitates more time.

#### **IV. Appeals**

**The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. The Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions issued following an administrative conference.**

1. A decision reached through an administrative conference may be appealed by the Accused Student or Complainant(s) within fourteen calendar days of the decision. Such appeals shall be in writing, state the basis for the appeal and be delivered to the Office of Student Conduct and Community Standards. All appeals of cases involving sexual misconduct will be heard directly and exclusively by the Vice President for Student Life's designee; all other appeals will be heard by the Appeals Board.
  - a. An Accused Student who does not attend the administrative conference may appeal only to show with direct information that the Accused Student did not receive notice of the conference.
  - b. A Complainant(s) who fails to attend any requested meetings with the Director or fails to present information in a format approved by the Director may appeal only to show with direct information that the Complainant did not receive notice of the hearing.
2. Except as the Appeals Board or the Vice President for Student Life's designee determines necessary to explain the basis of new information, an appeal is limited to a review of the verbatim record of the administrative conference and supporting documents:

- a. To determine if the administrative conference was conducted fairly in light of the complaint made and information presented and in conformity with procedures required in this Code, giving the Complainant a reasonable opportunity to present information, and giving the Accused Student reasonable notice and an opportunity to prepare and to respond to the allegations. A deviation from procedures required by this Code will not be a basis for sustaining an appeal unless significant prejudice results;
  - b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts that, if believed by the Director or designee were sufficient to establish that a violation of the Code occurred;
  - c. To determine whether the sanction(s) imposed were commensurate with violation;
  - d. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.
3. No decision of may be overruled by the Appeals Board except through an affirmative vote of a majority of the Appeals Board members present. If the Appeals Board or the Vice President for Student Life's designee overrules a decision in whole or in part, it may:
    - a. Modify the decision or sanction; or
    - b. Remand for further proceeding.

#### **V. University Appeals Board**

**The University Appeals Board is one option that the student has to have their case reviewed. This section of the code outlines how the members of the Appeals Board are chosen.**

1. The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. As set forth in this code, the Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions of all administrative conferences in cases except those involving sexual misconduct which shall be appealed directly to the Vice President for Student Life's designee.
2. Membership. The Appeals Board shall consist of three faculty members, recommended by the Committee on Committees of the University Senate, and three student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.
3. The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure.

## **VI. Imposition of Sanctions, Adjudication of Contempt and Failure to Complete Assigned Sanctions**

**This section of the code designates who has authority to impose a sanction, and outlines the responsibility of the student regarding the sanctions.**

1. A University Official or Student Organization that determines that an Accused Student violated the Student Conduct Code may impose sanctions authorized by this Code unless otherwise expressly limited. Sanctions are subject to appeal pursuant to this code.
2. A University Official responsible for making a determination if a student has violated this Code may declare a Student participant in contempt of adjudicative proceedings pursuant to this code and impose sanctions without complying with the procedures otherwise required in this Code. Adjudication of contempt and sanctions imposed are subject to appeal pursuant to this code. Imposition of sanction and the circumstances that gave rise to it shall be reported to the Director of Conduct and Community Standards.
3. Failure to complete assigned sanctions. The University will use the procedures established by this section to enforce the timely completion of disciplinary sanctions issued under the Student Conduct Code.
  - a. A Student who is found responsible for a Student Conduct Code violation and who receives a sanction will be informed orally by the Office of Student Conduct and Community Standards of the consequences of failing to complete the sanction. The Office of Student Conduct and Community Standards will also inform the student in writing of the consequences of failing to complete the sanction as part of the decision letter sent to the Student.
  - b. If a Student fails to complete the disciplinary sanction by the assigned deadline, the Office of Student Conduct and Community Standards will send the Student a letter that states:
    - A. The Student has five class days after the assigned deadline to provide verification to the Office of Student Conduct and Community Standards that the assigned sanction has been completed or the Student's record ability to register for classes, drop classes, or change grade options will be placed on hold;
    - B. Once the Student's record is on hold, the hold will not be removed until the Office of Student Conduct and Community Standards has received verification that the Student has completed the sanction; and
    - C. The Student is responsible for ensuring that the Office of Student Conduct and Community Standards receives verification of completion of the sanction.
  - c. When a hold is placed on a Student's record, the Office of Student Conduct and Community Standards will inform the Student in a letter that the hold has been

placed, the consequences of the hold, and the actions required to have the hold removed.

- d. The hold will be removed immediately once the Student provides verification of completion of the sanction.
- e. A Student who is unable to register because the student has not completed a sanction may seek a waiver from the Office of Student Conduct and Community Standards. The Office of Student Conduct and Community Standards will grant a waiver, allowing the student to register, provided the Student agrees the Student's registration may be cancelled immediately and the hold reinstated if the Student has not completed the sanction by a deadline set by the Office of Student Conduct and Community Standards, in its sole discretion.

#### **Section 4: Academic Misconduct Procedures**

**This section of the code describes the process between the student suspected of misconduct and the University Official before the case is referred to the office of Student Conduct and Community Standards**

1. Notice. Upon the discovery of suspected Academic Misconduct, as defined in this code, the University Official with responsibility for the academic matter or the faculty member in whose course the incident occurred shall promptly notify the Student of the incident. This notice shall include a discussion of the option of having the case referred directly to the Director of Student Conduct and Community Standards.
2. If a Student admits to Academic Misconduct in a course, the faculty member shall impose an appropriate academic sanction up to and including a grade of "N" or "F" and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the faculty member, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the faculty member's department head and, ultimately, to the dean of the college or school in which the incident originated.
3. If a Student admits to Academic Misconduct in a situation other than a course, the responsible University Official may determine and implement an appropriate response and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the University Official, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the University Official's department head or director.
4. If a faculty member or University Official and a Student cannot agree as to whether Academic Misconduct has occurred, the University Official or faculty member will, not later than fourteen calendar days during which the University is in session after the date the faculty member or University Official notifies the Student, make a written referral of the

case to the Office of Student Conduct and Community Standards for resolution. The case will then be conducted in accordance with the procedures established in this Code.

- a. If there is a finding that the Student engaged in Academic Misconduct in a class, in addition to sanctions imposed through the regular student conduct procedures, the faculty member will assign an appropriate grade.
  - b. If there is a finding that the Student did not engage in Academic Misconduct, no academic sanction may be imposed.
5. Reporting Academic Misconduct. Regardless of the method of resolution, University Officials, including faculty members are required to file a written report of any Academic Misconduct with the Director of Student Conduct and Community Standards. These reports shall be treated as confidential and maintained consistent with the Student Records Policy.
6. Withdrawing from a Course.
- a. If a Student's Academic Misconduct in a course results in an academic sanction, the student will not be permitted to drop or withdraw from the course, or to change the course's grading option, and shall be reinstated in the course in if they have dropped or withdrawn.
  - b. If a Student's Academic Misconduct does not result in an academic sanction, the Student may withdraw from the course or change the course's grading option at the later of:
    - A. Expiration of the withdrawal deadline for the course;
    - B. Expiration of the deadline for changing grade options; or
    - C. Five business days after the student receives notification of the decision or termination of Student Conduct Code proceedings without sanction.
  - c. In the event the Student is found not responsible for Academic Misconduct and the Student no longer feels comfortable returning to the class, the Office of Student Conduct and Community Standards will assist the student to attempt to remove the "w" from the transcript.

#### **Section 5: Alternative Dispute Resolution**

**Consistent with the primary mission of the Code to establish community standards and procedures that promote an environment conducive to learning by upholding academic standards and by respecting community members, alternative dispute resolution provides an opportunity for individuals affected by violations or alleged violations of this Code to resolve disciplinary matters among themselves, with or without findings of responsibility. Students who participate in a method of alternative dispute resolution and successfully fulfill their obligations may, upon completion of their obligations, have their student conduct record regarding the matter voided.**

1. Mediation. Mediation is encouraged as an alternative means to resolve allegations of Student Conduct Code violations, where appropriate, except for sexual misconduct involving unwanted penetration or nonconsensual personal contact as set out in this code which shall not be subject to mediation. The Director of Student Conduct and Community Standards will inform Complainants and Accused Students about the availability of mediation resources. The Director, in the exercise of the Director's sole discretion, may, except in cases of alleged Academic and Sexual Misconduct, decline to process a complaint until the parties make a reasonable attempt to achieve a mediated resolution.
  - a. To be binding under this Code, any mediated resolution must be approved by the Director of Student Conduct and Community Standards. Any agreement will be enforced by the Office of Student Conduct and Community Standards.
  - b. Procedures for Alternative Dispute Resolution. Students wishing to pursue mediation shall notify the Director of Student Conduct and Community Standards within fourteen calendar days of receiving written notice of the violation pursuant to this code.
  - c. The Director of Student Conduct and Community Standards may determine if an Accused Student must acknowledge responsibility as a condition of the Director's approval of a mediation option. If the Director requires an Accused Student to acknowledge responsibility as a condition to approving the mediation, the Director will not proceed until the Accused Student has provided the Director with that acknowledgement.
  - d. The Director of Student Conduct will determine whether others affected by the alleged violation are willing to participate in mediation. Parties agreeing to mediation must sign a waiver allowing the Director to receive information from the mediator regarding the progress of the mediation.
  - e. Once the necessary parties agree, the Director of Student Conduct and Community Standards will approve a mediator and set a date for a report from the mediator regarding progress. If the Director, in the Director's sole discretion, determines that mediation is unlikely to be successful, the Director may inform the necessary parties and initiate other procedures.
2. Restorative Justice. Restorative Justice serves primarily as a diversion program for Accused Students who have acknowledged responsibility for a Code violation and who wish to remedy the effects of the violation.
  - a. The Director of Student Conduct and Community Standards will consider approving Restorative Justice in the following circumstances:
    - A. The Accused Student acknowledges responsibility for a the Code violation;
    - B. There are clearly identifiable negative impacts on either individuals or the community resulting from the violation; and

- C. The Accused Student and those impacted by the incident agree to participate in Restorative Justice.
  - b. A Restorative Justice outcome shall not be binding unless approved by the Director of Student Conduct and Community Standards. An agreement reached through Restorative Justice will be enforced by the Office of Student Conduct and Community Standards.
- 3. The Director of Student Conduct and Community Standards may initiate procedures to make a determination of responsibility or, in the Director's discretion, to proceed pursuant to this code. If an Accused Student who participates in alternative dispute resolution fails to fulfill an obligation or otherwise fails to comply with the approved resolution.
- 4. Upon timely completion of a student's obligation arising from alternative dispute resolution, a student may provide to the Director of Student Conduct and Community Standards documentation of completion. If the Director of Student Conduct and Community Standards concludes the student fulfilled the student's obligation in a timely fashion, Director of Student Conduct and Community Standards will remove information regarding the violation from the student's record.

#### **Section 6: Emergency Action**

**This section of the code describes the rights of the Director of Student Conduct and Community Standards to take Emergency action regarding the accused student when it is necessary to secure the health or safety of any persons.**

- 1. The Director of Student Conduct and Community Standards or his or her designee may take emergency action regarding a Student when immediately necessary to secure the health or safety of any persons and there is an alleged violation of the Student Conduct Code.
- 2. Emergency Action includes, but is not limited to:
  - a. Immediate withdrawal of the Student from the University;
  - b. Restrictions on the Student's presence on University Premises or at University Sponsored Activities;
  - c. Placing a hold on a student's record that will prevent registration would prevent the student from obtaining an official copy of the student's transcript.
- 3. The Director of Student Conduct and Community Standards may request that the Student secure a medical and psychological evaluation through the Student Health Center or at another facility at the Student's own expense. The evaluation may be used to determine the appropriateness of withdrawing the emergency action.
- 4. When the emergency action takes place, the Director of Student Conduct and Community Standards or designee will:
  - a. Inform the Student and Complainant, if applicable, of the reason for the emergency action;

- b. Give the Student and Complainant, if applicable, the opportunity to explain why emergency action should or should not be taken;
  - c. Inform the Student and Complainant, if applicable, that a preliminary hearing will take place according to the procedures in this section and that the Student will be informed of its time, place, and date; and
  - d. Inform the Student and Complainant, if applicable, of the possible restrictions that may be imposed prior to an administrative conference.
5. The preliminary hearing shall take place within two business days of the emergency action. At this hearing the Student shall have a full opportunity to demonstrate to the Director of Conduct and Community Standards that emergency action is not necessary pursuant to Paragraph 1. The Student may be represented by a student advocate or other counsel. The Director will also consult with the Complainant, if applicable, who may also be represented by a student advocate or other counsel, during any consultation.
- a. Based on the reasonable evaluation of the information presented at the preliminary hearing, the Director of Student Conduct and Community Standards shall notify the Student within 24 hours of the decision to:
    - A. Dissolve the emergency action and take no further action;
    - B. Dissolve the emergency action but proceed to an administrative conference; or
    - C. Sustain or modify the emergency action until such time as a resolution is researched following an administrative conference.
6. An emergency action shall be reviewed by Vice President for Student Life's Designee at the request of the Student no sooner than the next working day after the preliminary hearing. The review shall provide an opportunity for the Student to explain why an emergency action need no longer be imposed. Subsequent review of the same emergency action may be requested no more frequently than every ten days.
7. If emergency restrictions on a Student's housing or enrollment are removed, the Student will not be assessed any fees for reinstatement.

**Section 7: Student Conduct Process for Student Organizations**

**When members of a Student Organization act together in a way that violates University Student Conduct Code, the Student Organization is expected to hold its members responsible for those violations.**

- 1. When a potential violation of the Student Conduct Code by a Student Organization comes to the University's attention, the Office of Student Conduct and Community Standards may review the incident to determine the appropriate process for resolution. Generally, the University will expect a Student Organization to hold itself accountable for the acts of its members when those acts are related to the Student Organization's activities.

- a. The Student Organization or its governing body will notify the Office of Student Conduct and Community Standards and keep it informed at all stages of the process.
  - b. The University, through the Office of Student Conduct and Community Standards, reserves the right to take immediate jurisdiction at its discretion. The student organization or governing body may still hold its members accountable in the situation, but must do so in conjunction with the Office of Student Conduct and Community Standards.
2. If sufficient action is not taken in a timely manner by the student organization to correct a violation of University standards, individuals may file grievances with the appropriate governing body, or, if none exists, with the Office of Student Conduct and Community Standards.
  3. If, in the judgment of the Vice President of Student Life's designee, sufficient action is not taken in a timely manner by the governing body, the case will be referred to the Office of Student Conduct and Community Standards.
  4. In deciding whether the group is responsible for the violation, the University will consider whether the following factors are present:
    - a. The violation arises out of a group-sponsored, organized, financed, or endorsed event;
    - b. The organization provides the impetus for the violation;
    - c. The violation occurs on the premises owned or operated by the group;
    - d. A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or
    - e. A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.

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**Related Resources**

NA

**VERSION B**  
**(Includes 17 agreed-upon**  
**changes PLUS change #19)**

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**Reason for Policy**

The Student Conduct Code establishes community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon.

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**Entities Affected by this Policy**

All students enrolled at the University of Oregon, Division of Student Life, and Academic Affairs

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**Web Site Address for this Policy**

<https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code>

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**Responsible Office**

For questions about this policy, please contact the Office of Student Conduct and Community Standards at (541) 346-1141 or [conduct@uoregon.edu](mailto:conduct@uoregon.edu)

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**Enactment & Revision History**

Technical revisions made by the Secretary on June 29, 2015  
Amended by the Board of Trustees on June 4, 2015  
Amended by the Board of Trustees on September 11, 2014  
Become UO policy by operation of law on July 1, 2014  
Enacted as OAR Chapter 571, Division 21 in 2006

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**Policy**

All revisions to Student Conduct Code procedures, including but not limited to jurisdictional revisions, shall apply retroactively to pending Student Conduct complaints, filed on or after September 11, 2014

**Section 1: Student Conduct Policies****I. Mission**

1. The primary mission of the Student Conduct Code is to set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon. Founded upon

the principle of freedom of thought and expression, an environment conducive to learning is one that preserves the freedom to learn -- where academic standards are strictly upheld and where the rights, safety, dignity and worth of every individual are respected.

2. Learning is a process defined by the exchange of ideas and the advancement of knowledge. As such, learning entails a community of scholars united by their participation in, and commitment to, intellectual exchange. The University is, first and foremost such a community. Learning also involves reflecting on decisions and improving decision-making in the future. By establishing the standards of this community, the Student Conduct Code serves not just as a disciplinary system, but also as a part of the educational system. Hence, a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community, and for the property, common resources, code of conduct, and laws associated with that community, and to encourage the development of good decision-making and personal integrity.
3. Students are simultaneously members of the University community and the broader community (e.g. city, state, nation, and world). The Student Conduct Code, and the processes of its administration and enforcement, is directed specifically toward maintaining the standards of the University community. Within its jurisdiction the University may impose disciplinary sanctions against students or student organizations when their conduct materially interferes with the educational objectives of the University or university community member.

## II. Definitions

For purposes of the Student Conduct Code,

1. "Academic Misconduct" means the violation of university policies involving academic integrity. Examples include, but are not limited to:
  - a. Intentional tampering with grades, resubmitting assignments for more than one class without the permission of the professor; and
  - b. Intentionally taking part in obtaining or distributing any part of a test that has not been administered;
  - c. Cheating, as defined in this code;
  - d. Plagiarism, as defined in this code;
  - e. Knowingly furnishing false information to a University Official; and
  - f. Fabrication, as defined in this code.
2. "Accused Student" means any student accused of violating the Student Conduct Code.
3. "Cheating" means any act of deception by which a student misrepresents or misleadingly demonstrates that the student has mastered information on an academic exercise that the student has not mastered. Examples include but are not limited to:

- a. Giving or receiving unauthorized help in an academic exercise;
- b. Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
- c. Acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and
- d. Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

4. "Community Standards Administrator" means the University official, as designated on a case-by-case basis by the Director of Student Conduct and Community Standards, authorized to impose sanctions upon any student found to have violated the Student Conduct Code.

5. "~~Community Standards/ Student Conduct Committee~~ Student Conduct Committee" means the Committee established pursuant to this Code, comprised of persons appointed by the President with the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.

**Commented [SW1]:** The actual name of the "Committee" Student Conduct Committee

6. "Complainant" means any person who submits a complaint alleging that a student violated the Student Conduct Code. The Complainant need not be a person who was the target or victim of the alleged violation.

7. "Contacting" has its common meaning. It includes, but is not limited to, communicating with or remaining in the physical presence of the other person.

~~8. "Contact of a Sexual Nature" for purposes of Sexual Misconduct in the Student Conduct Code means the touching of the genitalia, anus, buttocks or breasts of a person or causing such person to touch the genitalia, anus, buttocks or breasts of another.~~ ["Contact of a sexual nature" for purposes of Sexual Misconduct in the Student Conduct Code means: Intentionally touching a part of another person's body that, under the circumstances, a reasonable person would know that the other person regards as an intimate part, including but not limited to the other person's genitals, breasts, groin, or buttocks, without the consent of the other person; Intentionally causing a person to touch an intimate part of another person; or, Intentionally causing a person to touch their own intimate part. For this definition, "touching" includes contact made with bodily fluids.](#)

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**Commented [JC2]:** 05/04/18  
TIX Coordinator, AAEO, and Dean of Students propose this definition change to be more inclusive of gender and to incorporate the use of objects.

~~9-8.~~ "Contempt" means disregard of, or disobedience to, the rules or orders of any process under this Code or an interruption of its proceedings by disorderly behavior or insolent language in a way or place that disturbs the proceedings or ignores the authority of the tribunal.

[9. "Dean of Students" is the person designated by the University President and Vice President for Student Life as the person titled with and given responsibility for oversight of the Dean of Students portfolio.](#)

10. "Director of Student Conduct and Community Standards" is the person designated by the University Senate, Board of Trustees and University President or designee to be responsible for the administration of the Student Code.
11. "Drug" means a controlled substance or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C.811 to 812 or as defined in ORS475.005 or modified in ORS475.035.
12. "Explicit Consent" for purposes of Sexual Misconduct in the Student Conduct Code means voluntary, non-coerced and clear communication indicating a willingness to engage in a particular act. "Explicit consent" includes an affirmative verbal response or voluntary acts unmistakable in their meaning.
13. "Fabrication" means the intentional use of information that the author has invented when the student states or implies otherwise, or the falsification of research or other findings with the intent to deceive.
14. "Faculty Member" means a person hired by the University to conduct classroom, research or teaching activities or who is otherwise considered by the University to be a member of its faculty, including officers of instruction, officers of research and officers of administration.
15. "Gambling" means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. "Gambling" does not include those activities expressly excluded by ORS167.117.
16. "Harassment" means:
  - a. Intentionally subjecting a person to offensive physical contact;
  - b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, conventional mail, social media and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
  - c. The University's policy prohibiting sexual harassment specifically prohibits discrimination on the basis of sex or gender, sexual harassment, sexual violence, sexual assault, dating or domestic violence, sex or gender based stalking or bullying, and other gendered harassment. "Harassment" as defined under the Student Conduct Code will be interpreted to include sexual harassment as defined by the university's discrimination complaint and response policy. Sexual harassment and sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identify of those involved
  - d. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment as defined by law.

**Commented [SW3]:** OSCCS recommends this addition to make sure that the Student Conduct Code is in line with University Policy. Relocated into definitions from the violations section. JLC 04/26/18

17. "Hazing" means any initiation rites, recruitment and continuing involvement and belonging to an organization on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether the activity constitutes hazing. Activities and situations that may occur as part of hazing include, but are not limited to:

**Commented [SW4]:** OSCCS recommends this change to help respond to the fact that hazing often occurs outside of simply "initiation rituals"

- a. Sleep deprivation or causing excessive fatigue;
- b. Physical or psychological shock;
- c. Public stunts or jokes;
- d. Compelled ingestion of any substance;
- e. Degrading or humiliating games or activities;
- f. Activities that have an adverse effect on academic progress;
- g. Forced servitude;
- h. Activities which are not consistent with the parent organization's rules and regulations; or
- i. Other activities which violate Federal, State, or local laws or University of Oregon policy.

**Commented [SW5]:** OSCCS recommends this change to allow better enforcement of hazing policy

18. "Institution" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "University."

19. "May" is used in the permissive sense.

20. "Mental Disorder" for purposes of Sexual Misconduct in the Student Conduct Code means that a person suffers from a mental disease or disorder that renders that person incapable of appraising the nature of the conduct of another person.

21. "Mental Incapacitation" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is rendered incapable of appraising or controlling one's own conduct at the time of the alleged offense because of the influence of a controlled or intoxicating substance or because of any act committed upon the person without consent. Minors and children are unable to provide consent when defined as such by Oregon law.

**Commented [SW6]:** OSCCS recommends adding language that would include minors/children being unable to consent as defined by Oregon Law

22. "Member of the University Community" includes any person who is a student, faculty member, University official or any person employed by the University.

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23. "Penetration" for purposes of Sexual Misconduct in the Student Conduct Code means any ~~degree of insertion, however slight, of the penis or any object into the vagina or anus, or the penis into the mouth.~~ Any degree of insertion, however slight, by any body part or object into the oral, anal, or vaginal parts of a person.

**Commented [SW7]:** •OSCCS suggests changing this definition to, "Oral, anal, or vaginal penetration, to any degree of insertion, however slight, by any body part or object."  
•This definition covers potential sexual misconduct between various genders that the code does not explicitly currently cover.

24. "Physical Helplessness" for purposes of Sexual Misconduct in the Student Conduct Code means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to engage in an act.
25. "Plagiarism" means using the ideas or writings of another as one's own. It includes, but is not limited to:
- a. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and
  - b. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.
26. "Policy" means the written regulations of the University. Examples of where written policies may be found include, but are not limited to:
- a. The Student Conduct Code;
  - b. Residence Life Contract;
  - c. Information posted by the University on its web pages;
  - d. Computer Acceptable Use Policy;
  - e. Living Group Alcohol Policy;
  - f. Greek Social Policy;
  - g. Graduate/Undergraduate Catalog; and
  - h. Student Handbook.
27. "President" means the University President.
28. "Shall" and "will" are used in the imperative sense.
29. "Sexual Misconduct" means:
- a. Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one:
    - A. Does not first obtain Explicit Consent from that person; or
    - B. Knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.
  - b. Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress:
    - A. Without having first obtained Explicit Consent; or
    - B. When he or she knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

c. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive that interferes with work or access to educational benefits and opportunities academic performance because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant's status. when the conduct is unwelcome and sufficiently severe or pervasive that it deprives that person of benefits of the University's educational environment.

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d. A single episode of behavior that meets a., b., or c. can be sufficient for a finding of sexual misconduct.

Commented [JC8]: This definition change is requested by the Title IX Coordinator.

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30. "Student" means any person who has student status pursuant to Section IV (Jurisdiction) of this code.

31. "Student Organization" means any group of University of Oregon students meeting criteria for ~~group~~ organizational recognition established by the University.

Commented [SW9]: OSCCS recommends this change as it is more consistent with the language already found in the definition

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32. "University" means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with "institution."

33. "University Appeals Board" means the person or persons authorized by this Code to consider an appeal from the outcome of an administrative conference.

34. "University Official" means a person having assigned University responsibilities who is performing their University assignment.

35. "University Premises" includes all land, buildings or grounds owned, leased, operated, controlled or supervised by the University including adjacent sidewalks and streets.

36. "University Sponsored Activity" means any activity, including activities sponsored or organized by recognized student organizations, on or off University premises that is directly initiated or supervised by the University.

37. "Unwanted Contact" means repeated or persistent contact or attempts to contact another person when the contacting person knows or should know that the contact is unwanted by the other person; and

a. The contact would cause a reasonable person fear of physical harm; or

b. The contacting person knows or should know that the contact substantially impairs the other person's ability to perform the activities of daily life.

### III. Delegations and Authority

**The Board of Trustees of the University of Oregon delegates authority for administering this Code and the Student Conduct program as provided below:**

1. The Director of Student Conduct and Community Standards shall develop policies for the administration of the student conduct system and procedural that are consistent with provisions of the Student Conduct Code.

- a. Consistent with this code the Vice President for Student Life's designee may serve ad hoc in place of the Director of Student Conduct and Community Standards.
2. The Student Conduct Committee shall be responsible for recommending to the Board of Trustees of the University of Oregon policy or administrative changes in any aspect of the Student Conduct Program.
  - a. The Committee shall be appointed by the President and shall consist of four faculty members to be recommended by the Committee on Committees and four student members to be recommended by the ASUO. Faculty and student members shall serve staggered, two-year terms and may be reappointed, up to three consecutive terms, or a maximum of six consecutive years. The President may appoint temporary members to assure full Committee membership during summer session or at such other times as are necessary.
  - b. The Director of Residence Life or designee, the [Director of Student Conduct and Community Standards](#) Dean of Student's designee (typically an Assistant Dean of Students) and the Director of the Office of Student Advocacy shall be non-voting, ex-officio members of the Student Conduct Committee.
3. Sub-delegation of Authority to alternative processes and hearing officers.
  - a. With the consent of the President of the University, the Community Standards Committee may sub-delegate jurisdiction to handle violations of the Student Conduct Code to University officials, committees or alternative processes. In all instances such sub-delegation shall be defined by the Committee in terms of specific jurisdiction, enforceable regulations, and maximum disciplinary sanctions that may be imposed.
  - b. Subject to approval by the President, the Community Standards Committee sub-delegates to the Interfraternity Council, Panhellenic Council, Club Sports Executive Committee, and Residence Hall Association the authority to formulate:
    - A. Regulations governing the conduct of their respective organization members;
    - B. Hearing procedures and administrative practices to be followed by their respective process;
    - C. Disciplinary sanctions exclusive of expulsion, suspension, eviction or negative notation on transcript appropriate to the enforcement of their respective regulations; and
    - D. Procedures for publication and notification to affected students of such regulations, hearing procedures and disciplinary sanctions.
  - c. All such regulations, hearing procedures, and disciplinary sanctions shall be reduced to writing and approved by the Student Conduct Committee prior to implementation.
  - d. The authority granted to alternative processes and their respective governing bodies is conditional and may be withdrawn at any time by the Community Standards

Committee when a is either unable or unwilling to assume its responsibilities as part of the University's Student Conduct Program.

#### **IV. Jurisdiction**

**Jurisdiction describes where and when the Student Conduct Code applies.**

1. Jurisdiction over types of actions and events. The Student Conduct Code applies to actions by Students that materially interfere with:
  - a. An educational opportunity of a University community member;
  - b. The health and safety of any person;
  - c. The maintenance or protection of University property or personal property located on campus;
  - d. University record keeping;
  - e. University living accommodations and other services; or
  - f. University sponsorship or supervision of non-classroom activities such as lectures, concerts, athletic events and social functions.
2. Jurisdictional boundaries.
  - a. On-Campus. The Student Conduct Code routinely applies to actions which occur on University Premises or at a University Sponsored Activity.
  - b. Off-Campus. The University extends jurisdiction without exception to off-campus sexual misconduct that consists of unwanted penetration or non-consensual personal contact as defined in Section 1, II (29) of this code. The University shall have discretion to extend jurisdiction over conduct that occurs other than on University Premises or at a University Sponsored Activity. In determining whether or not to extend jurisdiction, the University will consider its ability to gather information, including testimony of witnesses. The University may extend jurisdiction if the alleged conduct would have violated the Student Code of Conduct if the conduct had occurred on campus and:
    - A. Adversely and significantly affects the learning or living environment; or
    - B. Involved violence or produced a reasonable fear of physical harm; or
    - C. Involved academic work or any records, documents, or identifications of the University.
3. Student Status. An individual's status as a "student" is established by:
  - a. An application for admission, housing, financial aid, or any other service provided by the University which requires student status;
  - b. Registration for one or more credit hours; or
  - c. Enrollment in a special non-credit program approved by the University.

4. Jurisdiction over non-enrolled students. Jurisdiction is maintained between periods of enrollment unless the accused individual's official record in the Office of the Registrar shows a complete withdrawal prior to the expiration of the published deadline for registration for the succeeding period of enrollment. For students enrolled in the spring term, jurisdiction is maintained until the expiration on the published deadline for registration for the succeeding fall term.
  - a. If a student withdraws from the University after a Student Conduct complaint has been initiated, the University will maintain jurisdiction over the conduct matter until it is fully processed.
  - b. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be filed at any time, whether or not the student is currently enrolled or registered.
5. The University has jurisdiction to address all conduct that would have violated the terms of the Student Conduct Code while the student was enrolled, if the conduct occurred from the date the Student is admitted to the University until the Student graduates or otherwise completely withdraws from the University, as described above, even if the conduct is not discovered until after the student completely withdraws or graduates.
6. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be considered at any time regardless when the alleged misconduct occurred.
7. Students may be accountable both to civil and criminal authorities and to the University for behavior that constitute violations of the law and the Student Conduct Code. Since the action of civil and criminal authorities is independent from University action, the University may decide whether to initiate or consider an alleged violation of the Student Conduct Code while criminal charges are pending or before they are filed or after they are resolved.

## V. Student Conduct Code Violations

The following conduct violates the community standards that are essential to the core educational mission of the University of Oregon and subjects a Student or Student Organization to sanctions under the Student Conduct Code: (see Section 1, I for definitions)

1. Standards Relative to Academic and Personal Integrity. Integrity is a bedrock value of the University community and includes respect for open and honest intellectual exchange as well as respect for University records and for the Student Conduct Code itself. The following conduct violates standards of academic integrity:
  - a. Cheating;
  - b. Fabrication;
  - c. Plagiarism;
  - d. Academic misconduct; **intentionally assisting others in the commission of academic misconduct is in itself an act of academic misconduct**
  - e. Intentionally furnishing false information to a University Official;
  - f. Forgery, alteration or unauthorized use of University documents, records, keys student identification, keycards or services;
  - g. Creation or distribution of false identification;
  - h. Failure to comply with the terms of any sanction imposed in accordance with the Student Conduct Code; or
  - i. Contempt of adjudicative proceedings including impairing or interrupting the due course of proceedings in the presence of any process created under this Code. Adjudication of contempt and imposition of sanctions may be imposed summarily consistent with procedures outlined in this code.
2. Standards Relative to Respect for Property and for Shared University Resources. The following conduct violates standards of respect for property and shared University resources:
  - a. Engaging in behavior that could reasonably be foreseen to cause disruption of, obstruction of, or interference with the process of instruction, research, administration, student discipline, or any other service or activity provided or sponsored by the University;
  - b. **Damage, destruction, theft, or unauthorized use of property located on the University campus or property owned or controlled by the University; or other property when applicable under rules regulating "Off-Campus Jurisdiction" (section 2.IV,2,b of this Code)**
  - c. Unauthorized entry into or use of University property or University-recognized living units, facilities, residence halls, equipment, or resources;

**Commented [SW10]:** OSCCS recommends this change to add clarity to this section of the code

**Commented [SW14]:** OSCCS recommends enumerating this policy in the student conduct

- d. Disorderly conduct (including that resulting from the use of alcohol), unreasonable noise, or conduct that results in unreasonable annoyance;
- e. Failure to comply with the reasonable directions of public officials acting in performance of their duties on University Premises or at a University Sponsored Activity or -when applicable under rules regulating "Off-Campus Jurisdiction" (section 2,IV,2,b of this Code) when such conduct poses a danger to personal safety or property or obstructs or impairs educational or other Institutional activities;
- f. Violation of University Policy on the acceptable use of computing and network resources. Unacceptable uses of computing resources include, but are not limited to:
  - A. Use of electronic forums to violate other sections of the Student Conduct Code;
  - B. Sharing of accounts or computer lab passes;
  - C. Violation of electronic privacy;
  - D. Interference with computer use or operations;
  - E. Commercial or illegal use of electronic or computer resources;
  - F. Violation of copyright law; or
  - G. Threats, abuse or Harassment, as defined in this code made or transmitted via electronic forums, social media platforms or electronic mail.

**Commented [11]:**

**Commented [SW12]:** OSCCS recommends this change to put this section in line with changes made in 2014.

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**3. Standards Relative to the Rights of Individuals and to the Welfare of the University Community. An environment conducive to learning is one where the rights, safety, dignity and worth of every individual are respected. The following conduct endangers such an environment, and threatens the welfare of the University community as a whole:**

- a. Physical contact that endangers, threatens, or harms the health or safety of any person or behavior that causes a reasonable person to fear such contact;
- b. Hazing, as defined in this code; and by Oregon Revised Statute.
- c. Possession, use, or threatened use of a weapon, ammunition, or any object or substance used as a weapon on University Premises or at a University Sponsored Activity unless expressly authorized by law or University Policy. A concealed weapons permit does not constitute authorization.
- d. Unauthorized possession, use, or threatened use of dangerous chemical or biological substances or explosives;
- e. Tampering with fire-fighting equipment, turning in a false alarm, or engaging in conduct that constitutes a significant fire hazard;
- f. Harassment, as defined in this code because of another person's race, ethnicity, color, gender, gender identification, national origin, age, religion, marital status,

**Commented [SW13]:** OSCCS recommends this change to put this section in line with changes made in 2014.

disability, veteran status, sexual orientation, or for other reasons, including but not limited to harassment prohibited by University Policy;

- g. Unwanted Contact, as defined in this code;
- h. Sexual Misconduct as defined in this code;
  - A. Sexual gratification or pleasure of any party involved is not relevant to a determination of whether Sexual Misconduct occurred.
  - B. A violation of provisions of the alcohol or drug policy in the Student Conduct Code does not affect a person's ability to file a complaint regarding another person's Sexual Misconduct on the same occasion.
  - C. Consent to one form of sexual activity does not automatically operate as explicit consent to any other form sexual activity. A "no" always means that explicit consent is not present, whereas a "yes" to one act at one time does not mean "yes" to other acts or to the same act at other times. Voluntarily making oneself incapacitated does not mean one is giving explicit consent to any form of sexual activity.
- i. Prohibited alcohol use, which includes:
  - A. Possession or consumption of alcohol by those under 21 years of age on University Premises or at a University Sponsored Activity; or when applicable under rules regulating "Off-Campus Jurisdiction" (section 2,IV,2,b of this Code)
  - B. Furnishing of alcohol to a person under 21 years of age; or
  - C. Consumption of an alcoholic beverage by a person at least 21 years of age or furnishing of an alcoholic beverage by or to a person at least 21 years of age, except in such areas and at such times as the University authorizes.
- j. Prohibited drug use, which includes:
  - A. Manufacture, processing, distribution, or cultivation of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity, except as expressly permitted by both State and Federal law;
  - B. Sale of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity; or
  - C. Possession of a Drug, including but not limited to marijuana or narcotics, on University Premises or at a University Sponsored Activity except as expressly permitted by law.
- k. Lewd or indecent conduct on University Premises or at a University Sponsored Activity. Lewd or indecent conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record that would be an

**Commented [SW15]:** OSCCS recommends this change to put this section in line with changes made in 2014.

invasion of privacy pursuant to ORS163.700. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

l. Gambling, as defined and prohibited in ORS167.108 to 167.164 except as authorized by ORS464.270 to 464.530.

## **VI. Sanctions**

**The University utilizes an educational sanctioning model; administrators will make every attempt to provide an educational sanction that will help a student to make better choices in the future. The educational sanction applied will become progressively more demanding if the student repeats violations, demonstrating that learning has not taken place. An accumulation of a variety of violations including sexual assault may result in severe sanctions such as suspension, expulsion or negative notation on a transcript. Academic dishonesty and violations affecting the health, safety and ~~well-being~~well-being of anyone are deemed the most severe and may result, upon the first violation, in a negative notation being placed on a transcript, suspension, or expulsion.**

### **1. Forms of Sanctions**

- a. Expulsion. Student status is severed permanently. A Student who has been expelled from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises.

- b. Suspension.
  - A. Individual Suspension. Student status is severed for a specified period. A student who has been suspended from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises during the period the student is suspended.
  - B. Group Suspension. A Student Organization loses University recognition and all privileges associated with such recognition for a specified period. Imposition of this sanction against the ASUO or a recognized Student Organization requires approval by the Vice President for Student Life's designee
- c. Negative Notation on Transcript. Entry of the fact of violation on the Student's permanent academic record as the sole or an additional sanction may be imposed at the discretion of the administrator. After the expiration of the period of time, if any, set by the hearing officer, the notation shall be removed upon the request of the Student or former Student.
- d. Revocation of Degree. An academic degree previously awarded by the University may be revoked if it was obtained by fraud or a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree constitutes Plagiarism. The Academic Requirements Committee may, upon appeal of a University graduate subjected to degree revocation, stipulate the requirements for obtaining a degree.
- e. Grade Penalty. A Student admitting Academic Misconduct or found responsible for Academic Misconduct is subject to a grade penalty as determined by the instructor in the course in which the violation occurred.
- f. Disciplinary Probation. In lieu of another sanction, a period of probation may be imposed during which any violations of the Student Conduct Code will result in more serious sanctions than might be otherwise imposed. A Student or Student Organization on probation may or may not lose designated privileges during the period of probation. During the time on probation, a Student or Student Organization may, by demonstrating good conduct, avoid additional sanctions. Imposition of this sanction against the ASUO or an ASUO-recognized group requires approval by the Vice President for Student Life's designee
- g. Restitution. The Student or Student Organization is required to replace or restore damaged, stolen, or misappropriated property.
- h. Educational Activity. The Student or Student Organization is required to complete a project or activity designed to help the Student or Student Organization understand why the behavior was inappropriate and encourage future compliance with the Student Conduct Code. The educational activity is designed to correspond to the severity and nature of the violation and to clarify the impact of that behavior on Members of the University Community. Educational activities may include, but are

not limited to, assessments of substance abuse and other behaviors, community service, workshops, papers and similar assignments. Community service, papers, and similar assignments will not be used for cases of unwanted penetration

~~h.i.~~ or nonconsensual physical contact.

~~h.j.~~ Loss of Privileges. The Student or Student Organization is denied specified privileges normally associated with Student Status or recognized Student Organization status, such as participation in or sponsorship of University activities, use of University facilities or services, or living in University-owned or supervised housing. Imposition of this sanction against the ASUO an ASUO-recognized group requires approval by the Vice President of Student Life's designee.

~~h.k.~~ Conduct Reprimand. The Student or Student Organization is given written notice that the conduct engaged in is inconsistent with University standards and expectations and informed that future violations of the Student Conduct Code may result in the imposition of more serious sanctions.

~~k.l.~~ ~~Suspended~~ Sanction ~~held in Abeyance~~. The execution of any sanction authorized under the Student Conduct Code may be ~~suspended~~~~held in abeyance~~. When ~~suspending~~~~holding~~ a sanction ~~in abeyance~~, a time limit for the ~~suspension~~~~abeyance~~ period shall be designated, and subsequent violations of the Student Conduct Code that will terminate the ~~suspension~~~~abeyance~~ period and result in the imposition of the original sanction ~~shall be~~ specified. In the absence of any such violation, the original sanction shall be deemed completed at the end of the ~~abeyance~~ ~~suspension~~ period.

2. Medical Leave. Actions taken pursuant to University policies on medical leave shall not be deemed disciplinary sanctions within the meaning of the Student Conduct Code.
3. Failure to complete a sanction will be handled pursuant to Processes found in this code.

## Section 2: Student Rights

**Procedural fairness is basic to the proper enforcement of all University regulations. Accordingly, no disciplinary action shall be initiated or sanction imposed against a Student or Student Organization until they have been notified in writing of the complaints against them and their rights under this Code, and given the opportunity to be heard. Complainants shall also be accorded certain accommodations, as provided below.**

1. Regulations and disciplinary sanctions affecting the conduct of all Students shall be based on general principles of equal treatment.
2. The Director of Student Conduct and Community Standards shall insure that the best interests of Students and Student Organizations are served, regardless of whether disciplinary action is taken, by making full use of appropriate medical, counseling and other professional services at the University, or if necessary by making referrals to community resources. For purposes of this Division, the Director may authorize another staff member to carry out any of the Director's responsibilities unless expressly prohibited from doing so.

3. Students shall have an opportunity to participate in the formulation of all regulations and policies pertaining to the Student Conduct Code at the University of Oregon.
4. All University regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their contents to Students or Student Organizations.
5. Students accused of violations of the Student Conduct Code can expect the following procedural protections:
  - a. To be informed of the complaint and alleged misconduct upon which the complaint is based;
  - b. To appear before the Director of Community Standards or their designee in an administrative conference, as outlined at in this code;
  - c. To be allowed reasonable time to prepare for the conference;
  - d. To be informed of the information upon which a complaint is based and accorded an opportunity to offer a relevant response;
  - e. To propose relevant witnesses and submit suggested questions to the Director;
  - f. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - g. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
  - h. To be considered not responsible for the alleged conduct until proven responsible by a preponderance of the information;
  - i. To have an adviser of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the conference. The director shall determine what constitutes an "unreasonable" delay.
6. A student accusing another student of a violation of the Student Conduct Code can expect the following procedural accommodations:
  - a. To be allowed reasonable time to prepare for any participation in the conference;
  - b. To be accorded the opportunity to offer a relevant response to any assertions made;
  - c. To propose relevant witnesses and submit suggested questions to the Director;
  - d. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
  - e. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
  - f. To be protected against retaliation for filing a complaint;

g. To have an advisor of their choice present at the conference provided that the advisor's schedule does not unreasonably delay the proceeding. The Director shall determine what constitutes an "unreasonable" delay;

h. Upon request in the case of sexual misconduct, to be present in a separate room instead of the same room as the accused student.

h.i. The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center as soon as possible. Any accommodations deemed necessary and approved by the accessible education center will be incorporated into the student conduct process as possible.

### Section 3: Administration of the Student Conduct Process

#### I. Administrative Policies

**This section of the code designates who is in control of the Conduct Process, and how the code and cases are administered.**

1. Disciplinary Records and Files. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the Student is found not responsible for the complaints, the disciplinary file will become void.
  - a. Voided files will be so marked and shall not result in a disciplinary record. Voided files will normally be destroyed after one year. Where a Student files a conduct complaint against another Student, a file shall be created for both Students.
  - b. Disciplinary records may be voided by the Director of Conduct and Community Standards for good cause, upon written petition from the student. Factors to be considered in review of such petitions shall include:
    - A. The conduct of the Student subsequent to the violation; and
    - B. The nature of the violation and the severity of any damage, injury, or harm resulting from it.
2. Student Conduct Reports.
  - a. The Community Standards Committee shall require from University officials, hearings boards, referees, committees and tribunals periodic written reports of the disposition of all student conduct cases dealt with under their jurisdiction. The Committee shall examine such reports for consistency with existing policies and, when necessary, review the reports with the appropriate officials or tribunals.
  - b. At the end of each academic year, the Committee shall submit to the Board of Trustees President, University Senate, Deans, Department Heads, the ASUO President, and the Office of Student Advocacy, a written report covering the entire Student Conduct Program, including an evaluation of the existing rules, policies, and enforcement procedures. This report shall also detail all Code revisions approved during the previous year and shall be available to any person upon request.

**Commented [SW16]:** OSCCS recommends that a statement on access to accessibility services to students be added to the student conduct code. This is already a practice utilized by the office, but it is recommended that it is memorialized in the Student Conduct Code.

3. Director of Student Conduct and Community Standards.

- a. The President of the University shall designate a Director of Student Conduct and Community Standards who shall have primary responsibility for administering the Student Conduct Program and coordinating the activities of all University officials, hearing officers, referees, committees, or tribunals that are concerned with the Community Standards Program.
- b. The Director shall be responsible to the Student Conduct Committee for maintaining complete records pertaining to the activities of the Community Standards Program. Those records shall include a summary of the business of the Community Standards Committee and a report of the disposition of each disciplinary case handled by any person or group authorized to impose disciplinary sanctions in the name of the University. For record keeping purposes, the Director may prescribe reporting procedures to be followed, in addition to those in paragraph (2) above by those authorized to impose disciplinary sanctions.
- c. The Director shall serve as non-voting Secretary of the Community Standards Committee and as advisor to all individuals and groups authorized to impose disciplinary sanctions. The Director shall serve as a non-voting, ex-officio member of the Residence Hall Governance Committee and of the residence hall Peer Judicial Board.
- d. The Director shall be responsible for gathering and presenting to the Student Conduct Committee the reports required by this code.

4. Student Conduct Code Adoption, Amendment and Revision.

- a. Code establishment. Upon approval by the Board of Trustees of the University of Oregon, this Student Conduct Code becomes effective and supersedes all previous regulations and policies pertaining to student discipline at the University of Oregon.
- b. Code Amendment. This Code may be amended by the Board of Trustees of the University of Oregon, consistent with the Policy on Retention and Delegation of Authority upon consultation with the president, faculty, and students.
- c. Code Revision. This Code shall be continuously reviewed in its entirety to make sure it is consistent with best practices.

**II. Student Conduct Procedures**

**This section of the code describes the process that the Student Conduct office adheres to following an alleged violation of the code.**

1. Complaint. Any Member of the University Community or the public may file a complaint against a Student (or non-enrolled student as defined in this code) for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the Director of Student Conduct and Community Standards. Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to Section 1 of this code. The longer one waits to

file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has 60 days to send written notice to the accused Student of the complaint, unless for good cause an extension of six months is provided in writing by the Vice President for Student Life's designee

2. Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall serve a written notice upon the Student, either by electronic mail or by mailing to the latest address of the Student on file at the Office of the Registrar of the University, or, if necessary, by registered or certified mail or by personal service. A status update on the case shall be sent to the member of the university community who filed the complaint. Such notice shall inform the student of:
  - a. The alleged Code violation;
  - b. The opportunity for the student to meet with the Director for purposes of discussing the options for disposition of the case;
  - c. The Student's right to assistance. At an administrative conference with the Director (or their designee or before the Appeals Board, of the Vice President for Student Life's designee, if applicable, a Student may, but need not represent his or her own interests, or be assisted by someone including but not limited to one of the following representatives:
    - A. The Office of Student Advocacy;
    - B. Another Student;
    - C. A member of the faculty or administration;
    - D. An attorney.
  - d. The requirement to respond within 7 calendar days to arrange a meeting with the hearing officer. The hearing officer will proceed as provided below if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.
  - e. To the extent the University provides free legal representation to students who are party to student conduct proceedings, it will ensure that free legal representation is equally available to student respondents and student complainants.
3. Response: If after receiving notice, pursuant to this rule, the Student does not arrange to meet with the Director within 7 days or if the Student arranges to meet with the Director but does not attend such a meeting, the Director of Student Conduct and Community Standards may take any of the actions specified in this code for disposition of the case without consultation with or agreement by the Student.
4. With the consent of an Accused Student, the Director of Student Conduct and Community Standards may defer proceedings for alleged minor violations of this Code for a period not to exceed ninety days. Pending complaints may be withdrawn thereafter at the discretion of the Director of Student Conduct and Community Standards or designee.

### III. Administrative Conferences

**This section of the code outlines the rights that an accused student holds during the Conduct procedures, including rights relating to the student's mental capacity and any mental disorder the from which the student may suffer.**

1. Complainants, witnesses, and accused students may have an advisor, as defined this code, present during any interviews with the Director of Student Conduct and Community Standards, or designee, and any other conduct proceeding.
2. Students accused of violations will have an administrative conference with the Director of Student Conduct and Community Standards, or designee. The following procedural protections are provided to accused students in administrative conferences:
  - a. Reasonable access to the case file prior to and during the conference, except to the extent access to such material is prohibited by law. The case file may contain materials that are considered "education records" pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended and personal notes of University staff members and complainants. Access to these materials may be prohibited by law. Otherwise, to the extent allowed by law, copies of the case file will be provided upon request.
  - b. An opportunity to respond to all information provided and to ask the Director or designee hearing the case to contact relevant and necessary witnesses.
  - c. The right to have the case referred outside the Office of Community Standards if the Student can articulate a reasonable basis from which to conclude that the Office of Community Standards is biased for some reason that would prevent the student from receiving a fair hearing by the office. Such cases are referred to the Vice President for Student Life's designee.
3. In cases where the Director of Student Conduct and Community Standards concludes that a Student accused of any offense under the Student Conduct Code lacks the mental capacity to respond to the complaint, the Director shall stay the proceeding until such time that the Director concludes that the Student may adequately respond. A stay granted pursuant to this section shall not in any manner preclude a proceeding for medical leave under OAR Chapter 571, Division 23. If the student has been accused of Academic Misconduct, no academic sanction may be imposed during a stay granted pursuant to this section, but the faculty member for the coursework out of which the complaint of Academic Misconduct arose shall request the Registrar to assign a grade of "I" until the disciplinary proceeding has been completed.
4. No sanctions shall be imposed against a Student who acknowledges engaging in the specific conduct alleged and who submits a written statement from a Student Health Center psychiatrist or a Counseling Center psychologist stating that, as a result of mental disorder at the time of the offense, the Student did not appreciate the wrongfulness of the conduct or could not conform his or her behavior to the requirements of the Code. The Student may

submit any other supplemental information pertinent to his or her mental condition to the Director of Student Conduct and Community Standards. If, based upon all information received, the Director decides that the conduct of the Student resulted from mental disorder, the Director shall seek professional assistance and advice, and, if appropriate and legally authorized, consult with the Student's parent or guardian or take other measures to assure a fair disposition of the case. If the Student has been accused of Academic Misconduct, the faculty member for the coursework in which the Academic Misconduct took place shall assign an appropriate grade.

5. Administrative conferences regarding Sexual Misconduct will generally be complete within 60 days of the receipt of the complaint; however, the 60 day period may be extended for good cause including but not limited to situations where the complexity of the investigation, the number of witnesses identified, or the volume of information which needs to be gathered and reviewed necessitates more time.

#### **IV. Appeals**

**The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. The Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions issued following an administrative conference.**

1. A decision reached through an administrative conference may be appealed by the Accused Student or Complainant(s) within fourteen calendar days of the decision. Such appeals shall be in writing, state the basis for the appeal and be delivered to the Office of Student Conduct and Community Standards. All appeals of cases involving sexual misconduct will be heard directly and exclusively by the Vice President for Student Life's designee; all other appeals will be heard by the Appeals Board.
  - a. An Accused Student who does not attend the administrative conference may appeal only to show with direct information that the Accused Student did not receive notice of the conference.
  - b. A Complainant(s) who fails to attend any requested meetings with the Director or fails to present information in a format approved by the Director may appeal only to show with direct information that the Complainant did not receive notice of the hearing.
2. Except as the Appeals Board or the Vice President for Student Life's designee determines necessary to explain the basis of new information, an appeal is limited to a review of the verbatim record of the administrative conference and supporting documents:
  - a. To determine if the administrative conference was conducted fairly in light of the complaint made and information presented and in conformity with procedures required in this Code, giving the Complainant a reasonable opportunity to present information, and giving the Accused Student reasonable notice and an opportunity to prepare and to respond to the allegations. A deviation from procedures required by this Code will not be a basis for sustaining an appeal unless significant prejudice results;

- b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts that, if believed by the Director or designee were sufficient to establish that a violation of the Code occurred;
  - c. To determine whether the sanction(s) imposed were commensurate with violation;
  - d. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.
3. No decision of may be overruled by the Appeals Board except through an affirmative vote of a majority of the Appeals Board members present. If the Appeals Board or the Vice President for Student Life’s designee overrules a decision in whole or in part, it may:
- a. Modify the decision or sanction; or
  - b. Remand for further proceeding.

**V. University Appeals Board**

**The University Appeals Board is one option that the student has to have their case reviewed. This section of the code outlines how the members of the Appeals Board are chosen.**

- 1. The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. As set forth in this code, the Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions of all administrative conferences in cases except those involving sexual misconduct which shall be appealed directly to the Vice President for Student Life’s designee.
- 2. Membership. The Appeals Board shall consist of three faculty members, recommended by the Committee on Committees of the University Senate, and three student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.
- 3. The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure.

**VI. Imposition of Sanctions, Adjudication of Contempt and Failure to Complete Assigned Sanctions**

**This section of the code designates who has authority to impose a sanction, and outlines the responsibility of the student regarding the sanctions.**

- 1. A University Official or Student Organization that determines that an Accused Student violated the Student Conduct Code may impose sanctions authorized by this Code unless otherwise expressly limited. Sanctions are subject to appeal pursuant to this code.

2. A University Official responsible for making a determination if a student has violated this Code may declare a Student participant in contempt of adjudicative proceedings pursuant to this code and impose sanctions without complying with the procedures otherwise required in this Code. Adjudication of contempt and sanctions imposed are subject to appeal pursuant to this code. Imposition of sanction and the circumstances that gave rise to it shall be reported to the Director of Conduct and Community Standards.
3. Failure to complete assigned sanctions. The University will use the procedures established by this section to enforce the timely completion of disciplinary sanctions issued under the Student Conduct Code.
  - a. A Student who is found responsible for a Student Conduct Code violation and who receives a sanction will be informed orally by the Office of Student Conduct and Community Standards of the consequences of failing to complete the sanction. The Office of Student Conduct and Community Standards will also inform the student in writing of the consequences of failing to complete the sanction as part of the decision letter sent to the Student.
  - b. If a Student fails to complete the disciplinary sanction by the assigned deadline, the Office of Student Conduct and Community Standards will send the Student a letter that states:
    - A. The Student has five class days after the assigned deadline to provide verification to the Office of Student Conduct and Community Standards that the assigned sanction has been completed or the Student's record ability to register for classes, drop classes, or change grade options will be placed on hold;
    - B. Once the Student's record is on hold, the hold will not be removed until the Office of Student Conduct and Community Standards has received verification that the Student has completed the sanction; and
    - C. The Student is responsible for ensuring that the Office of Student Conduct and Community Standards receives verification of completion of the sanction.
  - c. When a hold is placed on a Student's record, the Office of Student Conduct and Community Standards will inform the Student in a letter that the hold has been placed, the consequences of the hold, and the actions required to have the hold removed.
  - d. The hold will be removed immediately once the Student provides verification of completion of the sanction.
  - e. A Student who is unable to register because the student has not completed a sanction may seek a waiver from the Office of Student Conduct and Community Standards. The Office of Student Conduct and Community Standards will grant a waiver, allowing the student to register, provided the Student agrees the Student's registration may be cancelled immediately and the hold reinstated if the Student has

not completed the sanction by a deadline set by the Office of Student Conduct and Community Standards, in its sole discretion.

#### **Section 4: Academic Misconduct Procedures**

**This section of the code describes the process between the student suspected of misconduct and the University Official before the case is referred to the office of Student Conduct and Community Standards**

1. Notice. Upon the discovery of suspected Academic Misconduct, as defined in this code, the University Official with responsibility for the academic matter or the faculty member in whose course the incident occurred shall promptly notify the Student of the incident. This notice shall include a discussion of the option of having the case referred directly to the Director of Student Conduct and Community Standards.
2. If a Student admits to Academic Misconduct in a course, the faculty member shall impose an appropriate academic sanction up to and including a grade of "N" or "F" and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the faculty member, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the faculty member's department head and, ultimately, to the dean of the college or school in which the incident originated.
3. If a Student admits to Academic Misconduct in a situation other than a course, the responsible University Official may determine and implement an appropriate response and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the University Official, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the University Official's department head or director.
4. If a faculty member or University Official and a Student cannot agree as to whether Academic Misconduct has occurred, the University Official or faculty member will, not later than fourteen calendar days during which the University is in session after the date the faculty member or University Official notifies the Student, make a written referral of the case to the Office of Student Conduct and Community Standards for resolution. The case will then be conducted in accordance with the procedures established in this Code.
  - a. If there is a finding that the Student engaged in Academic Misconduct in a class, in addition to sanctions imposed through the regular student conduct procedures, the faculty member will assign an appropriate grade.
  - b. If there is a finding that the Student did not engage in Academic Misconduct, no academic sanction may be imposed.
5. Reporting Academic Misconduct. Regardless of the method of resolution, University Officials, including faculty members are required to file a written report of any Academic

Misconduct with the Director of Student Conduct and Community Standards. These reports shall be treated as confidential and maintained consistent with the Student Records Policy.

6. Withdrawing from a Course.
  - a. If a Student's Academic Misconduct in a course results in an academic sanction, the student will not be permitted to drop or withdraw from the course, or to change the course's grading option, and shall be reinstated in the course in if they have dropped or withdrawn.
  - b. If a Student's Academic Misconduct does not result in an academic sanction, the Student may withdraw from the course or change the course's grading option at the later of:
    - A. Expiration of the withdrawal deadline for the course;
    - B. Expiration of the deadline for changing grade options; or
    - C. Five business days after the student receives notification of the decision or termination of Student Conduct Code proceedings without sanction.
  - c. In the event the Student is found not responsible for Academic Misconduct and the Student no longer feels comfortable returning to the class, the Office of Student Conduct and Community Standards will assist the student to attempt to remove the "w" from the transcript.

#### **Section 5: Alternative Dispute Resolution**

**Consistent with the primary mission of the Code to establish community standards and procedures that promote an environment conducive to learning by upholding academic standards and by respecting community members, alternative dispute resolution provides an opportunity for individuals affected by violations or alleged violations of this Code to resolve disciplinary matters among themselves, with or without findings of responsibility. Students who participate in a method of alternative dispute resolution and successfully fulfill their obligations may, upon completion of their obligations, have their student conduct record regarding the matter voided.**

1. Mediation. Mediation is encouraged as an alternative means to resolve allegations of Student Conduct Code violations, where appropriate, except for sexual misconduct involving unwanted penetration or nonconsensual personal contact as set out in this code which shall not be subject to mediation. The Director of Student Conduct and Community Standards will inform Complainants and Accused Students about the availability of mediation resources. The Director, in the exercise of the Director's sole discretion, may, except in cases of alleged Academic and Sexual Misconduct, decline to process a complaint until the parties make a reasonable attempt to achieve a mediated resolution.
  - a. To be binding under this Code, any mediated resolution must be approved by the Director of Student Conduct and Community Standards. Any agreement will be enforced by the Office of Student Conduct and Community Standards.

- b. Procedures for Alternative Dispute Resolution. Students wishing to pursue mediation shall notify the Director of Student Conduct and Community Standards within fourteen calendar days of receiving written notice of the violation pursuant to this code.
      - c. The Director of Student Conduct and Community Standards may determine if an Accused Student must acknowledge responsibility as a condition of the Director's approval of a mediation option. If the Director requires an Accused Student to acknowledge responsibility as a condition to approving the mediation, the Director will not proceed until the Accused Student has provided the Director with that acknowledgement.
      - d. The Director of Student Conduct will determine whether others affected by the alleged violation are willing to participate in mediation. Parties agreeing to mediation must sign a waiver allowing the Director to receive information from the mediator regarding the progress of the mediation.
      - e. Once the necessary parties agree, the Director of Student Conduct and Community Standards will approve a mediator and set a date for a report from the mediator regarding progress. If the Director, in the Director's sole discretion, determines that mediation is unlikely to be successful, the Director may inform the necessary parties and initiate other procedures.
2. Restorative Justice. Restorative Justice serves primarily as a diversion program for Accused Students who have acknowledged responsibility for a Code violation and who wish to remedy the effects of the violation.
  - a. The Director of Student Conduct and Community Standards will consider approving Restorative Justice in the following circumstances:
    - A. The Accused Student acknowledges responsibility for a the Code violation;
    - B. There are clearly identifiable negative impacts on either individuals or the community resulting from the violation; and
    - C. The Accused Student and those impacted by the incident agree to participate in Restorative Justice.
  - b. A Restorative Justice outcome shall not be binding unless approved by the Director of Student Conduct and Community Standards. An agreement reached through Restorative Justice will be enforced by the Office of Student Conduct and Community Standards.
3. The Director of Student Conduct and Community Standards may initiate procedures to make a determination of responsibility or, in the Director's discretion, to proceed pursuant to this code. If an Accused Student who participates in alternative dispute resolution fails to fulfill an obligation or otherwise fails to comply with the approved resolution.
4. Upon timely completion of a student's obligation arising from alternative dispute resolution, a student may provide to the Director of Student Conduct and Community

Standards documentation of completion. If the Director of Student Conduct and Community Standards concludes the student fulfilled the student's obligation in a timely fashion, Director of Student Conduct and Community Standards will remove information regarding the violation from the student's record.

#### **Section 6: Emergency Action**

**This section of the code describes the rights of the Director of Student Conduct and Community Standards to take Emergency action regarding the accused student when it is necessary to secure the health or safety of any persons.**

1. The Director of Student Conduct and Community Standards or his or her designee may take emergency action regarding a Student when immediately necessary to secure the health or safety of any persons and there is an alleged violation of the Student Conduct Code.
2. Emergency Action includes, but is not limited to:
  - a. Immediate withdrawal of the Student from the University;
  - b. Restrictions on the Student's presence on University Premises or at University Sponsored Activities;
  - c. Placing a hold on a student's record that will prevent registration would prevent the student from obtaining an official copy of the student's transcript.
3. The Director of Student Conduct and Community Standards may request that the Student secure a medical and psychological evaluation through the Student Health Center or at another facility at the Student's own expense. The evaluation may be used to determine the appropriateness of withdrawing the emergency action.
4. When the emergency action takes place, the Director of Student Conduct and Community Standards or designee will:
  - a. Inform the Student and Complainant, if applicable, of the reason for the emergency action;
  - b. Give the Student and Complainant, if applicable, the opportunity to explain why emergency action should or should not be taken;
  - c. Inform the Student and Complainant, if applicable, that a preliminary hearing will take place according to the procedures in this section and that the Student will be informed of its time, place, and date; and
  - d. Inform the Student and Complainant, if applicable, of the possible restrictions that may be imposed prior to an administrative conference.
5. The preliminary hearing shall take place within two business days of the emergency action. At this hearing the Student shall have a full opportunity to demonstrate to the Director of Conduct and Community Standards that emergency action is not necessary pursuant to Paragraph 1. The Student may be represented by a student advocate or other counsel. The Director will also consult with the Complainant, if applicable, who may also be represented by a student advocate or other counsel, during any consultation.

- a. Based on the reasonable evaluation of the information presented at the preliminary hearing, the Director of Student Conduct and Community Standards shall notify the Student within 24 hours of the decision to:
  - A. Dissolve the emergency action and take no further action;
  - B. Dissolve the emergency action but proceed to an administrative conference;  
or
  - C. Sustain or modify the emergency action until such time as a resolution is researched following an administrative conference.
6. An emergency action shall be reviewed by Vice President for Student Life's Designee at the request of the Student no sooner than the next working day after the preliminary hearing. The review shall provide an opportunity for the Student to explain why an emergency action need no longer be imposed. Subsequent review of the same emergency action may be requested no more frequently than every ten days.
7. If emergency restrictions on a Student's housing or enrollment are removed, the Student will not be assessed any fees for reinstatement.

#### **Section 7: Student Conduct Process for Student Organizations**

**When members of a Student Organization act together in a way that violates University Student Conduct Code, the Student Organization is expected to hold its members responsible for those violations.**

1. When a potential violation of the Student Conduct Code by a Student Organization comes to the University's attention, the Office of Student Conduct and Community Standards may review the incident to determine the appropriate process for resolution. Generally, the University will expect a Student Organization to hold itself accountable for the acts of its members when those acts are related to the Student Organization's activities.
  - a. The Student Organization or its governing body will notify the Office of Student Conduct and Community Standards and keep it informed at all stages of the process.
  - b. The University, through the Office of Student Conduct and Community Standards, reserves the right to take immediate jurisdiction at its discretion. The student organization or governing body may still hold its members accountable in the situation, but must do so in conjunction with the Office of Student Conduct and Community Standards.
2. If sufficient action is not taken in a timely manner by the student organization to correct a violation of University standards, individuals may file grievances with the appropriate governing body, or, if none exists, with the Office of Student Conduct and Community Standards.
3. If, in the judgment of the Vice President of Student Life's designee, sufficient action is not taken in a timely manner by the governing body, the case will be referred to the Office of Student Conduct and Community Standards.

4. In deciding whether the group is responsible for the violation, the University will consider whether the following factors are present:
- a. The violation arises out of a group-sponsored, organized, financed, or endorsed event;
  - b. The organization provides the impetus for the violation;
  - c. The violation occurs on the premises owned or operated by the group;
  - d. A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or
  - e. A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.

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**Related Resources**

NA

**Intent to alter the process for adjudication:**

"The Student Conduct Committee supports in principle re-establishing panel adjudications for Student Conduct Code violations, with the exception of Title IX related cases, according to a format and procedures to be determined by the end of spring term 2019 and implemented by the first day of Law School classes, fall term 2019."

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**Commented [JC17]:** The Student Conduct Committee proposes re-establishing a hearing panel process. This proposal is not supported by the OSCCS.

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## **Agenda Item #2**

### **Institutional Hiring Plan**

From <https://provost.uoregon.edu/ay2018-19-institutional-hiring-plan>

The 2018 Institutional Hiring Plan (IHP) outlines approved tenure-track faculty searches that will be conducted in the 2018-19 academic year. This plan reflects not only the president and provost's priorities for the university but also each dean's academic vision and various prospects for collaboration and synergy among schools and colleges that emerged during the dean and faculty group discussions.

The Institutional Hiring Plan continues the university's efforts to hire tenure-track faculty who will enhance the UO's scholarly profile and academic excellence and who will share our commitment to student success. Individual proposals create or enhance strength in data science and analytics, human health and neuroscience, business, positions in the new Knight Campus, and interdisciplinary approaches to social and humanist issues. The plan also reflects the university's ongoing commitment to established clusters like Genome Function, Neurons to Minds, and Volcanology.

This plan was developed by Provost Jayanth Banavar, based on proposals from faculty and academic leadership. Deans worked with their faculty to generate the proposals, considering the needs of their units and the goals of the University of Oregon. Provost Banavar asked deans to prioritize proposals that best fit the institution's long-term goals for excellence, diversity, and overall institutional health. This included searches that:

- Leverage and expand on demonstrated research excellence.
- Help create research excellence in new areas or areas on the cusp of excellence.
- Grow successful graduate programs, especially PhD programs.
- Searches with active recruitment strategies that have the potential to contribute to the diversity of the faculty and their academic disciplines.
- Demonstrate support to student success.

In consultation with the Dean's Council and the seven-member Provost's Faculty Hiring Advisory Committee, Provost Banavar considered each proposal carefully before making his final decision.

Once posted, information on individual searches will be available on the Human Resources website. As is always the case, evolving fiscal demands may force us to cancel or postpone some of these searches, but for now we are continuing our determined effort to strengthen our tenure-track faculty ranks.

**University of Oregon Institutional Hiring Plan (Tenure Track Faculty)**
**Key (also in Comments):** Blue = Potential Continuation of a Pending AY17-18 Search    Yellow = Continues Unsuccessful AY17-18 Search    Strikethrough = No Longer Needed

	2018 IHP Search #	College/ Division/ School	Dept /Program	Central Initiative	Approved TTF Specialty	Approved TTF Rank	Public Comments
1	AY18-CAS-HUM-01	CAS-HUM	CINE		Fiction Filmmaking	Assistant	
2	AY18-CAS-HUM-02	CAS-HUM	EALL		Korean Linguistics	Assistant	
3	AY18-CAS-HUM-03	CAS-HUM	LING		Second Language Acquisition and Teaching	Assistant	
4	AY18-CAS-HUM-04	CAS-HUM	PHIL/DS	Presidential Initiative in Data Science	Data/Information Ethics	Assistant	
5	AY18-CAS-HUM-05	CAS-HUM	RL		Spanish Sociolinguistics	Assistant/ Associate	
6	AY18-CAS-NS-01	CAS-NS	BI		Human Microbiome Science	Assistant	Approved if AY17-18 search doesn't succeed
7	<del>AY18-CAS-NS-02</del>	<del>CAS-NS</del>	<del>BI</del>	<del>Neurons to Minds</del>	<del>Systems Neuroscience</del>	<del>Assistant</del>	No Longer Needed: AY17-18 search succeeded
8	AY18-CAS-NS-03	CAS-NS	BI/CHEM	Genome Function	Genome Function	Open Rank	Approved if AY17-18 search doesn't succeed
9	AY18-CAS-NS-04	CAS-NS	BI/CHEM	Genome Function	Genome Function	Assistant	Approved if AY17-18 search doesn't succeed
10	AY18-CAS-NS-05	CAS-NS	BI/CIS/MATH	Presidential Initiative in Data Science	Computational Genomics	Assistant	(Continues an Unsuccessful AY17-18 Search)
11	AY18-CAS-NS-06	CAS-NS	BI/CIS/MATH	Presidential Initiative in Data Science	Computational Genomics	Assistant	Approved if AY17-18 search doesn't succeed
12	AY18-CAS-NS-07	CAS-NS	BI/DS	Presidential Initiative in Data Science	Ecology	Assistant	
13	AY18-CAS-NS-08	CAS-NS	CHEM		Biochemistry	Assistant	Approved if AY17-18 search doesn't succeed
14	AY18-CAS-NS-09	CAS-NS	CHEM		Chemical Biology	Assistant	
15	AY18-CAS-NS-10	CAS-NS	CIS/DS	Presidential Initiative in Data Science	Machine Learning: Computer Vision	Assistant	
16	AY18-CAS-NS-11	CAS-NS	CIS/DS	Presidential Initiative in Data Science	Machine Learning: Reinforcement	Full	
17	<del>AY18-CAS-NS-12</del>	<del>CAS-NS</del>	<del>CIS/Science</del>	<del>Presidential Initiative in Data Science</del>	<del>Computational Science</del>	<del>Assistant</del>	No Longer Needed: AY17-18 search succeeded
18	AY18-CAS-NS-13	CAS-NS	DS/MATH/CIS	Presidential Initiative in Data Science	Data Science/Applied Statistics	Open Rank	

**University of Oregon Institutional Hiring Plan (Tenure Track Faculty)**
**Key (also in Comments):** Blue = Potential Continuation of a Pending AY17-18 Search    Yellow = Continues Unsuccessful AY17-18 Search    Strikethrough = No Longer Needed

2018 IHP Search #	College/Division/School	Dept /Program	Central Initiative	Approved TTF Specialty	Approved TTF Rank	Public Comments	
19	AY18-CAS-NS-14	CAS-NS	DS/MATH/CIS	Presidential Initiative in Data Science	Data Science/Applied Statistics	Assistant	
20	AY18-CAS-NS-15	CAS-NS	ERTH	Volcanology	Volcanology	Assistant	Approved if AY17-18 search doesn't succeed
21	AY18-CAS-NS-16	CAS-NS	MATH		Any area	Assistant	
22	<del>AY18-CAS-NS-17</del>	<del>CAS-NS</del>	<del>PHYS</del>		<del>Quantum Information Science and Quantum Optics</del>	<del>Open Rank</del>	No Longer Needed: AY17-18 search succeeded
23	AY18-CAS-NS-18	CAS-NS	PSY		Clinical Psychology	Assistant	
24	AY18-CAS-SS-01	CAS-SS	ANTH		Biological Anthropology	Assistant	Approved if AY17-18 search doesn't succeed
25	AY18-CAS-SS-02	CAS-SS	ES		Sport and Race	Assistant	
26	AY18-CAS-SS-03	CAS-SS	INTL		Global Health	Assistant	
27	AY18-CAS-SS-04	CAS-SS	PS		Congress/Political Behavior/Quantitative Methods	Assistant	
28	AY18-CAS-SS-05	CAS-SS	SOC		Criminology/Quantitative Methods	Assistant	
29	AY18-CAS-SS-06	CAS-SS	SOC		Epidemiology and Medical Sociology	Assistant	
30	AY18-CAS-SS-07	CAS-SS	WGS		Gender-Based Violence	Assistant	
31	AY18-COE-01	COE	CPHS/CFT		Couples and Family Therapy	Assistant	(Continues an Unsuccessful AY17-18 Search)
32	AY18-COE-02	COE	CPHS/SPECS		HEDCO Clinic Director	Sr Assistant/Associate	(Continues an Unsuccessful AY17-18 Search)
33	AY18-COE-03	COE	SPECS/School Psych.		Mental Health Promotion in Schools	Assistant	
34	AY18-DESIGN-01	DESIGN	ARCH		Interior Architecture	Assistant	(Continues an Unsuccessful AY17-18 Search)
35	AY18-DESIGN-02	DESIGN	Art		New Media, Feminist Discourse	Assistant	
36	AY18-DESIGN-03	DESIGN	Historic Preservation			Assistant	
37	AY18-DESIGN-04	DESIGN	PD		Sports Product Design	Assistant	Approved if AY17-18 search doesn't succeed
38	AY18-KNIGHT-01	KNIGHT	Knight Campus		Engineering/ Applied Bio/ Applied Chem/ Applied Physics/ Human Phys/ Regenerative Medicine/ Genomics/ Computational Science	Open	

**University of Oregon Institutional Hiring Plan (Tenure Track Faculty)**
**Key (also in Comments):** Blue = Potential Continuation of a Pending AY17-18 Search    Yellow = Continues Unsuccessful AY17-18 Search    ~~Strikethrough~~ = No Longer Needed

2018 IHP Search #	College/ Division/ School	Dept /Program	Central Initiative	Approved TTF Specialty	Approved TTF Rank	Public Comments
39	AY18-KNIGHT-02	KNIGHT	Knight Campus	Engineering/ Applied Bio/ Applied Chem/ Applied Physics/ Human Phys/ Regenerative Medicine/ Genomics/ Computational Science	Open	
40	AY18-KNIGHT-03	KNIGHT	Knight Campus	Engineering/ Applied Bio/ Applied Chem/ Applied Physics/Human Phys	Full	
41	AY18-KNIGHT-04	KNIGHT	Knight Campus	Engineering/ Applied Bio/ Applied Chem/ Applied Physics/Human Phys	Full	
42	AY18-KNIGHT-05	KNIGHT	Knight Campus	Engineering/ Applied Bio/ Applied Chem/ Applied Physics/Human Phys	Full	
43	AY18-LAW-01	LAW	JD	Diversity and Inclusion: Racial Justice, Civil Rights, Immigration	Assistant	
44	AY18-LAW-02	LAW	JD	Land Use/ Transportation/ Green Dev	Assistant/ Associate	(Continues an Unsuccessful AY17-18 Search)
45	AY18-LCB-01	LCB	Accounting	Accounting	Assistant/ Associate	
46	AY18-LCB-02	LCB	Finance	General Focus	Assistant/ Associate	
47	AY18-LCB-03	LCB	Management	Open Field	Assistant/ Associate	
48	AY18-LCB-04	LCB	Management	Open Field	Assistant/ Associate	
49	AY18-LCB-05	LCB	Marketing	Open Field	Assistant/ Associate	
50	AY18-LCB-06	LCB	Operations/ Business Analytics	Presidential Initiative in Data Science	Data Analytics	Assistant/ Associate
51	AY18-SOJC-01	SOJC	SOJC	Communication Law/Policy	Assistant	
52	AY18-SOJC-02	SOJC	SOJC	Science Communication/ Director of the Media Center for Science and Technology	Endowed Chair/Full Professor	
53	AY18-SOJC-03	SOJC	SOJC	Sports Communication	Assistant	
54	AY18-SOMD-01	SOMD	Conducting	Director of Bands and Wind Conducting	Assistant/ Associate	
55	AY18-SOMD-02	SOMD	Musicology	19th c., Opera, Theatre, Dance Genres	Assistant	
56	AY18-SOMD-03	SOMD	Musicology	20th/21st c. and Popular Music Genres	Assistant	

## **Agenda Item #3**

### **Annual Report: Student Success Initiative**

# Student Success: Year in Review

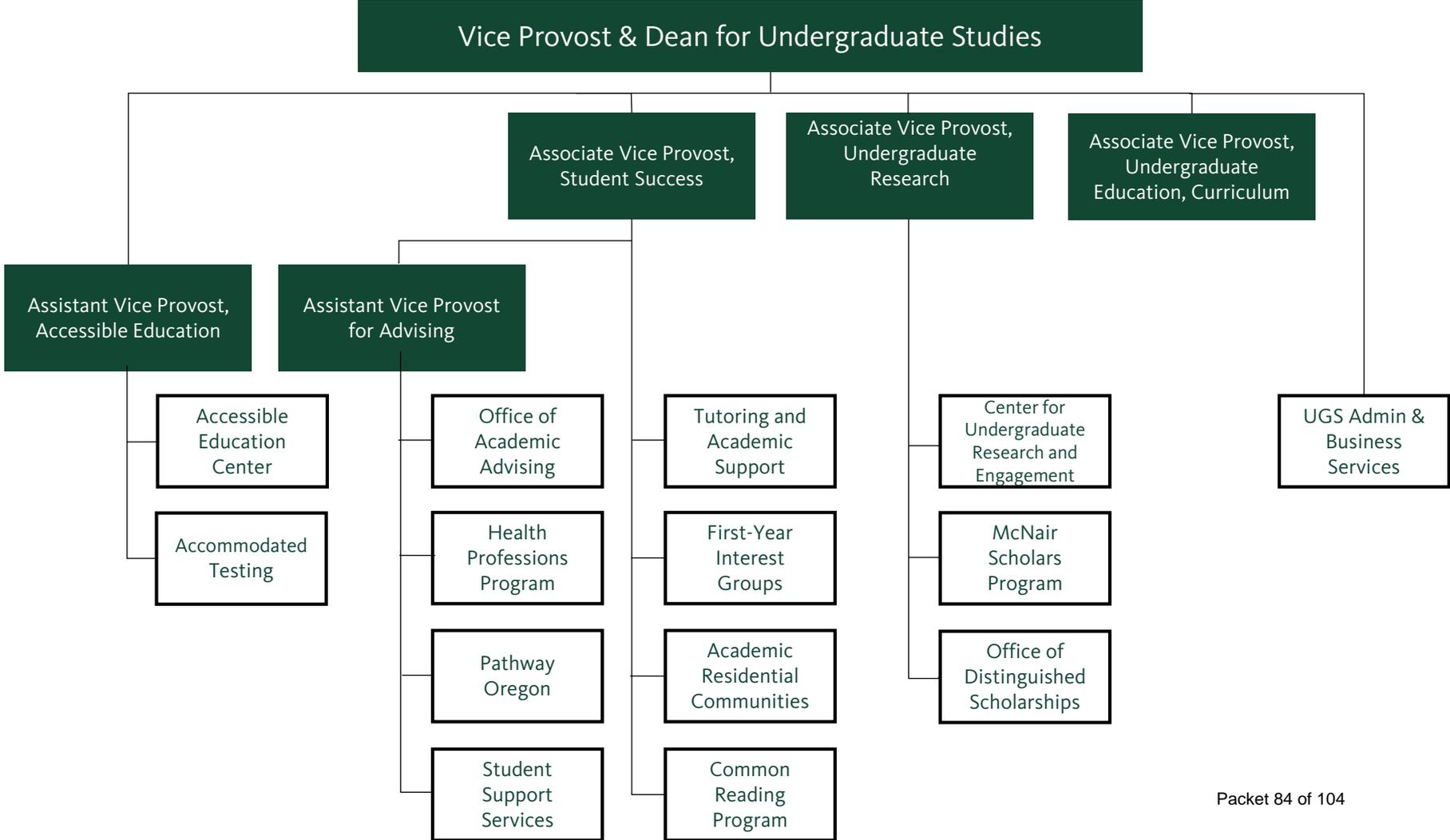
Doneka R. Scott

Associate Vice Provost for Student Success

- Campus-wide Student Success Advancements
- External Partnerships and Collaborations
- Communication Advancements
- Curricular Advancements
- Technology Advancements

# Campus-wide Student Success Advancements

# Undergraduate Studies Reorganization



# Student Success Summit



## UO Connected, UO Committed: Integrative Practices for Student Success

1. Elevate the concepts of student success and collaboration across the University;
2. Build a learning community of campus-wide colleagues committed to improving student success;
3. Bridge any faculty/advisor and/or career/academic silos that may exist throughout the UO organization; and
4. Discover new ways of working together to understand and meet the needs of UO's diverse students.



# Peer Advising Subcommittee

1. Inventory current undergraduate student peer advising models in practice at the University of Oregon
2. Research and compile best practices and training models in peer advisor and peer educator roles
3. Using research and best practices, define the role of peer advising at the University of Oregon
4. Using evidence based practices, develop recommendations for a campus-wide peer advisor training program
5. Recommend strategies to increase coordination and collaboration of peer advising programs and personnel at the University of Oregon

# Transfer Student Subcommittee

1. Research best practices on campus support, resources, and professional development for transfer students
2. Inventory campus services, programs, and resources available to transfer students from their admissions process to time of graduation.
3. Identify needs of transfer students and better understand current support gaps via transfer student surveys and focus groups
4. Identify current or potential campus partners and develop an outreach strategy
5. Provide recommendations for student engagement, programming, education, and curricular needs. Outline methods and procedures for implementation.
6. Recommend a system or process to identify transfer student cohorts. Identify the challenges.

# Tykeson Hall College and Careers Building

## Vision

Maximize student success by engaging students in a comprehensive suite of advising and academic support services; provide students personalized help from matriculation through graduation.

# Tykeson Hall College and Careers Building

- Hiring additional advisors to better support and provide students wrap-around advising for more students
- Integrated academic and career advising
  - First-year experience, major exploration and selection, major advising, and career exploration and development
- Cluster students by thematic areas of interest

# External Partnerships and Collaborations

# Partnerships & Collaborations

- Hosted national leaders: academic and career advising transformation
- Association of Public and Land-grant Universities (APLU) Transformation Cluster Initiative
- Collaboration with PSU and OIT on State of Oregon Higher Education Coordinating Commission

# Communication Advancements

# The Advising Times:

Designing the path for student success

A quarterly newsletter for the advising community at the University of Oregon

**Vo. I, Issue I**  
**February 2018**

## Welcome!

In this issue:

Hello Lovely People:

Browser navigation bar showing back, forward, refresh, and home icons. The address bar contains <https://findanadvisor.uoregon.edu>. There are also icons for search, download, and print. Below the address bar are "Most Visited" and "Getting Started" shortcuts.

## Find an Advisor

Advisor's Name

College

Department

Reset Filters

Select any filter to see results

# On Track. On Time.

- UO college completion campaign
- Web-based, One Stop Shop
  - Repository of resources for students
- Scheduled to launch in fall 2018

UNIVERSITY OF OREGON

APPLY VISIT GIVE

On Track

SEARCH THIS SITE

Get Help Student Stories For Parents

## Finding Your Community

COURTNEY J. ALLEN-REDFERN

*Building a network of friends will provide support, guidance, and resources and create a strong foundation*

When Vanessa Santolan-Nieto arrived at the University of Oregon, she had never once spent the night away from home.

As a first-generation college student, the homesickness was instantly overwhelming to the point that she was travelling back to her parents' house in Hillsboro every two weeks throughout her first year. And every other Sunday as she packed up her car to come back down to Eugene she felt the same thing.

"I did not want to come back, you know?" she remembers. "And I wasn't even because I was having a bad time, it was more like... I was comfortable at home. My family was there. I missed that feeling of home; I hadn't built that here yet."

Even though Vanessa was excited to be in a new environment with people her own age, the homesickness was something that was hard for her to shake. She had decided to live in a residence hall, but missed having privacy and her own space.

She made a decision: "I thought, 'I just have to suck it up, and you know, it was fine,' she says. "If I wasn't living in the residence halls, I feel like I wouldn't have met a lot of people that are my friends."

Because of that experience, Vanessa was determined not to let her sophomore year become a repeat of her first year. She reached out and received out some student groups, thought about which ones were the best fit, and then she did the most important thing for her: she began building her own community.

*"I was intimidated and felt that everybody was experiencing these things, like they had opportunities that I didn't have in high school. I didn't feel like I had a purpose."*

Packet 94 of 104

# Curricular Advancements

# Curricular Advancements

## Course Development: Math 101

- College credit for a foundational mathematics course
- Replaces remedial math courses

## High DFW Courses

- Recommendations submitted by faculty learning community
- Expanded supplemental instruction program

## Chemistry sequences

- Established a clear set of prerequisite and grade requirement standards for early Chemistry sequences

## 4-year Degree Plans in UO catalog

- Plans reviewed and updated by advisors for over 90% of majors

# Curricular Advancements

- Core Education Council established, learning outcomes created
- Updated multicultural requirement
- BFA degree requirement credits reduced to 180
- Inaugural Summer Teaching Institute
  - Exposure to evidence-based teaching practices
- Aligned Undergraduate Research Symposium

# Policy Revisions

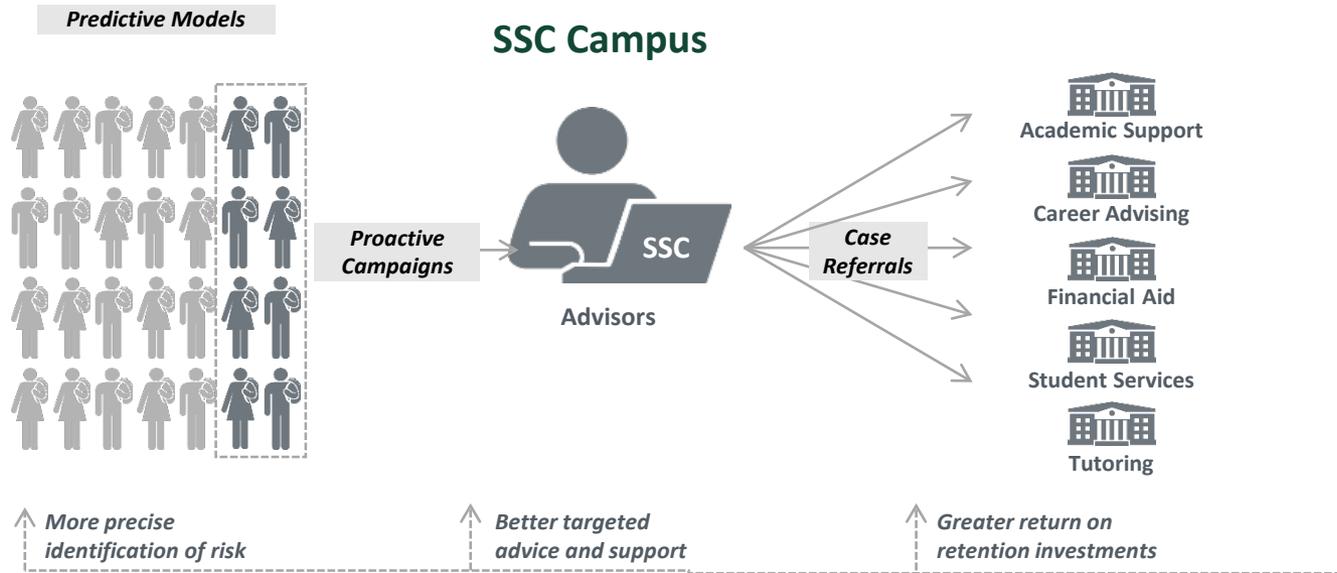
- Mandatory attendance policy
- Add/drop deadlines
- Course repeat policy
- Undeclared student designation changed to Exploring student

# Technology Advancements

# Student Success Campus (SSC) Platform

- 1 Predictive analytics alert Advisors to students with low likelihood of graduation.

- 2 Tracking and outreach tools allow Advisors to effectively reach students and connect to critical resources.

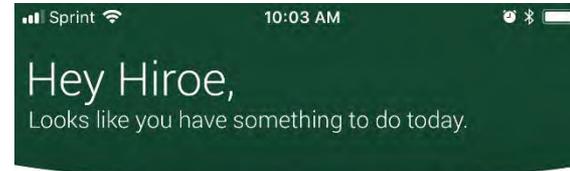


1. Mandatory Advising (PINS)

2. Targeted Outreach and Support

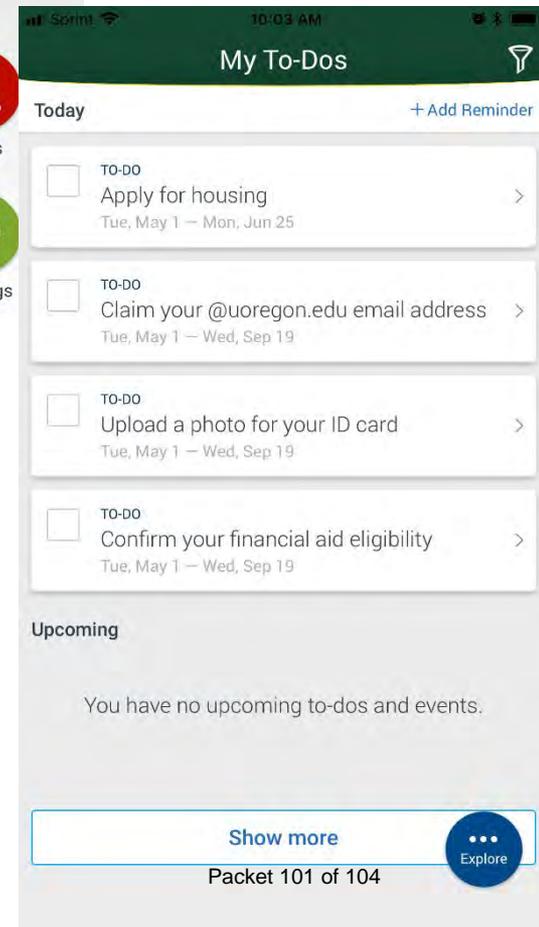
# Guide

- UO's new student mobile app
- Help students stay on track:
  - Important to dos, deadlines, and tips
  - Class schedules
  - Holds information
- Piloted with incoming freshmen during summer 2018



Wed, May 2 [+ Add Reminder](#)

 You have 4 important to-dos for today  
Tap to review them >



# ALEKS

- Artificial-intelligence based, adaptive
- Accurate placement of students into correct math classes
- Prep and Learning modules
- Math prerequisites will be enforced

The image shows two screenshots of the ALEKS interface. The top screenshot is a 'Placement Assessment' screen with the instruction 'Solve the following equation for x.' and the equation  $T = \frac{1}{4}(x - y + z)$ . Below the equation is an input field for 'x = ' and a calculator interface with buttons for multiplication, undo, and help. The bottom screenshot is a course dashboard for 'Math 020'. It features a 'UP NEXT' section with the task 'Least common multiple of 2 numbers' and a 'START MY PATH' button. A 'WORKING TOWARD' section shows progress in 'Ch 1 Real Numbers and Algebraic Expressions' (28 of 47 Topics, Due: Saturday 11:59 PM). The main area contains a circular progress chart with the number '118' in the center, and a list of topics on the right, including Real Numbers (82 Topics), Linear Equations and Inequalities (98 Topics), Lines and Functions (87 Topics), Systems of Linear Equations (22 Topics), Exponents and Polynomials (60 Topics), Factoring Polynomials (63 Topics), Rational Expressions (90 Topics), Radicals (90 Topics), Quadratic Equations and Functions (28 Topics), Function Operations and Inverses (5 Topics), and Conic Sections and Sequences (3 Topics).



# Ellucian Degree Works

- Exploring the new degree audit and tracking software
- Degree planning
- Transfer equivalency
- Advanced reporting
- Integration with Banner

The screenshot displays the Ellucian Degree Works interface for a student named Karina Lymne Bryant. The top section shows the 'Bachelor of Science Degree' with a GPA of 2.76 and 66 credits applied. A message indicates that a minimum of 120 credits are required for graduation, and the student currently has 66 credits. Below this, a list of requirements is shown, with a green checkmark indicating that the cumulative GPA is above 2.0. Other requirements, such as general education and major requirements, are marked as 'Not Met'.

The middle section shows the 'General Education Requirements' section, with a green checkmark indicating that the student is on track for the English composition requirement. The 'ellucian.' logo is visible in the top right corner of this section.

The bottom section shows the 'Student Planner for Bryant, Karina Lymne' for the 2013-2014 academic year. The planner is divided into two columns: 'Fall 2013, Total Credits: 16.0' and 'Spring 2014, Total Credits: 17.0'. Both columns show a green checkmark and 'On-Track' status. The courses listed are:

Course	Credits	Term	Status
ENGL 1005	3.0	Fall 2013	On-Track
POLS 101	3.0	Fall 2013	On-Track
BIOL 214	4.0	Fall 2013	On-Track
COMM 105	3.0	Fall 2013	On-Track
SPAN 210 or FREN 110	3.0	Fall 2013	On-Track
ENGL 105	3.0	Spring 2014	On-Track
MATH 205	3.0	Spring 2014	On-Track
BIOL 213	4.0	Spring 2014	On-Track
CHEM 102	4.0	Spring 2014	On-Track
ANTH 101	3.0	Spring 2014	On-Track



# Questions?