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Area Student Affairs

## Student Code of Conduct

### Student Code of Conduct

The Student Code of Conduct Policy outlines acceptable and unacceptable behavior at The University of Tulsa.

The policy is effective until a revised policy has been approved. In addition to checking with the Office of Student Life for any revisions to this policy, please be aware that all higher education institutions are subject to revisions in federal law and regulations.

TU acts in compliance with federal requirements as they become effective, even if not always in conformity with the university's own statements, policies and codes as adopted and published.

Under the provisions of the Student Code of Conduct, students and appropriate university staff members who believe they have been victims of, witnessed or have information about violations should [submit a complaint form](#) to initiate an appropriate investigation.

The full text of the Student Code of Conduct can be found below.

*Have questions or concerns? Contact Michael McClendon, Dean of Students, at Michael-McClendon@utulsa.edu or 918-631-2742.*

Revision: February 21, 2022 (Addition of Care & Concern Policy)

Revision: April 4, 2022 (Clarify dismissal sanction)

Revision: June 3, 2022 (Restructure website for readability and revision of Rights and Responsibilities of Student Organizations with the inclusion of organizational amnesty)

## Definitions

1. **Accused student (or Respondent)** – any student accused of violating the Student Code of

- Conduct.
2. **Campus and campus grounds** – any buildings or grounds owned, leased, operated, controlled, or supervised by the University.
  3. **College** – any academic division of the University.
  4. **Complainant** – person(s) or entity making a complaint or referral regarding a student or student group who allegedly violated policy. When a student believes that they have been a victim of another student's misconduct, the student who believes they have been a victim will have the same rights under this Student Conduct Code as are provided to the Complainant, even if another member of the University community submitted the complaint itself.
  5. **Conduct Board Chairperson** – a University member trained in the conduct review process to adjudicate cases.
  6. **Drugs and Paraphernalia** – The University adheres to the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act.
  7. **Faculty Member** – any person hired by the University to conduct classroom or teaching activities who is otherwise considered by the University to be a member of its faculty.
  8. **FERPA** – the Family Educational Rights and Privacy Act. The privacy and confidentiality of all student records shall be preserved in accordance with the Family Educational Rights and Privacy Act of 1974 as amended.
  9. **Fraternity and Sorority housing** – any housing, University owned or otherwise, designated for members of fraternity and sorority chapters.
  10. **Institution and University** – The University of Tulsa and all its undergraduate, graduate, and professional schools and colleges, divisions, and programs.
  11. **Investigation** – the process of making an institutional inquiry into a claim or allegation of actions(s) which may be in violation of The Student Code of Conduct, TU policy, and/or applicable federal, state, or local law or ordinance. Such inquiry may include, but is not be limited to: gathering information from individuals with knowledge about such claim or allegation; review of documents or other tangible information relating to the claim or allegation; review of any information already available in a public domain (i.e., postings/ photographs on social media, text messages, emails, webpages, and/or other social media) or other information discovered or provided that is deemed relevant to such inquiry by TU.
  12. **Investigator** – the person(s) who conducts the investigation of the complaint or incident.
  13. **May** – used in the permissive sense.
  14. **Policy** – the written regulations of the University as found in, but not limited to, the Student Handbook, The Policies & Procedures Handbook for School of Nursing, Sports Medicine Handbook, Student-Athlete Handbook, Undergraduate and Graduate Bulletins, College of Law Handbook containing the Policies and Regulations and Law School Student Code of Conduct, The on-line Guide to Living on Campus, Office of Research and Sponsored Programs: Policies, Procedures, Guidelines, or Allen Chapman Student Union Facilities booklet also may apply to you.
  15. **Public place(s)** – includes, but is not limited to any dining hall, lobby, hallway, lounge, study area, stairwell or restroom of on-campus buildings, fraternity or sorority housing, or any outdoor areas on campus grounds.

16. **Recognized Organization** – any organization who has been designated by the Student Association as having either a probationary, temporary or full charter.
17. **Respondent** – a student or student group who has allegedly violated policy.
18. **Shall** – used in the imperative sense.
19. **Students** – any person for whom the University maintains educational records, as defined by the Family Educational Rights and Privacy Act of 1974 and related regulations, and who is currently enrolled in ANY course and/or is part of a degree-granting program even though conduct may occur before classes begin or after classes end, as well as during the academic year and during periods between terms of actual enrollment (and even if their conduct is not discovered until after a degree is awarded.) Persons who are not enrolled for a particular term but who have a continuing relationship with the University are considered students as are persons living in University housing facilities although not enrolled in the University.
20. **Student Conduct Administrator** – a University official authorized on a case-by-case basis by the Dean of Students (or their designee) to review allegations and impose sanctions upon any Student(s)/Student Organization found to have violated the Student Code of Conduct. The Dean of Students may authorize a Student Conduct Administrator to serve simultaneously as a sole Student Conduct Administrator or as one of the members of the Student Conduct Board. The Dean of Students may authorize the same Student Conduct Administrator to impose sanctions in all cases. The Dean of Students is that person designated by the University President to be responsible for the administration of the Student Code. (A person's status in a particular situation shall be determined by the Student Conduct Administrator.)
21. **Student Organization** – an organization comprised mainly of students who are organized by the University students, recognized by the University, who have complied with the formal requirements for University recognition/registration or substantively involved in campus life/activities of the University.
22. **University** – The University of Tulsa
23. **University Student Conduct Board** – a pool of trained faculty, staff, and students from which a conduct hearing panel is selected. Any person or persons authorized by the Dean of Students to determine whether a student has violated the Student Conduct Code and has been deemed responsible to recommend sanctions that may be imposed when rule violations have been committed.
24. **University Community** – any student, faculty, administration or staff member at the University.
25. **University Premises** – all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks.)

## General Standard of Conduct

1. The University of Tulsa holds high expectations for student conduct. The pursuits of each student and the high ideals of the University will be served best when students interact with one another and the University in an atmosphere of mutual respect, dignity, trust, and honor. Specifically, it is incumbent upon each University of Tulsa student to:
  1. Respect order, fairness, morality, and the rights of others.
  2. Obey the laws of the land and the regulations, rules, and policies of the University.

3. Conduct their activities with high regard for the ideals of higher education, which include personal honor, academic honesty, and intellectual freedom.
2. Failure to fulfill these expectations will be sufficient cause for the University to initiate disciplinary proceedings.
3. Any student found to have engaged in the following conduct will be subject to disciplinary action or involuntary withdrawal (See policy on Involuntary Withdrawal) by the University.

## Prohibited Conduct

The list of prohibited conduct is non-exhaustive and the University reserves the right to initiate procedures for other types of student conduct deemed inappropriate.

1. **Academic Misconduct** – Policies are established, published and enforced by each college and the Office of the Provost.
2. **Alcohol** – Violating the University's [alcohol and drug policy](#). This includes, but is not limited to, such behaviors as the manufacture, possession, purchase, distribution, or consumption of alcoholic beverages on or off campus for those under 21 years of age other than where the law provides; public intoxication of any person regardless of age on or off campus; the unlawful provision of alcohol to others; and the possession and consumption of alcoholic beverages in public areas on campus, with the exception of days and locations approved by the Dean of Students for those persons 21 years of age and older. Such exceptions to the alcohol policy will be handled in accordance with the Procedures for the Sale and Service of Alcohol, which may be accessed online [here](#).
3. **Assault/Threats of Harm** – Engaging in behavior that endangers or threatens to endanger the health or safety of any person. Examples include but are not limited to fighting or assault in any form.
4. **Discrimination** – Harassing any member of the community related to race, color, religion, national origin, sex, age, disability, genetic information, veteran status, sexual orientation, or gender identity and expression. Due to the University's commitment to freedom of speech and expression, harassment is more than insensitivity or conduct that offends or creates an uncomfortable situation for certain members of the community.
5. **Dishonesty** - Acting dishonestly with the intent to mislead, defraud, or deprive University officials, hearing boards, students, faculty members, or members of the community at large of rights to information, accuracy of record, or property. Dishonesty includes, but is not limited to: the intention to produce counterfeit documents; possession of equipment with the intent to produce counterfeit documents; forgery; falsification of records; lying; falsification of checks, money orders, misuse or falsification of University documents by actions such as forgery, alteration, or improper transfer, or other financial-related documents; unauthorized entry into University facilities; and falsification and/or manipulation of computer data.
6. **Drugs and Paraphernalia** – Violating the University's [alcohol and drug policy](#). The University adheres to the Drug-Free Workplace Act and the Drug-Free Schools and Communities Act. The University of Tulsa prohibits employees and students from taking part in the following activities while on University premises or on University business. (Employee or student involvement in such activities is considered gross misconduct and is therefore subject to disciplinary action up to and including immediate dismissal.) Prohibited activities are as

follows:

1. Possession and/or use of any Federally Illegal Drug, or any possession or use of any prescription drug or other controlled substance except under the direction of a licensed physician. Marijuana, including Medical Marijuana, is prohibited on campus in all circumstances.
2. Manufacture or distribution of any Federally Illegal Drug is prohibited, including Cannabis in any form.
3. Being under the influence of any Federally Illegal Drug, prescription or non-prescription drug, or other controlled substance to the point of endangering one's own health or safety.
4. Any possession or use on University Premises of paraphernalia used to facilitate the use of any Federally Illegal Drug or other controlled substance in violation of this policy. This includes but is not limited to marijuana pipes, bongos and scales or other measuring devices.
5. Any act which causes a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their effective consent.
6. Any violation of these Student Conduct Policies while under the influence of any Federally Illegal Drug, prescription drug, or other controlled substance in violation of this policy regardless of age.
7. **Endangering Health or Safety** – Taking or threatening action that threatens or endangers the safety, physical or mental health, or life of any person, whether intentionally or as a result of recklessness or gross negligence.
8. **Ethics Code & Computer Use** – Violating any of the University's Ethics Code & Computer Use Policies. This includes but is not limited to transmitting unsolicited information that contains obscene, indecent, lewd, or lascivious material; using University resources for any commercial venture; or violating the Copyright law in any manner.
9. **Fire-Arson** – Intentionally setting a fire in or around University property.
10. **Fire-Equipment** – Tampering with or misusing fire fighting equipment, including fire suppression systems (i.e., sprinklers), call boxes, emergency exits, or warning devices, or creating any hindrance of emergency procedures that is a threat to the community.
11. **Fire-Exceeding Capacity** – Having more guests in an occupied space than is safely allowed by university policy or city code.
12. **Fire-Hazard** – Creating a fire-related hazard.
13. **Harassment or Threat of Harassment** – Engaging in harassment, whether physical, psychological, verbal, written or digital-based, which is beyond the bounds of protected free speech, and directed at specific individual(s), and likely to cause an immediate breach of the peace; conduct which threatens the mental health, physical health or security of any person or persons including stalking, intimidation, or threat that unreasonably impairs the security or privacy or another member of the university community.
14. **Hate Crimes** – A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.

15. **Hazing** – Any intentional, knowing, or reckless act, occurring on or off the campus of an educational institution, by one person alone or acting with others, directed against a student, that endangers the mental or physical health or safety of a student for the purpose of pledging, being initiated into, affiliating with, holding office in, or maintaining membership in any organization whose members are or include, students in an education institution. Such acts may include, but are not limited to: use of alcohol, creation of excessive fatigue, paddling, punching, or kicking in any form.
16. **Identification** – Possessing and/or using false identification or another person's identification. TU IDs may not be used by anyone but the student pictured on the ID card for the use of TU facilities. ID cards may not be altered. Likewise, personal accounts programmed onto TU ID cards are for use at the discretion of the student on campus or at authorized locations off campus, pursuant to the rules under which the accounts were formed.
17. **Interference** – Interfering with or disrupting any University teaching, research, administrative, disciplinary, public service, learning, or other authorized activity.
18. **Irresponsible Conduct** – Engaging in irresponsible conduct or behavior that does not model good citizenship or reflects poorly upon The University of Tulsa community.
19. **Joint Responsibility** – Actions of one's guest(s) that violate University policies, including but not limited to this Code.
20. **Murder/Non-Negligent Manslaughter/Manslaughter by Negligence** – The willful (non-negligent) killing of one human being by another.
21. **Refusal to Comply** – Failure to comply with legitimate directives of authorized University officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction. Students are expected to respond promptly to all correspondence from the University and its officials and are expected to maintain current mailing address (with the Registrar's Office) and monitor utulsa email as the official TU correspondence.
22. **Retaliation** – Any adverse action or threat taken or made against an individual, including through third parties and/or legal counsel, for making a report of a policy violation or participating in any investigation or proceeding related to any policy. Retaliation includes threatening, intimidating, harassing, or any other conduct that would discourage a reasonable person from seeking services, receiving protective measures and accommodations, and/or reporting policy violations. Retaliation also includes maliciously and purposefully interfering with, threatening, or damaging the academic and/or professional career of another individual before, during, or after the investigation and resolution of a report of a policy violation in response to and/or on account of the report of the policy violation. (This provision applies to reports made or information provided in good faith, even if the facts alleged in the report are determined not to be accurate.)
23. **Riotous Behavior** - Participation in a disturbance with the purpose to commit or incite any action that presents a clear and present danger to others, causes physical harm to others, or damages property. Proscribed behavior in the context of a riot includes, but is not limited to:
  1. Knowingly engaging in conduct designed to incite another to engage in riotous behavior; and
  2. Actual or threatened damage to or destruction of University property or property of others, whether done intentionally or with reckless disregard; and

3. Failing to comply with a directive to disperse by University officials, law enforcement, or emergency personnel; and Intimidating, impeding, hindering, or obstructing a University official, law enforcement, or emergency personnel in the performance of their duties.
  4. This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a boycott, or other forms of dissent.
24. **Sexual Misconduct** - All forms of sex and gender-based discrimination, harassment, abuse, violence, and sexual assault (whether digital, emotional, psychological or physical in nature) as well as unwelcome sexual conduct, dating violence, domestic violence, interpersonal violence, stalking (including cyber-stalking), coercion, and exploitation. Sexual misconduct violates our institutional values and its presence in the community presents a barrier to fulfilling the University's scholarly, research, educational, patient care, and service missions. When sexual misconduct is reported to the University, the Title IX Coordinator will determine if the alleged misconduct falls within the jurisdiction of the [University of Tulsa Title IX Policy](#). If not, the case will be managed subject to the procedures set forth in the Student Code of Conduct.
  25. **Solicitation** - University buildings and/or campus spaces may not be used to raise money for any individual or organization other than an officially recognized campus organization (faculty, staff, or student) or nonprofit charitable organization off campus. Organizations wishing to use University space must obtain proper approvals in order to do so. The Dean of Students must approve all off-campus solicitation. Room-to-room or apartment solicitation/non-housing flyers is not permitted under any circumstances. Immediately report any attempted solicitation to Campus Security at 918-631-5555. Posting or hanging materials on any external university structure (e.g. hallways, public facing windows, balconies, sliding doors, etc.) or on lawns, grounds or exteriors of a campus building is prohibited.
  26. **Theft** - Attempted or actual theft or the unauthorized use/possession, and/or damage to University of Tulsa property or services or other personal or public property, on or off campus.
  27. **Transit devices** - Improper use, possession, storage and/or charging of electronic skateboards, self-balancing boards, hoverboards, Segways, Skywalkers, motorcycles, bicycles, electric scooters, and/or similar devices.
  28. **Trespassing/Unauthorized Presence** - Unauthorized entry into or on university property.
  29. **Unlawful Entry/Attempted Forcible Entry/Forcible Entry** - Unlawful Entry, Attempted Forcible Entry or Forcible Entry.
  30. **Vandalism/Destruction of Property** – Actual or threatened damage to or destruction of University property or property of others, whether done intentionally or with reckless disregard.
  31. **Violation of University Rules** - Violation of other published University regulations, policies or violations of federal, state, or local law. These University regulations, policies or rules include, but are not limited to, those which prohibit the misuse of computing resources, harassment, rules for student groups or organizations, and residence hall rules and regulations.
  32. **Firearms, Air Rifles, Weapons, Explosives and Fireworks** – Weapons of any kind: firearms, paintball guns, air rifles, ammunition, knives with blades longer than four inches, fireworks, gasoline or other explosive materials are not permitted in any University building, on the campus grounds, or in vehicles on campus (except as provided herein) unless authorized by the University President (or their designee) or as required by law. To the extent required by

Oklahoma law, a lawfully possessed and stored handgun may be kept in vehicles parked in University parking spaces. Effective November 1, 2019, to the extent required by Oklahoma law, a lawfully possessed and stored firearm, machete, blackjack, loaded cane, hand chain or metal knuckles may be kept in vehicles parked in University parking spaces. Such weapons may not be removed from the vehicle. Firearms are strictly prohibited in on-campus housing. Students and employees who wish to bring firearms or other weapons to campus even for a short duration of time must immediately register them with Campus Security and turn them over for storage, unless the weapon is one permitted to be lawfully kept in a parked vehicle as provided above. The University strongly encourages storing weapons with Campus Security, rather than in parked vehicles. Violation of this policy will result in a minimum \$250 fine and disciplinary action. Refer to "Concealed Weapons" in this section for further details.

33. **Concealed Weapons** – Consistent with Title 21 Oklahoma Statutes sections 1277(F) and 1290.22, it is prohibited for anyone to carry a concealed weapon on the University of Tulsa's campus, except: under specified conditions as set out in University of Tulsa policy, if authorized by the University President (or their designee), or as required by law. Violation of The University of Tulsa's policies pertaining to concealed weapons will result in a minimum \$250 fine and disciplinary action. Please contact the Office of Human Resources or the Office of Student Affairs for questions or additional information.

## Conduct System Abuse

Abuse of any University student conduct system, including, but not limited to:

1. Failure to obey the notice of a student conduct body or University official;
2. Falsification, distortion, or misrepresentation of information before a student conduct body;
3. Disruption or interference with the orderly conduct of a student conduct proceeding;
4. Institution of a conduct proceeding knowingly without cause;
5. Attempting to discourage an individual's proper participation in or use of a University student conduct system;
6. Attempting to influence the impartiality of a member of the University Student Conduct Board prior to, during, and/or during the course of a conduct proceeding;
7. Harassment (verbal or physical) and/or intimidation of a member of the University Student Conduct Board prior to during, and/or after a conduct proceeding;
8. Failure to comply with one or more sanctions imposed under the code of student conduct;
9. Influencing or attempting to influence another person to commit an abuse of the University Student Conduct system
10. Prohibit retaliation against a complainant, especially in connection with a complaint of sexual harassment or violence.
11. Failure to comply with confidentiality obligations as required by federal law, state law, or university policies and procedures. Examples of violations of the General Standard of Conduct may include, but are not limited to, the following:
  - Physical abuse or assault upon another
  - Threatening the safety of self or others



- Damage to the property of another or the University
- Theft of property or other things of value
- Intentional misrepresentation of facts or information on University documents or given to University personnel
- Misuse of University equipment, funds, identification/debit cards
- Using TU computer resources to illegally download copyrighted material (see Ethics Code and Policy for Computer use)
- Defacing University property, including library materials
- Violations of the alcohol or drug policies
- The use of threatening or obscene language toward another
- Sexual harassment which includes sexual violence and sexual assault
- Activities that violate University policies of nondiscrimination in regard to race, religion, national origin, ethnic origin, age, gender, handicap, or status as a veteran
- Harassment as defined by the University's Harassment Policy

## Complaint Intake Process

Any person may file a report of misconduct by submitting a report through [CaneCares](#).

In every report of student misconduct or interpersonal violence, the Office of Student Life will make an immediate assessment of any risk of harm to individuals or to the campus community and will take steps necessary to address those risks. Examples of such measures include, but are not limited to, campus activity restrictions, no contact orders, loss of campus access (living), and trespass ban throughout the duration of the conduct process.

As part of the complaint intake and initial assessment of the facts, as applicable to the type of conduct at issue and the source of the report, the Office of Student Life will:

- Assess the nature and circumstances of the allegation;
- Respond to any need to address immediate physical safety and emotional well-being;
- Notify any complainant of rights and resources available, including:
  - the right to contact law enforcement and seek medical treatment if necessary;
  - The importance of preservation of evidence;
  - Information about on- and off-campus resources;
  - Range of available safety and remedial measures;
  - Explanation of the procedural options, including informal remedies-based resolution and formal resolution through the University Student Conduct Board (USCB);
  - University prohibition on retaliation
- Assess conduct for the need for a timely report fulfilling Clery Act regulations and, as required, report incident for inclusion in the university's daily crime log;

- Review conduct history of respondent for potential patterns of conduct;
- Conduct pre-hearing interview and review check-list with Reporting Party if judicial proceedings are enacted;
- Conduct pre-hearing interview and review check-list with Responding Party if judicial proceedings are enacted.
- USCB is notified of upcoming hearing and date is scheduled convenient to all parties

## Student Conduct Proceedings

1. The University uses formal and informal resolution options when students and/or student organizations are charged with or suspected of violations of university policy.
2. The conduct procedures outlined herein, apply to all student conduct proceedings arising from alleged violations of University policy, including the Code of Student Conduct, except where an alternative procedure is specifically provided for by the University policy at issue.
3. Conduct subject to academic standards under the policies of a specific program (i.e., law, nursing) may also be subject to review under additional disciplinary procedures of that program.
4. The President (or designee) and Dean of Students have the right to proceed summarily to find misconduct and impose sanctions in cases of serious consequence, where they determine such action is in the best interests of the University.

## Administrative and Informal Resolution

If the University is the complainant or there is no individual complainant:

1. Notice of Allegations and Procedural Options
  - The accused student shall be notified in writing of the allegation of misconduct. The written notice shall include the student's right to dispute the allegation, either through administrative resolution or hearing before the USCB. Where deemed appropriate in their sole discretion, the Case Administrator (Dean of Students or designee) may include in the written notice a proposed sanction to be imposed if the student chooses not to contest the allegation.
  - The accused student shall have no less than five (5) business days from when the written notice is issued to decide to dispute the allegation.
  - If an accused student disputes the violations at issue, the accused student has the right to a hearing by a conduct panel of the USCB but may voluntarily elect administrative resolution as provided herein. If the student elects an administrative resolution, the student waives the right to a hearing and the related procedural guarantees provided by the USCB.
  - In any instance where the accused student does not contest the violations at issue, the Case Administrator may issue a finding of misconduct and decide the appropriate sanction rather than have the complaints referred to the Conduct Board for a hearing. The student shall have the right to appeal the sanction (see #3, below).
2. Investigation and Findings (where student contests misconduct)

- If the student disputes being responsible for the alleged misconduct, the Case Administrator (or designee) will conduct an investigation into the complaint.
- The Case Administrator will meet, virtually or in person, with the accused student, who will have the opportunity to provide a response to the allegations. The student may also submit a written response to the allegations. If the student declines to meet, the Case Administrator may proceed with making determinations of responsibility and sanction.
- The Case Administrator shall determine if the accused student is responsible for violating University policy and the sanction(s) to be imposed. The Case Administrator shall notify the student of the decision in writing.

### 3. Appeal

- Within five (5) business days of the Case Administrator's final decision, the student may request an appeal to the Provost (or Provost's designee) but may do so only upon the grounds that the sanction is grossly disproportionate in light of the offense committed and the disciplinary history of the student.
4. If an accused student does not admit to the violations at issue, the accused student has the right to a hearing by a conduct panel of the USCB but may voluntarily elect an informal resolution as provided herein. If the student elects an informal resolution, the student waives the right to a hearing and the related procedural guarantees provided by the USCB.
- The Case Administrator (or designee) will conduct an investigation into the complaint.
  - The Case Administrator will meet, virtually or in person, with the accused student, who will have the opportunity to provide a response to the allegations. If the student declines to meet, the Case Administrator may proceed with making determinations of responsibility and sanction.
  - The Case Administrator shall determine if the accused student is responsible for violating University policy and the sanction(s) to be imposed. The Case Administrator shall notify the student of the decision.

### **If there is an individual (non-institutional) complainant:**

1. Notice of Allegations and Procedural Options
  - The accused student shall be notified in writing of the allegation of misconduct. The written notice shall include the student's right to a hearing before the USCB, and the option to resolve the complaint informally with the mutual consent of the complainant.
1. Informal Resolution by Mutual Consent
  - At any time prior to a USCB hearing, with the consent of the complainant, an accused student may waive the right to proceedings by the USCB and elect to proceed through informal resolution by mutual consent.
  - The Case Administrator will attempt to support the parties involved in reaching an informal resolution by mutual consent on a basis acceptable to the Case Administrator.
  - As a condition of the informal resolution process, the Case Administrator shall obtain the

mutual consent of the parties to share the results of the informal resolution with the other party, including any sanctions imposed, as well as the completion status of such sanctions.

- Such disposition shall be final and there shall be no subsequent proceedings.
- If the matter cannot be disposed of by mutual consent, the matter may be referred to the USCB. The Case Administrator may later serve in the same role for the USCB proceeding.

## Formal Resolution (USCB Hearing)

### USCB Membership

The USCB of the University shall be composed of the Dean of Students (or designee) as a permanent member and of an additional 12 to 14 members appointed for one-year terms as follows:

1. At least four (4) faculty members selected by the President of the Faculty Senate.
2. At least four (4) University Staff members recommended by the President of the University (or designee).
3. Four (4) undergraduate students appointed annually by the President of the Student Association with the approval of the Student Senate.
4. The Dean of Students (or designee) shall appoint the Chair of each hearing panel.
5. If the Student Association fails to appoint members, the Dean of Students (or designee) may select students to fill the positions.
6. If there is a vacancy among the members of the USCB, the Dean of Students (or designee) may appoint a temporary member.
7. All student members are subject to the approval of the Dean of Students.
8. All members may be re-appointed to serve more than one term.

### Hearing Panels

Each panel will consist of five USCB members.

### The USCB Hearing Process

1. Quorum
  - For USCB hearings virtually or in person, three (3) members (in any combination) of the Conduct Board constitute a quorum. If the Conduct Board is unable to attain a quorum within a reasonable period of time, the Dean of Students (or designee) may appoint temporary members as needed.
  - If fewer than three (3) voting members of the Conduct Board are present at the opening of a hearing, the hearing may be postponed until three (3) voting members can be convened, or, upon written agreement of the chairperson, complainant, and respondent, the requirements in this subsection may be waived.
  - Any member of a hearing panel may voluntarily recuse him or herself from a particular proceeding. Participation of a hearing panel member can also be challenged by a complainant or respondent.
  - If there is no quorum due to a member's recusal or removal, the hearing will be

delayed until an alternate member of the USCB can be selected.

## 2. Jurisdiction

- The USCB has jurisdiction over all student offenses except where an alternative procedure is specifically provided for by the University policy at issue (e.g., Title IX). An offense is any act or omission by a student or student organization that violates University policies and regulations as stated in the Student Code of Conduct; the Statement of Student Rights, Freedoms, and Responsibilities; or any other official University document or publication. It shall also be regarded as an offense if a student violates federal, state, or local laws as they might pertain to the student's relationship to the University.
- The USCB shall have original jurisdiction to hear complaints respecting student offenses, and the USCB shall have appellate jurisdiction regarding the conduct procedures of the Interfraternity Council (IFC) and residence hall disciplinary proceedings.
- The jurisdiction of the USCB is non-exclusive and shall not deprive the President or Dean of Students of the right to proceed summarily in cases of serious consequence, where the Dean of Students determines such action is in the best interests of the University.
- The USCB serves as the final level of appeal for student complaints.

## USCB Hearing Participants

1. The University Conduct Case Administrator  
The University Conduct Case Administrator (Dean of Students or Designee) organizes the hearing procedures, including recruiting the panel, communicating to all parties about the hearing date and time, and distributing case materials to all parties. The Case Administrator is responsible for deciding upon matters related to witnesses, evidence, and procedures. The USCB chair and/or the Case Administrator may exclude from a hearing any person in attendance who disrupts a hearing. The Case Administrator may consult with the USCB and other University officials as necessary.
2. Complainant  
Person(s) or entity making a complaint or referral regarding a student or student group who allegedly violated University policy.
3. Respondent  
A student or student group who has allegedly violated University policy.
4. Advisors
  - In a USCB hearing, the respondent(s) and/or complainant(s) may have a non-attorney advisor of their choice. The advisor may generally assist the respondent(s) and complainant(s) during the hearing. The advisor may attend the University Conduct Board Hearing but will not question witnesses, provide statements or speak on behalf of a student. Neither the complainant nor the respondent is obligated to meet with an advisor.
  - The respondent(s) and complainant(s) will specify whether an advisor will be assisting them, and if so, provide the name of the person chosen.

## 5. Attorneys

- If a USCB hearing involves allegations of sexual misconduct or allegations of conduct that could constitute a capital/life offense under Oklahoma criminal law, the respondent(s) and/or complainant(s) may be accompanied by an attorney. The attorney may not participate in the hearing. The attorney may advise their client with respect to their testimony. Any attorney in attendance will comply with all guidelines for the USCB hearing process.
- If a party desires to be accompanied by an attorney, that party will provide the Case Administrator with the attorney's name, address, and phone number at least four (4) days prior to the date of the hearing.
- The University may have an attorney present at the hearing.

## USCB Pre-Hearing Procedures

### 1. Notice and Investigation

- The University will conduct an investigation into the alleged misconduct. Such investigation may include by conducting interviews, collecting documents and records, and collecting or examining other evidence.
- No less than fourteen (14) days before the hearing, the Case Administrator will provide the respondent(s) with written notification of the charges, and the time and place of the hearing, virtually or in person.
- The Case Administrator shall conduct a pre-hearing interview and review the pre-hearing checklist with each party.
- No less than seven (7) days prior to the hearing, the complainant and the respondent must each present to the Office of Student Life copies of all documents to be introduced at the hearing as well as written copies of any witness testimony that will be presented in person or by summation, including a brief summary of anticipated testimony.
- No less than five (5) business days before the hearing, the Case Administrator shall provide the parties with a copy of any investigative reports generated by the University with respect to the matter, copies of any documents to be introduced at the hearing by either party, and a list of those witnesses whose testimony will be presented in person or by summation through a Conduct Officer, including a brief summary of the anticipated testimony.

### 2. Witnesses

- The respondent(s) and complainant(s) will provide the Case Administrator with a written list of witnesses they would like to appear at the hearing at least five (5) days prior to the hearing by 9:00 AM. The Case Administrator will notify the parties of any witnesses who have been selected to appear at the hearing.
- Character witnesses are not permitted.
- Fact witnesses must provide a written statement summarizing their proposed testimony to the Case Administrator at least seven (7) days prior to a Conduct Board Hearing.

- The "complainant" (*including the University in situations where the complainant does not wish to proceed on their own*) and the "respondent" are each responsible for notifying their own witnesses of the time, place, and date of the hearing. The University shall notify members of the student community that failure to appear as a witness may result in a charge against them under the Student Code of Conduct for failing to comply with requests from University staff.
- If, after the deadline described herein, either party believes that there is new information which may substantially influence the outcome of the hearing, they may make a written request to the Case Administrator that the information be admitted to the hearing.

### **USCB Hearing Procedures**

USCB hearings proceed as follows virtually or in person:

1. The Conduct Board may make an audio and/or video recording or verbatim stenographic record of the proceedings upon its own initiative or by request of either party.
2. The chair of the USCB panel reads the charge(s) and informs the respondent(s) of the right to remain silent.
3. The Case Administrator is available to answer any questions posed by the USCB Chair.
4. The Complainant may make an opening statement.
5. The Respondent may make an opening statement.
6. The respondent(s) and the complainant(s) may ask questions of all witnesses who are called to the hearing. It may be required that all questions be directed through the Chair of the USCB panel. At the discretion of the Chair of the USCB panel, witnesses may be recalled.
7. The complainant may make a closing statement.
8. The respondent may make a closing statement.
9. Formal rules of process, procedures, and/or technical rules of evidence, such as are applied in criminal or civil court are not used in Conduct Board proceedings.
10. The Conduct Board examines the evidence and the testimony of any witnesses, including the respondent and complainant.
11. The Conduct Board shall determine by a preponderance of the evidence presented at the hearing whether the respondent has committed a violation of the University policy or policies at issue. A preponderance of the evidence means that the Conduct Board must determine whether, based solely on the evidence presented at the hearing, it is more likely than not that the respondent committed the alleged violation.
12. If an accused student, with notice, does not appear before a Student Conduct Board Hearing, the information in support of the complainant shall be presented and considered even if the accused student is not present. This includes situations where the student withdraws from the University pending a hearing.

### **USCB Deliberations: Determination of Responsibility**

1. Following the closing statements, the University Student Conduct Board shall deliberate in

executive session (only hearing panel members and legal counsel for the University may be present during the session) to reach a decision and to determine if the respondent(s) is responsible for violation(s) of the University policy or policies at issue. If so, the Conduct Board shall recommend appropriate sanction(s) up to expulsion from the University, including any accompanying terms (see Sanctions and Accompanying Terms), to the Dean of Students. The Conduct Board shall determine by a preponderance of the evidence presented at the hearing whether the respondent has committed a violation of the University policy or policies at issue. A preponderance of the evidence means that the Conduct Board must determine whether, based solely on the evidence presented at the hearing, it is more likely than not that the respondent committed the alleged violation.

2. If the Conduct Board makes a determination of responsibility against the respondent, then the Case Administrator may inform the USCB of any prior disciplinary finding(s) and sanction(s) against the respondent prior to the Conduct Board's determination of the appropriate sanction.
3. If the respondent is found not responsible, the board shall close the case, subject to the appeal rights set forth below.
4. If a majority of the Conduct Board finds that it is more likely than not that the student is partially/fully responsible for an alleged offense, the Conduct Board shall recommend a sanction. The Dean of Students reserves the right to increase or decrease the severity of any sanction recommended in the conduct review process.
5. The decision(s) of the USCB shall be made by majority vote and will be forwarded to the Dean of Students. Within five (5) days of the conclusion of the hearing, the Dean of Students (or designee) will notify in writing the respondent(s), and the complainant(s) as permitted by applicable regulations, of the outcome of the case. This notification shall include the following information:
  - Finding of fact;
  - The basis for finding responsibility or non-responsibility; and
  - If finding the respondent responsible, the reasons for the recommended sanction, if any.

### **USCB Appeals**

1. Within five (5) business days of notification of the hearing outcome, either party may appeal the decisions in the case (unless having previously agreed to accept the original decision without an option for appeal), including any sanctions imposed. An appeal must be in writing and shall set forth the specific reason(s) for the appeal.
  - Written copies or summaries of all proceedings appealed to the USCB shall be filed with the Dean of Students prior to any appellate proceedings on such complaints.
2. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Student Conduct Board hearing and supporting documents for one or more of the following purposes:
  - To determine whether the Student Conduct Board hearing was conducted fairly in light of the complaints and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the accused



student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

- To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that it is more likely than not that the respondent committed a violation of the University policy or policies at issue.
- To determine whether the sanction(s) imposed were appropriate.
- To consider new information, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known (and could not have been reasonably known) to the person appealing at the time of the original Student Conduct Board hearing.
- Upon receipt of a notice of appeal, the Dean of Students shall appoint from the membership of the USCB a Review Panel comprising one faculty member, one administrator, and one student.
- The University may submit to the Review Panel a written response to the student's appeal, with any supporting information.
- The Review Panel shall have power, by majority vote, to affirm or overrule the findings, and in the event it affirms, may modify the sanction originally imposed or recommended.
- Decisions of the USCB Review Panel are final.

## Retention of Records; Release

Unless a record of a sanction imposed in the proceedings becomes and remains a part of the student's permanent University record, no information about the complaint or the proceedings therein shall, without the consent of all students accused in the complaint, be disclosed to any person except:

1. As provided by the Family Educational Rights and Privacy Act (FERPA).
2. In response to an order of subpoena of any court or administrative agency having authority to issue such an order of subpoena; in response to any other order with which The University of Tulsa, or any employee of The University in their official capacity is bound to comply.
3. In any conduct, administrative, or other legal proceedings where such information would be relevant and reasonably necessary to defend the interest of The University of Tulsa, or any employee of The University in their official capacity.

## Sanctions

The following sanctions may be implemented individually or in any combination by the USCB or the Dean of Students. The Dean of Students reserves the right to increase or decrease the severity of any sanction recommended in the conduct review process. Sanctions shall be issued in writing and include a completion date, if applicable, as well as the consequence for failing to complete any sanction by the deadline. Students who fail to complete their sanctions within the allotted time period may additionally

be subject to having their registration cancelled and/or having a hold placed on their official University records, which may prohibit them from registration, re-enrolling, or receiving transcripts. Students who fail to timely complete sanctions levied for acts of violence will be expelled from the University. Disciplinary action will be taken immediately when a sanction is not completed on time.

The USCB or the Dean of Students is empowered to take disciplinary action or to recommend disciplinary action befitting the situation. The following is an outline of the courses of action available to the USCB, the Dean of Students, and Conduct Administrators, upon recommendation and approval by the Dean of Students, which may be administered separately or in combination in order to achieve the desired sanction:

- **Warning, Reprimand, or Admonition:** Verbal or written notification to the student that their conduct has been unacceptable and requires immediate improvement. Further incidents of misconduct may result in additional disciplinary measures.
- **Education:** A student may be directed to complete educational training, perform community service, or undertake other such restorative/rehabilitative measures as appropriate.
- **Restitution:** A student may be directed to pay, or in some way compensate for damages resulting from their misconduct.
- **Punitive Fine:** A student may be directed to pay punitive damages resulting from their misconduct. Such a monetary fine would be payable to The University of Tulsa or other appropriate entity.
- **Probation:** There are three forms of probation:
  - **Membership Probation** – A student's membership in a particular student organization or intercollegiate sport may be modified if unacceptable conduct recurs. Recurrence of unacceptable behavior may result in suspension from the organization or team.
  - **Residence Hall Probation** – Imposed when conduct in a residence hall has been unacceptable and bears improvement. Recurrence of such unacceptable conduct may result in removal from the residence hall or other disciplinary measures.
  - **Disciplinary Probation** – written notification that conduct has been unacceptable. The student is normally placed on disciplinary probation for a specific period. Disciplinary probation also may entail withdrawal of certain privileges such as certain extracurricular activities including student leadership opportunities and/or study abroad. If the student is involved in misconduct during their probationary period, the question of their suspension from the University will be raised automatically.
- **Withdrawal of Privileges:** Certain student privileges can be withdrawn by the appropriate conduct body.
- **Interim Suspension:** In certain circumstances, the Dean of Students or a designee, or the Resident Hall Conduct Administrator may impose a University or residence hall suspension prior to the Student Conduct Board Hearing before a Student Conduct Board.
  - Interim suspension may be imposed only:
    - To ensure the safety and well-being of members of the University

- community or preservation of University property;
  - To ensure the student's own physical or emotional safety and well-being; or
  - If the student poses an ongoing threat of disruption of, or interference with, the normal operation of The University.
- During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including in-person classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students or a designee may determine to be appropriate.
- The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.
- **Suspension:** Suspension of a student from the University indicates that a student's behavior has been unacceptable to a considerable degree.
  - Suspension may be invoked immediately following appropriate proceedings or at the end of a particular academic session.
  - A student usually will be suspended for a specific period. Following the expiration of this time, the student may petition the suspending body for permission to re-enroll in The University. Student rights and privileges cease upon Suspension.
- **Revocation of Admission and/or Degree:** Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of University standards in obtaining the degree, or for other serious violations committed by a student prior to graduation.
- **Withholding Degree:** The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Conduct Code, including the completion of all sanctions imposed, if any.
- **Dismissal/Expulsion:** Dismissal is complete separation from the University. A student may be dismissed for unusual misconduct or after repeated violation of University regulations. Dismissed students are generally not permitted to attend the University after being dismissed. Only in exceptional circumstances will readmission be considered. Dismissed students are not permitted to reapply for admission to the University unless the dismissed student's request to reapply is reviewed by a special committee comprised of the Dean of Students, General Counsel, and Provost (or a designated representative from each office). Considerations of the special committee will include, but will not be limited to, the nature and severity of the conduct which caused the student's dismissal, the amount of time that has lapsed since the conduct, and whether there has been any demonstrated rehabilitation of the conduct which caused the dismissal. The special committee's decision is final and not appealable.
- **Other disciplinary actions as may be deemed appropriate**  
The following sanctions may be imposed upon groups or organizations:
  - Those sanctions listed above.
  - Loss of selected rights and privileges for a specified period of time.
  - Deactivation, loss of all privileges, including University recognition, for a specified

period of time.

- **The principles underlying these sanctions are as follows:**

- The University is committed to providing an environment that makes a positive contribution to the health, safety, and welfare of its students.
- Students have a significant duty and responsibility to ensure their actions and behaviors contribute to such an environment.
- To the extent that students' actions or behaviors put the health, safety, and welfare of others at risk, the University has a duty and obligation to respond appropriately.
- To the extent that the actions or behaviors of member of student organizations put the health, safety, and welfare of others at risk, the University has a duty and obligation to respond appropriately.

## **Rights and Responsibilities of Student Organizations**

### **1. How do Student Organizations Relate to The University of Tulsa's Student Code of Conduct?**

- As with any community, the University has established standards of conduct for its members.
- As members of the University community, students are expected to adhere to all published rules, regulations, and policies.
- Students are also members of the Tulsa community and are obligated to the laws of the city, county, state, and nation.
- The Student Code of Conduct outlines the rights & responsibilities of students and many of the standards of conduct expected within The University of Tulsa community.
- The community standards set forth in The Student Code of Conduct Rights and Responsibilities contribute to the best environment for students to live and learn.
- The enforcement of community standards allows the University to maintain and strengthen the ethical climate on campus and to promote the academic integrity of the University.
- Our goal in administering the non-academic misconduct process has education at the forefront. If you have specific questions about the Student Code of Conduct or non-academic misconduct at The University of Tulsa, please contact the Office of Dean of Students at 918-631-2742. Student organizations are expected to adhere to the policies outlined by The University of Tulsa.

### **2. Student Organizations: Sanctioning Guidelines**

The following sanctions will be applied if it is determined by means of The University's Student Code of Conduct, Policies and Procedures that the actions or behaviors of any member(s) of a student organization (that has an application and selection process for membership) places the health, safety, or welfare of others in jeopardy in connection with any organization activity of any kind, whether authorized or not and regardless of where the activity occurs. Generally, sanctions will be applied in sequential order based on repeated violations. However, the University reserves the right, based on the nature and severity of the actions or behaviors, to

apply more stringent sanctions even if lesser sanctions have not been previously applied. For example, if a violation were to occur which resulted in an individual being disabled or a loss of life, the organization would immediately be disbanded with no opportunity to be re-established for a minimum of ten years.

**3. The following sanctions may be imposed upon groups or organizations:**

- Sanctions for Organizations (below).
  - The University is committed to providing an environment that makes a positive contribution to the health, safety, and welfare of its students.
  - Students have a significant duty and responsibility to ensure their actions and behaviors contribute to such an environment.
  - To the extent that students' actions or behaviors put the health, safety, and welfare of others at risk, the University has a duty and obligation to respond appropriately.
  - To the extent that the actions or behaviors of member of student organizations put the health, safety, and welfare of others at risk, the University has a duty and obligation to respond appropriately.

- **Sanctions for Organizations**

- Student Organization sanctions follows a tier-system that includes the following:
  1. Written warning, hosting of two (2) educational risk management programs, and the submission of an approved risk plan to the Dean of Students
  2. Tier A requirements, plus suspension of social privileges for the remainder of the semester (4-month period) or academic year (8-month period), including parties with alcohol, date functions, and tailgates
  3. Tiers A & B requirements, plus loss of Student Association funding
  4. Tiers A, B, & C requirements, plus suspension of ALL organization engagement privileges for the remainder of the semester (4-month period) or academic year (8-month period) including parties with alcohol, date functions, and tailgates. This also includes non-social events such as recruitment, academic, risk management programs, retreats, philanthropy, organizational community service, and ritual events. The organization president must also have monthly liaison meetings with the Office of the Dean of Students, and will not be eligible for any awards
  5. Tiers A, B, C, & D requirements, plus the inability to recruit any new members for one (1) academic year.
  6. Suspension of the organization

## Individual Student Sanctions

- Applies to all students
- Outlines expectations for the behavior and responsibilities for both students and organizations.

# Organizational Amnesty

The Student Code of Conduct Organizational Amnesty policy is to encourage reporting and to reduce barriers for registered organizations.

In accordance and connection with The University of Tulsa alcohol and drug amnesty policy, registered organizations seeking immediate medical assistance on behalf of persons experiencing alcohol or drug related emergencies will not be sanctioned for violations of University alcohol and drug related policies related to the incident of medical need. Additionally, the student(s) receiving medical assistance will not be sanctioned for violations of these policies following their first incident requiring medical attention. Repeat incidents of a student and/or registered organization requiring medical assistance under this amnesty policy may be subject to disciplinary action under university policies.

Registered organizations aware of violations of the Code of Conduct or other University policies **may** not be sanctioned for the incident if the organization's executive officers proactively report the incident to the Dean of Students office, as described below. This includes suspected hazing, harm to persons, and alcohol and drug violations.

The Dean of Students Office or the Dean of Students Designee may at their discretion assign educational interventions when there is concern regarding student safety. The Dean of Students may revoke an organization's amnesty at their discretion when severe harm to persons or the University has occurred.

## Beginning the Organizational Amnesty Process

1. An incident must be reported by an executive officer of the reporting organization via the appropriate web form, email, or telephone to one of the following on-campus services: Dean of Students Office, Student Rights and Responsibilities personnel, Sorority and Fraternity Life personnel, or Campus Security personnel.
2. The incident must be reported within three (3) business days of an executive officer becoming aware of the situation.
3. An organization will only have one (1) opportunity to self-report behaviors that may be policy violations under this policy per academic year.

## Organizational Amnesty Guidelines

In order for the organization to be eligible for amnesty, the organization must demonstrate ongoing support and cooperation with all University officials involved in investigations or after incident reporting. An organization's cooperation and support will be evaluated by the following criteria:

1. Within five (5) business days of the initial report, provide the Dean of Students with all relevant details surrounding the incident including the names of all students involved and any other similar incidents that have occurred within the past six (6) months;

2. Provide documentation of accountability for members involved in the incident;
3. Work with stakeholders (Dean of Students, respective university staff, advisors, and national representatives – if applicable) to create a plan to prevent future incidents. The Dean of Students will set the deadline for this plan and grant extensions as needed;
4. Ensure that all members cooperate with any information-gathering efforts and the resulting action plan in full. If additional, previously undisclosed information is uncovered, the organization may become ineligible for amnesty. If the information relates to an incident for which amnesty was previously granted, the previously granted amnesty may be revoked; and
5. If any information given is found to be knowingly false or fabricated or material details are withheld, amnesty will be revoked, and the organization will go through standard conduct procedures for registered organizations. Any previously gathered information may be used during the new investigation.

### **Organization Amnesty Outcomes**

1. Although an investigation may occur and educational interventions may be assigned, any organization granted amnesty will not have a disciplinary record of the incident.
  - The university reserves the right to require educational or developmentally appropriate requirements of the organization to retain its charter to address any systemic issues that pose continued harm to the campus community members.
2. If an organization is not granted amnesty, information gathered throughout this process may be used in future disciplinary action.

## **Involuntary Separation Policy**

The University of Tulsa cares deeply about its students and provides a variety of programs and services on campus to support them. However, some students exhibit behaviors which call into question their ability to function successfully or safely in their role as a student member of the University community. In those instances, the University may take action which considers the welfare of the individual student and the University community and the integrity of the learning environment.

This policy describes the types of behaviors that the University may need to address, and the procedures which may be used. In rare circumstances, the Dean of Students or designee may determine that a student must be involuntarily separated from the University. Those who are involuntarily separated for any reason are not allowed to participate in any University activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to their separation.

Involuntary Separation shall remain in effect for a minimum of one (1) calendar year. Students who desire campus housing on their return from an Involuntary Separation are responsible for notifying Campus Services of their intention with sufficient advance notice. The University cannot guarantee on-campus housing will be available upon return to the University.

The procedures for Involuntary Separation from the University will be used only after reasonable attempts to secure voluntary separation have been exhausted. An Involuntary Separation may be imposed if a student is unwilling or unable to request a voluntary leave of absence, and such a

separation may be necessary to protect the safety of the University community and the integrity of the University's learning environment.

**1. A student will be subject to Involuntary Separation when there is a reasonable possibility the student's behavior will result in:**

1. Imminent danger to the University community, or
2. Disruption of the learning environment, or
3. Causing significant property damage, or
4. The inability to meet their responsibilities as a student, or
5. The inability to care for their daily physical needs without assistance and the student has failed to secure such assistance.

**2. In most such cases these situations can be addressed by the student's decision to voluntarily withdraw from the University.**

However, if the student is unwilling to voluntarily withdraw, the Dean of Students or designee may invoke the University's right to involuntarily separate the student from the University.

1. The Dean of Students or designee will stipulate conditions which must be completed. The student must comply with the written stipulations in order to be readmitted to The University following an Involuntary Separation.
2. An Involuntary Separation may be implemented immediately by the Dean of Students or designee if the Dean of Students or designee determines that the student's behavior falls into any one or more of the categories above. The Dean or designee may seek the advice and counsel of others in making this determination.
3. The students who are to be involuntarily separated shall be given an opportunity to personally appear or have a representative appear on their behalf before the Dean of Students or designee within two (2) University business days prior to the effective date of separation to review the following issues. The representative must be a member of the University community and attorneys are not permitted to participate in the meeting to discuss:
  1. The reliability of the information concerning the student's behavior, and/or
  2. Whether or not the student's behavior poses a danger of causing imminent harm to members of the University community or integrity of the learning environment, causing significant property damage, or substantially impeding the lawful activities of others.
4. Following the meeting, the Dean of Students will notify the student in writing indicating whether the Involuntary Separation will or will not proceed.

**3. Appeal Process**

1. If a student believes that a decision for an Involuntary Separation made by the Dean of Students or designee is unreasonable or that the procedures used were unfair, the student may appeal.
2. The appeal must be made in writing to the Dean of Students or Dean of Students designee, within five (5) University business days.



3. Appeals should clarify what facts the student believes were not considered or explain what procedures were unreasonable or unfair.
  4. Once notified of the Involuntary Separation, the student has five (5) University business days to submit their appeal.
  5. The Dean of Students or designee will respond in writing to the student's appeal within three (3) University business days. The response will clarify whether the Dean of Students or designee concludes that all relevant facts were considered and led to fair and reasonable conclusions. Exceptions to these deadlines may be made at the discretion of the Dean of Students or designee. Unless the Dean of Students or designee determines otherwise, the student will remain separated from the University for a period of one (1) calendar year and must comply with stipulations provided by the Dean of Students before returning to the University.
4. **Request for Re-Enrollment**

A student who has received an Involuntary Separation or who withdrew voluntarily may be allowed to return to the University if they satisfy the stipulations for return and completes the following procedures in consultation with the Dean of Students.
  5. **Written request:**

A written request for re-enrollment must be submitted to the Dean of Students or designee. The student's re-enrollment request will be reviewed by the Dean of Students or designee. The University reserves the right to establish that a student must meet certain criteria or stipulations prior to resumption of enrollment. The criteria include but are not limited to compelling information that the behavior that precipitated the need for the Involuntary Separation has been resolved to the degree that it will no longer adversely affect the University community or integrity of the learning environment. The criteria or stipulations will be identified at the time the Involuntary Separation is imposed.
  6. **Student interview:**

The student must schedule an interview with the Dean of Students or designee to review the completion of stipulations and to determine if the student is ready to resume living in the residential community and/or return to the University.
  7. **The Decision:**

Based upon the evaluation and interview processes, the Dean of Students or designee will make a decision about the student's readiness to resume or remain living in the residential community and/or return to the University.

    1. The decision will also take into account the impact on the community if the student returns, as well as University resources available to support the student.
    2. The student will receive a written notification of the decision.
    3. Approval to return may include specific conditions and/or requirements for continued enrollment.

## Care and Concern Policy

### A. Purpose

This Care and Concern Policy outlines the manner in which University will endeavor to reduce or manage behavior that presents an immediate danger to the life, health, welfare, safety, or

property of any member of the college community ("Concerning Behavior"). University expects and encourages students to maintain a reasonable concern for the life, health, welfare, safety, and property of every member of the college community. Concerning Behavior is a serious threat to the campus community which will result in an immediate response pursuant to this policy.

The above-stated purpose of this policy is not to punish already troubled students; rather, the policy is intended to provide structure for responding to Concerning Behavior—without superseding confidentiality and reporting obligations that apply to health professionals—in order to address risks to the entire campus community's health and safety which arise when students display Concerning Behaviors.

## B. Policy

### 1. Behavior Intervention Team Determinations

In the event the University is presented with a credible report that a student has engaged in or displayed Concerning Behavior, the University Behavior Intervention Team ("BIT") will determine an appropriate response. The BIT, in consultation with other University personnel, will consider the recommendations of evaluating or treating professionals, the availability of resources to meet the student's needs, and concern for the well-being of the campus community in determining the appropriate response. The BIT, where appropriate, may take steps, including contacting the student's parents (see the Parental Notification Policy) and/or other appropriate parties in connection with an emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. In the event the BIT determines that an immediate involuntary withdrawal is necessary, the University will take action in accordance with its Involuntary Withdrawal policy.

### 2. Formal Assessments

If the BIT determines that a formal assessment is warranted following a credible report of Concerning Behavior (including, but not limited to, threats of harm to any campus community member, threats of suicide, attempts at suicide, excessive drug or alcohol use, anorexic or bulimic behavior, disruption of class, or destruction of property), the BIT will recommend that the student enter into a University Care and Concern Contract. This Contract requires the student to attend four, one-hour sessions of personalized, individual assessment with a licensed mental health professional, who will be either a staff member in the University Wellness Center or a private practitioner, as the student chooses. The chosen professional will conduct a comprehensive and in-depth assessment of the Concerning Behavior in order to reduce or manage such behavior. Such assessment will include review of the student's Concerning Behavior, any precipitating incident(s), prior attempts or threats, and current thoughts the student has related to personal well-being and the well-being of others.

The first assessment will occur within one week of the BIT's receipt of a credible report of Concerning Behavior. The three remaining assessments will occur at weekly intervals thereafter unless the treating professional determines otherwise. The professional will determine the ultimate timeframe for completing assessments based on the needs of the student. Failure to comply with the prescribed timeframe may be viewed as a violation of the Care and Concern Contract and could result in disciplinary action, academic encumbrance, suspension and/or administrative withdrawal. If a student requires hospitalization following an incident of Concerning Behavior, the first assessment will occur within one

week after the student is released from the hospital, should the student seek to return to classes.

Pursuant to the Care and Concern Contract, the student authorizes the treating professional to provide the University BIT with a written Mandated Risk Assessment Summary, including reports of instances in which the student threatened or attempted to engage in efforts to harm him or herself or any other member of the campus community, or expressed a preoccupation with harming him or herself or any other member of the campus community. The purpose of the assessment is not to cure or diagnose underlying conditions. Based on the professional's final Mandated Risk Assessment Summary, provided the student has reduced the behavior at issue sufficient to enable safe participation in the campus community, the student may return to classes as usual. A professional assessment is not formal counseling or therapy. The student may request the professional to undertake counseling and/or therapy in addition to the formal assessment, but the professional shall not engage in such counseling or therapy without the student's consent.

The University may take administrative action against a student for failure to enter into a Care and Concern Contract upon recommendation of the BIT. Further, nothing in this policy or the accompanying Contract limits the University's right to take any other actions necessary for the health and welfare of the student and the entire campus community. Demonstration of continued Concerning Behavior that interferes with anyone's safe participation in the campus community will be addressed in accordance with the University's student judicial code, code of conduct, or other applicable University policies.

## **COVID-19 Student Standards**

The University of Tulsa is committed to mitigating the spread of COVID-19 on campus and within the TU community.

### **Framework**

- The aim of education is the intellectual, personal, social, and ethical development of the individual. The educational process is ideally conducted in an environment that encourages reasoned discourse, intellectual honesty, openness to constructive change, and respect for the rights of all individuals. Self-discipline and a respect for the rights of others in the university community are necessary for the fulfillment of such goals. The Student Code of Conduct ("Code of Conduct") is designed to promote this environment at The University of Tulsa and an expectation of students who choose to join the university community.
- These COVID-19 Student Conduct Standards ("Conduct Standards") have been adopted by The University of Tulsa to promote health and safety on campus and among our student body. These Conduct Standards supplement the Code of Conduct and violations will result in educational intervention and / or disciplinary sanctions up to and including loss of on-campus privileges.

### **Conduct Standards:**

- Practice good personal hygiene and frequently wash your hands for 20 seconds with antibacterial soap. If soap and water are not readily available, clean your hands with a hand sanitizer that contains at least 60% alcohol.
- Follow all posted procedures for entering and exiting buildings on campus.

- Conduct daily symptom monitoring and check your temperature before leaving your residence each day. Please stay home, do not enter any buildings on campus and call the COVID-19 Hotline at 918-631-2900 for further evaluation if you are: feeling ill or unwell; have a fever of 100.4 or higher; have been in contact with someone who has tested positive for COVID-19; or if you have been asked to self-quarantine or self-isolate by a health care provider or health agency.
- Cover coughs and sneezes: if you are in a private setting and do not have on a cloth face covering, remember to always cover your mouth and nose with a tissue when you cough or sneeze or use the inside of your elbow. Throw used tissues in the trash. Immediately wash your hands or utilize a hand sanitizer that contains at least 60% alcohol.
- Routinely clean and disinfect surfaces and objects that are frequently touched. This may include cleaning objects/surfaces not ordinarily cleaned daily (e.g., doorknobs, light switches, classroom sink handles, countertops).
- Engage in responsible behavior and conduct when off-campus and observe local and state health guidelines pertaining to COVID-19 at all times.
- Follow all University policies and procedures enacted pursuant to the TU Safe Return to Campus Plan or otherwise adopted by the University.

To protect the safety of students and campus personnel from COVID-19, TU has followed the guidance of government and public health leaders to reduce density and in-person interactions on its campus. The institution is providing this Notice of these minor and temporary modifications to the Student Code of Conduct to inform what has changed and what remains the same.

The Notice is meant to help students move forward to address accusations in a way that allows them to take responsibility or demonstrate that they are not responsible, remove transcript holds (where applicable), enable them to register for courses or graduate (where applicable) and otherwise obtain finality and closure in these cases.

Where appropriate, sanctions will be modified to include sanctions that a student can complete at home, such as digital educational modules and community service that may be conducted at a distance. Students will not be required by the institution to complete in-person community service that could put the student, the location of the service, or any other party at a health or safety risk. The institution will, as a matter of course, modify any sanction upon reasonable request to either extend the time of completion of the sanction to a time in which the public health risks have passed or to select another method of community service that does not require in-person contact.

The institution will provide students access to video call links, documents, photographs, videos, and other evidence related to the case via Microsoft Teams and/or OneDrive. Any evidence in the student's personal possession that the student wishes to add to OneDrive may be directly emailed to the Case Manager. **Students and their advisors may not copy or share information uploaded to this account. Violations of the rules governing transmission and review of documents through the storage account are separate conduct violations and may result in further disciplinary action and sanctions.**

**All Code of Conduct digital proceedings will be recorded.** Distance and digital communication make record keeping and note taking more difficult and, in order to ensure consistency and standards in the process, the institution will record all investigative meetings. Recordings shall be a part of the student's

record. Those Recordings remain the property of TU and may contain personal information of the respondent and other students, so they cannot be shared with anyone other than the participating student's advisor. **Violations of the rules governing the review of recordings are a separate conduct violation and may result in further disciplinary action and sanctions.**

Any requests for technological accommodations based on a disclosed disability must be conveyed to the Office of Student Life and/or Student Access 48 hours before scheduled proceedings. If an advisor and/or support person is permitted under the Student Code of Conduct, you have the right to have them accompany you to these meetings or hearings. Rules about the number and participation of advisors under the Student Code of Conduct remain in place.

Our staff remains available to answer any questions you have about the conduct process and this Notice. Please contact Dean of Students at [dean-of-students@utulsa.edu](mailto:dean-of-students@utulsa.edu).

### **Alcohol and Drug Policy**

The University of Tulsa is an educational community dedicated to maintaining a healthy and safe environment that reflects high standards of academic excellence and responsible social behavior. This document outlines The University of Tulsa's policy on those substances identified as illegal by the laws of the United States and/or the State of Oklahoma, as well as the responsible use of alcohol in moderation by persons of legal drinking age in accordance with the law and these regulations.

In summary, ***the law states that the legal minimum age for the consumption of alcoholic beverages is 21. Thus, it is a violation of the law and this policy for anyone under the age of 21 to possess or consume alcohol. It is also a violation of the law and this policy for anyone of any age to provide alcohol to someone under the age of 21. Moreover, the use or possession of any other substance declared illegal by the laws of the United States and/or the State of Oklahoma by anyone of any age is a violation of the law and this policy.***

Revision: June 3, 2022 (Restructure website for readability, updated language on what constitutes illegal alcohol and drugs on our campus, and broadening of the amnesty policy to include usage of drugs and/or reporting via Campus Security)

## **Intent**

***The University of Tulsa's Alcohol & Drug Policy, like other standards of conduct, is applicable to the University community, intending to further the educational mission of the University. The University is committed to the welfare of its students, faculty, staff, and the surrounding community.***

- When individuals misuse alcohol and drugs, academic performance, health, personal relationships, and safety are compromised.
- The University neither encourages nor condones the illegal consumption of alcoholic beverages, but recognizes such illegal consumption occurs in a campus environment in which the majority of undergraduate students are below the legal drinking age.
- Therefore, the University's Alcohol & Drug Policy has been created in the spirit of emphasizing individual and shared responsibility, healthy and informed decision-making and maintaining a caring environment –including providing medical and therapeutic responses to individuals with

alcohol and drug-related concerns.

- It is for these reasons that a University-wide commitment to alcohol education prevails and why members of the University community are assured that the absence of alcoholic beverages from social events is an acceptable practice.
- This document will be distributed to all students, faculty and staff in writing once a year. It will include:
  - Standards of conduct
  - A description of sanctions for violating state and local law and campus policy
  - A description of health risks
  - A description of treatment options
- This policy will be reviewed every two years (A biennial review on even-numbered years), by a committee of students, faculty and staff, chaired by a representative of the Dean of Students office.

## Educational Initiatives

The abuse of, and dependency on, alcoholic beverages are issues of concern to the TU community as well as society at large. To this end, education becomes the responsibility of the entire campus community.

1. Any sponsoring organization that intends to conduct events where alcoholic beverages will be sold or consumed, whether on or off campus, will be required to register the event in advance. All executive officers of any/each organization must do the following prior to registering an event:
  - Attend alcohol awareness training and Bystander Intervention training programs
  - Plan and conduct a university-approved alcohol education seminar for its entire membership once a year. Failure to comply with this policy will result in an organization being unable to hold approved alcohol events.
2. All freshman students are assigned an online Alcohol & Other Drug Education Program either prior to/or during Orientation or during a Freshman Year Experience class.
3. All students who violate the Drug & Alcohol Policy at the University of Tulsa will be subject to sanctions that may include viewing the online education program as directed by the Office of the Dean of Students.

## Behavioral Expectations

- Decisions about whether or not to use drugs or alcohol are ultimately the responsibility of the individual within the constraints of federal and state law and University policy.
- When one chooses not to use alcohol, that position should be honored. Peer or organizational pressure should never be exerted to cause one to do otherwise.
- Those of legal age who choose to consume alcohol are expected to do so in a low risk/healthy lifestyle manner.
- Practicing the following behaviors will reduce one's risks (academic, social, physical, legal, and

personal) related to alcohol use:

- Choosing not to abuse alcohol and being supportive of others who choose not to use alcohol.
- Drinking alcohol only when one is of legal age.
- Deciding before going out whether to drink. If deciding to drink, choosing not to exceed the amount of alcohol that is considered high risk.
- Always knowing what one is drinking.
- Eating a full meal before drinking.
- Never drinking alcohol to get a head start ("pre-game") before attending an event.
- Having a plan of how to get home safely.

## Policy on University Events where Alcohol is Present

All student organizations, students and employees at The University of Tulsa and their guests are responsible for following The University of Tulsa's Alcohol Policy and state and federal laws regarding the possession and use of alcoholic beverages. *Consumption of alcohol is prohibited on university premises except as authorized by this policy.*

### Sale of alcoholic beverages

The sale of alcoholic beverages on campus is prohibited, except for sales in the Faculty Club (The Union), at Athletic Events, or in other locations as permitted by the University's license.

### Student Organization Responsibility

Hosting organizations holding any event or activities are required to uphold all Student Code of Conduct policies. These host expectations include members and non-members attending any event. Appropriate measures must be employed to deal with infractions and problems involving non-members, including:

- Addressing individuals allegedly in violation of University policy or law by referring/reporting such individuals to Student Conduct.
- Contacting and utilizing Campus Security for any issues involving public safety, removal, or arrest (e.g. hazing, fighting, public intoxication, trespassing, etc.).

### Definition of a Social Event

An activity is considered to be related to an organization when one of the following circumstances exists:

- The activity is a registered event with The University of Tulsa.
- The event was discussed during an official organization meeting.
- The event was marketed online, on campus, or through an official group messaging feature.
- Either 20% of membership or 15 total members present, whichever number is higher, plus more than 15 non-affiliated guests.
- Organization funds were used to host this event.
- A private party in a university apartment that exceeds nine (9) individuals.

## Registration of events with alcohol

- All events where alcoholic beverages are to be consumed, whether held on or off the campus, are to be properly registered **at least 7 days prior to the event** on the [University of Tulsa's Alcohol Event Registration Form online](#) through the Office of the Dean of Students.
- The registration of any event at which alcohol will be available, will require the signature of two members (over 21 years old) of the student organization. The two signatories (2) are responsible for ensuring that all university policies regarding alcohol are followed. In the event of an incident related to a violation of this policy, the signatories will be held accountable and will be subject to the appropriate sanctions/penalties.
- Parties and Events confined to the individual residences of students, 21 or older, that do not affect the immediate environs or the larger community, need not be registered. However, **only students and guests 21 and older may possess and/or consume any alcoholic beverage, and capacity limits must be followed.**
- Events at which alcoholic beverages are present must be held between the hours of noon and 2:00 a.m. No event shall exceed four (4) hours in length.
- Undergraduate student organizations will not be permitted to host events with alcohol during the finals period of each semester. This period is after reading days to the day before graduation. All registrations during this period will be denied.

## Approved Locations for Registered Alcohol Events

When an event has been properly registered, beer and wine may be consumed, but not sold, in the following locations:

- The Great Hall and the outdoor patios and surrounding areas of the Union
- Collins Hall
- Residence halls and fraternity houses
- Harwell Field
- Chapman Commons and Dietler Commons
- The Law School and surrounding areas
- Designated locations in H.A. Chapman Stadium and the Reynolds Center
- Thomas Plaza and Chapman Plaza
- Other locations by special petition to the Office of the Dean of Students

## Proof of Age and Consumption

At all events where alcohol is consumed, whether served or sold, legal proof of age must be presented to those in charge of the event and/or alcohol distribution. *Although legal drinking age is 21 (Federal and State Law), the University will not tolerate the abuse of alcohol or unacceptable conduct that may result from alcohol consumption by any person of drinking age.* University officials reserve the right to deny admission, alcohol service, or continued attendance at a university event to anyone who, in the judgment of the officials, is intoxicated.

## Publicity and Sponsorship



Publicity for events must focus on the purpose of the event, the sponsoring organization, The University, and *must not highlight the availability of alcoholic beverages* at the event.

- Therefore, terms that relate to alcohol or its imagery are prohibited for use in publicity. The use of Alumni and University social websites (e.g., Facebook, etc.), as a means of publicizing an event is prohibited.
- In support of the academic atmosphere of the institution, no marketing on Facebook or other social media and program sponsorship can come from distributors of alcoholic products. This includes promotions or distribution of free gifts or products (food, beverages, etc.).
- The Dean of Students must approve all events publicity.

## **Security and Event Procedures**

### **1. Student Organization Alcohol Event Security Procedures**

- Security Officers are responsible for assisting student leaders or responsible parties should they encounter student conduct problems in fulfillment of these procedures. At events where Security Officers are present, designated "hosts/signatories" are expected to work cooperatively with the Officers throughout the event to ensure compliance with University Policies and Procedures.
- At any registered event where alcohol is consumed, at least one university approved security officer (based on attendance) must be present. The Director of Campus Security shall determine whether additional security is needed based on the number of guests and associated risk of the event.
  - Tailgate events serve as an exception to this policy and do not require campus security presence.
- The host Student Organization will procure and pay for any and all security through The University of Tulsa, Department of Campus Security in accordance with the guidelines listed in the campus Alcohol/Drug policy. The event coordinator must meet with a Campus Security officer prior to the date of the event.
  - If approved third-party security is hired to ensure that the university alcohol policy is followed, then the third-party shall be held responsible for any violations of the alcohol policy, not any individual hosts/signatories. The third-party must be aware that they will be held legally responsible for any incidents involving any violation of this policy. Campus Security is responsible for signing off.
  - The Director of Campus Security has the discretion to "waive" security requirements regarding the number of security officers required.
- Campus Security will arrive approximately 30 minutes before the event. If third-party security is hired, they are responsible and will stay until the crowd has dispersed. Compensation will be handled according to the agreement with the Director of Campus Security. Campus Security Officers will not randomly patrol through the event without cause. Should a violation occur, security will alert organization leadership and/or signatories and allow them to deal with the situation. Should the behavior continue, or should the event pose a legitimate health and safety concern,

Campus Security is authorized to intervene as appropriate.

- Emergency matters which require fire, police, or ambulance services must be coordinated with Campus Security personnel assigned to the event.
- If Security fails to arrive or is only available in insufficient numbers, the student or responsible party in charge should immediately contact the Security Department Dispatcher at 918-631-5555. If security is not available, the event should be postponed.
- Responsibility of Organization Officers
  - It is the position of The University of Tulsa, as stated in University Policies & Procedures, that Registered Student Organization members designated as "hosts" (as stated in the Oklahoma Social Host Law) may be held accountable for violations in the planning and administration of their organizations' parties and other events. (Including felony charges associated with Oklahoma's Social Host Law as featured below).
  - Organization "hosts", and/or Officers are responsible for:
    - Promoting an orderly atmosphere, providing for the welfare and safety of guests, and
    - Ensuring adherence to University of Tulsa policy.
    - Organization "hosts" are to be particularly vigilant in ensuring that all organization members comply with University guidelines regarding proof of age identification and excessive consumption of alcohol.
    - The organization(s) and/or their "hosts" may be held accountable for any violations of the Student Organization Security Procedures in this policy.

## 2. Security protocol for admission to events

- During the event, an on-duty TU Campus Security Officer will be present at the entrance of the event to check IDs and to work with organization leadership (who must be 21 years of age) regarding compliance with the University Alcohol/Drug Policy.
- Student organizations that sponsor registered events where alcoholic beverages are consumed may have only TU students and invited guests in attendance.
  - TU students must present a valid TU identification card to gain admission to the event.
  - Invited guests not affiliated with The University of Tulsa must present a valid driver's license to gain admission to an event. Further, student organizations are urged to extend written invitations and/or closed social media event/group with invited guests to those whom they wish to attend the event.
- For events in The Allen Chapman Student Union (ACSU), sufficient security must be in place to enforce this policy. *No alcoholic beverages can be brought into the*

*building.*

3. Prohibition regarding single-source containers
  - Single source containers like kegs or "punch jugs" are never permitted in any student residence or at any registered student event.
4. Providing non-alcoholic beverages and food
  - At any registered event where alcoholic beverages are present, the sponsoring organization must provide complimentary non-alcoholic beverages in sufficient quantity to meet the needs of those attending. In addition, a variety of complimentary, non-salty food must be available to meet the needs of all guests throughout the duration of the event.
  - Any device that aids in the rapid ingestion of alcoholic beverages, including but not limited to, beer bongs, chambongs, and other funnels are strictly prohibited

### **Guest List**

1. All registered social events with alcohol, with the exception of tailgate events, will require the submission of a guest list prior to the date of the event.
2. All people on the guest list must be 18 years of age or older or a student of The University of Tulsa.
3. The tentative guest list may exceed the capacity of the facility by no more than 100 people. At no time should the number of people in the facility exceed the designated capacity as determined by the fire marshal. *Once capacity has been reached, a "one out / one in" admission plan may be enacted and monitored by front door security.*
4. The tentative guest list must be presented/mailed to the advisor overseeing the organization at least two (2) days in advance of the event and entered into a spreadsheet database computer program so that an alphabetized list can be generated.
5. Modifications to the guest list may be made at the event.
6. Admission to a registered function shall be only by the guest list at the event entrance and all who are admitted will be marked as 'attended'.
7. Open parties, meaning those with unrestricted access by non-members without specific invitation, where alcohol is present, are prohibited.
8. The resulting list of actual attendees will be turned in by the second day of class following the event to the advisor that oversees the organization.

### **Alcohol Presence**

- The possession, use and/or consumption of alcoholic beverages during an official registered social event, or in any situation sponsored or endorsed by the organization, must be in compliance with any and all applicable laws of the state, county, city, and policies of the university.
- Alcohol cannot be purchased using student organization funds, with the exception of the Dean of Students approval.
- No member shall permit, tolerate, encourage or participate in "drinking games" at an

organization sponsored event. Drinking games are defined as "any game in which players drink alcohol when particular conditions are met." This includes beer pong and water pong.

- Beverages, both alcoholic and non-alcoholic must be consumed from their original containers. The organization must provide an adequate supply of cold, non-alcoholic beverages for event attendees. Beverages must be in original single serving size containers. *Plastic and/or paper cups are prohibited.*
- Alcoholic beverages are limited to beer, wine, wine coolers, hard seltzers, and other fermented beverages (less than 13.5 % alcohol content). As such, drinks containing hard liquor are prohibited.
- Each guest and member 21 or older is limited to bringing one package of 6 individual containers, no more than 12 ounces each. Glass of any kind are prohibited.
- At the event, all alcohol must be stored in a central location, monitored, and distributed by a responsible chapter member who is 21 years old or older.
- During registered parties or social events meeting the above guidelines, no hard liquor is permitted on premise during the event.
- **Third Party Exception:** For events in which a third party vendor is utilized, hard liquor and kegs can be present if sold on a per-drink basis.

#### **Alcohol Distribution** (at approved Student Organization Alcohol Events, excluding tailgates)

- Campus Security will provide two different colored sets of wristbands for the event. These wristbands will be distributed by the security guard at the event entrance. One color will be distributed to individuals who are 21 years of age or above and the other color will be distributed to individuals who are not yet 21 years of age.
- For guests and chapter members 21 years of age and above who bring alcoholic beverages to the event, the security guard at the door will write the name of the beverage the guest has brought onto their wristband and will note the quantity they are bringing in.
- Alcoholic beverages will then be checked in at a beverage station. Alcohol will be located at one central location (and identified to security before the event) and be monitored by a responsible member of the organization (21 years old or older).
- The persons serving the beverages will be responsible for checking wristbands and punching the wristbands as beverages are retrieved. The person responsible for distributing the alcohol must be 21 years of age or older.
- Individuals must present their wristband and identification each time they retrieve an alcoholic beverage.
- At no time during the event will the persons working the beverage station serve alcoholic beverages to a member/guest who did not check their beverage.

#### **Student/Student Organization Tailgate Event Procedures**

##### 1. Registration:

- Any student/student organization hosting a tailgate on-campus with the presence of alcohol must complete the [alcohol event registration form](#) 7 days prior to the event.
- Due to gameday commitments, Campus Security presence is not required at tailgate events.

## 2. Tailgate Time:

- Student/student organization tailgate events can begin 2 hours and 30 minutes before kickoff and must conclude before halftime of the game (approximately 4 hours).

## 3. Alcohol Consumption:

- Individuals entering student organization space that wish to consume alcoholic beverages should have IDs present.
- Tailgating is a BYOB event. Alcoholic beverages should not be provided to anyone inside or outside the hosting organization.
- All policies and requirements for beverages outlined above apply to student/student organization tailgates.
- No member shall permit, tolerate, encourage or participate in "drinking games" at a tailgate event.
- Glass containers are not permitted
- Event guests are not permitted to leave the tailgate space with an open container in hand.

## 4. Clean-Up of Tailgate Space

- Students/student organizations are responsible for making sure their tailgating area is cleaned prior to departing for the game.
- Tailgating spaces not completely cleaned prior to kick-off could result in the group's loss of future tailgating privileges.

## **Fraternity Event Procedures**

### **1. Restriction to Main Floor**

- All registered parties and tailgates with alcohol in fraternity houses are restricted to the main floor of the chapter facility. All bedrooms should be locked prior to the start of the event.
- The chapter may identify a "Quiet Room" for members that have chosen not to participate in the event. Quiet rooms must be identified prior to the start of the event.

### **2. Entrances and Exits**

- There will be one main entrance and exit for on-campus registered events with alcohol.
- The entrance and exit will be determined at the time the event is registered.
- Emergency exits cannot be blocked off, including patio exits. Instead, the chapter should have a sober monitor present to monitor the emergency exit.

### **3. Maximum Occupancy**

- Maximum occupancy will be determined by the Fire Chief or by total members times 3, whichever, is less.
- Once occupancy is reached, you must wait for guests to leave before more may

enter.

#### 4. Sober Monitors

- Sober monitors are individuals who are responsible for properly managing the social event and ensuring that all University and national policies are being followed. They must be identified at least seven (7) days before the event, and must have completed an approved Bystander Intervention program.
- Sober Monitor Expectations:
  - Every event should have a minimum of two (2) sober monitors, plus one (1) additional monitor for every 50 guests inside the chapter facility. A member of the executive committee must serve as a sober monitor at every event.
  - Sober monitors are expected to be on duty for the duration of the event and will refrain from consumption of alcohol during the event.
  - Monitors are not to consume alcohol on the day of the event.
  - Uninitiated members and/or first year students are NOT allowed to serve as sober monitors
  - If event is co-sponsored, an equal number of monitors from each sponsoring organization should be utilized.
  - Highly visible clothing should be worn by sober monitors to set them apart from the rest of attendees.
- Sober Monitor Responsibilities
  - Monitor the entry of the event and enforcing the guest list.
  - Be prepared to deny access to anyone not on the guest list, as well as those noticeably impaired by alcohol or other drugs, wearing offensive attire, or acting inappropriately or aggressively.
  - Understand the chapter's crisis management plan
  - Respond to any disruptions that take place at the event
  - Prevent guests from leaving the event with alcohol
  - Be prepared to find alternative transportation for impaired guests.

#### **Violation of Alcohol and Drug Policy (by student organizations)**

- Violations of the The University of Tulsa Alcohol and Drug Policy may result in the following:
  1. Written warning
  2. Inability to host social events for a determined period of time
  3. Inability to host any organization event for a determinate period of time
  4. Loss of charter or university recognition of organization

# Administration of Alcohol and Drug Policy

## Definitions:

- Alcohol-Related Incident – are any situation involving or stemming from the use or possession of alcohol, legal or illegal, that is both reported by a third party or occurring in public and verified subsequently by University Campus Security or other enforcement agency (i.e. Tulsa Police) which results in an official report to the administration.
- Alcohol and alcoholic beverages – are defined as any consumed beverage that has alcohol content. This would include but is not limited to all forms of beer, wine, wine coolers and distilled beverages.
- Responsibility – "*Responsible party*" or "*sponsoring party*" are defined as those who sign the Alcohol Registration Form for events where alcoholic beverages are present. The sponsoring signatories and those who choose to attend events where alcoholic beverages are present and consumed must assume full legal responsibility and liability for the consequences of their actions and the actions of their guests.
- The University (Dean of Students Office or designee) will proceed with appropriate conduct proceedings or administrative action whenever a breach of this policy occurs. (Students, faculty and staff should refer to the University Student Code of Conduct regarding conduct procedures pertaining to students.)

## Jurisdiction and Violations

Violations of the Alcohol and Drug Policy will be reviewed under the provisions of the TU Student Conduct Code. The Alcohol Policy shall apply to every function or event, including but not limited to receptions, banquets, dinners, picnics, any outdoor event, and campus-wide activity sponsored by student organizations, offices, departments, individuals associated with TU, or outside guests sponsoring an event on campus. In addition, other off-campus TU events that imply or express University affiliation are bound by this policy. This policy is in effect during all periods of the year including summer months.

- Imposition of sanctions (other than Disciplinary Probation) shall not be assessed for any violation that fails to result in an incident report. Routine safety checks of Residence Hall rooms and apartments will not be subject to above listed sanctions. Alcohol found in possession (including being in the room) of anyone under the legal drinking age (21 years old), will be confiscated.
- Student Organizations may also be held responsible for violations of the TU Student Code of Conduct. Students and/or organizations demonstrating abuse, intoxication, dependency, or disregard of this policy may be subject to University discipline and/or removal from the University setting and will be referred to appropriate University or community services for assistance.

## Sanctions Pertaining to Individual Students in Violation of the Alcohol and Drug Policy

Alcohol/Drug Related Incident - Any Alcohol/Drug related incident which results in **an official Incident Report being forwarded to the administration (Dean of Students or Designee)**. A violation of the Alcohol/Drug policy will subject the student(s) to the following disciplinary sanctions:

1. **First Offense** – The first Alcohol/Drug Incident in an academic year will result in:
  - An online alcohol and/or drug module(s).
  - Written warning and attestation of understanding of the penalties for a second, or third offense of this policy.
2. **Second Offense** – The second Alcohol/Drug Incident in an academic year will result in:
  - Restorative community service hours.
  - Disciplinary probation (length at the discretion of the Dean of Students Office) from date of hearing.
3. **Third Offense** – The third Alcohol/Drug Incident violation at any time while a student at The University of Tulsa:
  - Suspension from the University for the remainder of the current semester.
  - As authorized by law, the Dean of Students may notify parents or legal guardians when students under the age of 21 are found to have committed serious or repeated violations of federal, state, or local law, or University policies related to the possession, use, or distribution of alcohol or a controlled substance.
4. **Fourth Offense** - The fourth Alcohol/Drug Incident at any time while a student at the University of Tulsa:
  - Expulsion from the University.

## Parental Notification Policy for Alcohol and Other Drug Violations

If a student is under age 21 and the University determines the student has committed a violation of any federal, state, or local law or any university rule or policy governing the use or possession of alcohol or a controlled substance, The Higher Education Amendments of 1998 ([P.L. 105-244 §952](#)) permit the University to disclose information regarding the student's violation to the student's the parents or legal guardians.

The Dean of Students has the authority to determine when and by what means to notify parents or legal guardians when students under the age of 21 are found to have committed serious or repeated violations of University policies related to the possession, use, or distribution of alcohol or drugs. The Dean of Students will follow these guidelines in determining whether to notify. **Notification of parents or legal guardians is indicated when:**

- The violation involved harm or threat of harm to persons or property,
- The violation involved an arrest in which the student was taken into custody,
- The violation resulted in or could result in the student being suspended from the University and/or dismissed from residence halls,
- The student has shown a pattern of violations—even if they are minor. Two or more violations associated with drug or alcohol use would be reasonable cause for notice, and/or
- The student who committed the violation became physically ill and/or required medical



intervention as a result of consumption of alcohol and/or drugs

## Medical Marijuana Policy

The use and criminalization of marijuana is continually evolving and differs across jurisdictions. As a recipient of funds under Title IV of the Higher Education Act and other federal entities, The University of Tulsa must adhere to federal guidelines as prescribed in the Federal Controlled Substances Act, as well as the Drug Free Schools and Communities Act of 1989. **As such, the use, distribution, or possession of marijuana and nearly all products containing marijuana derivatives are prohibited on University property. This policy applies whether or not the individual has a valid medical prescription for the drug.**

### 1. General Policy

- The University of Tulsa adheres to federal statutes related to the use, distribution, cultivation or possession of marijuana. As such, regardless of its legal status at the state level, marijuana subject to the federal Controlled Substances Act in any form is prohibited on University property or at University-sponsored events.

### 2. Illegal Substances

- The Agricultural Improvement Act of 2018 defines any product that contains marijuana or its derivatives with more than 0.3 percent delta-9-tetrahydrocannabinol (THC) to be an illegal controlled substance and, thus, not permitted on University property. The possession of any product containing less than 0.3 percent THC, such as some cannabidiol (CBD) products, may be permitted but it is the responsibility of the possessor to know how much, if any, THC is in the product.

### 3. Sanctions

- Students in violation of this policy are subject to the sanctions for violating the University's Alcohol and Drug Policy. In addition, the violator may be subject to prosecution under federal or state law where applicable. Employees in violation of this policy are subject to sanctions under The University of Tulsa's Drug Free Workplace Policy. Various forms of discipline/sanctions may be imposed, including suspension, required treatment programs, and termination of employment. In addition, the violator may be subject to prosecution under federal or state law where applicable.

## Alcohol and Drug Amnesty Policy

### 1. Purpose

- The purpose of the policy is to facilitate, access and remove barriers to students who require medical assistance in alcohol and/or drug related emergencies, and to provide the opportunity for caring, non-punitive interventions in response to such incidents.
- This policy is a key component of The University of Tulsa's comprehensive approach to reducing the harmful consequences caused by the excessive consumption of alcohol. The policy represents the University's commitment to informed decision-making and the promotion of responsible behaviors when faced with alcohol and/or drug related emergencies. In order to achieve these goals, the policy mandates that

discretion be exercised, as permitted under The University of Tulsa's Student Code of Conduct.

**2. The policy may apply when a student receives emergency medical assistance that is:**

- Related to the consumption and/or use of alcohol and/or drugs, and
- Sought by a person not serving in an official University capacity, and
- Is reported to Campus Security

When the student accepts emergency medical assistance or when a student seeks emergency assistance on behalf of persons experiencing alcohol and/or drug related emergencies, the student will not have a complaint filed, be referred for a student conduct hearing, or be sanctioned for violations of the University Alcohol and Drug Policy solely related to the possession, consumption, or supplying of alcohol. The student will be required to consult with the Dean of Students and may be required to participate in an appropriate educational program.

Students who seek assistance on behalf of another student may be required to consult with the Dean of Students and may be required to participate in an appropriate educational program depending upon their involvement in the situation.

This policy shall not prevent an individual who is obligated by federal, state, or local law, or University policy or procedure, from reporting or taking other action related to the possible criminal prosecution of any student in relation to the alcohol and/or drug related incident at issue.

**No individual may receive amnesty under this section more than once in a two-year period.**

- Records of all requests for assistance under this policy shall be maintained by the Office of Dean of Students. Participation in any program as a result of this policy shall not be noted on the student's conduct record. In the event an individual who previously utilized the policy is involved in a subsequent alcohol-related incident, this incident and any resulting sanctions shall be treated as an alleged second offense.

## **Drug-Free Schools and Communities Act Policy**

As a recipient of funds under Title IV of the Higher Education Act and other federal entities, The University of Tulsa must comply with the provisions of the Drug Free Schools and Communities Act of 1989. The act forbids the use or possession of those drugs deemed controlled or otherwise illegal by the laws of the United States, including marijuana in nearly all forms and the consumption of alcohol by anyone under 21. This policy applies to all full-time, part-time, regular or temporary students and employees of TU.

**General Policy:** The purpose of this policy is to provide a drug-free environment for all University of Tulsa students, faculty, and staff. This policy covers all full-time, part-time, regular, or temporary students and employees, and represents The University of Tulsa's efforts to achieve compliance as a federal contractor with the Drug-Free Schools and Communities Act of 1989. The following substances are covered by this policy:

- Alcoholic beverages of any kind

- Controlled substances and illegal drugs, which include all forms of narcotics, hallucinogens, depressants, stimulants, and other drugs, the use, possession, or transfer of which is restricted or prohibited by law.

**Activities Prohibited by The University of Tulsa:** The University of Tulsa prohibits employees and students from taking part in the following activities while on University premises or on University business. Employee or student involvement in such activities is considered gross misconduct and is therefore subject to disciplinary action up to and including immediate dismissal. Prohibited activities are as follows:

- Possession and/or distribution of marijuana, including for medical use.
- Possession and/or distribution of other drugs.
- Possession and consumption of alcoholic beverages by anyone under 21 years of age.
- The consumption of alcoholic beverages on campus except as authorized by University policy.

### **Legal Sanctions**

In addition to University sanctions, you may also be subject to criminal penalties that may escalate depending on the quantities of drugs involved and whether the individual has had a previous conviction. Minimum penalties vary depending on the court in which a case is tried. A higher penalty may be levied depending on whether the case falls under the jurisdiction of a federal or state court. The Oklahoma Legislature may change the penalties described herein after the date of this policy. In addition to liability for violation of the above statutes, a member of the University community that sold or furnished illegal drugs or alcohol to a person may also be held liable for any property damage, injuries, or death that occurs to that person or a third-party due to that person's use or possession of the illegal drugs or alcohol.

### **Health Risks**

It is important to understand the very serious risks incurred through the use of drugs or the abuse of alcohol. These risks can include but are not limited to:

- drastic changes in weight
- loss of judgment or the ability to concentrate or reason
- temporary loss of or heightened sensations
- personality changes
- memory loss
- inability to sleep or to remain awake
- addiction to or dependency upon the substance
- hallucinations, delusions, depression, or insanity
- the spread of infectious diseases like AIDS
- injuries to the immune system
- heart damage
- failure or malignancies of the liver and kidneys

- death

The use of drugs or alcohol before or during pregnancy or nursing can lead to severe birth defects or death to the children involved. Click [here](#) for additional information regarding specific drugs and their potential health effects from the National Institute on Drug Abuse.

### **Available Counseling and Rehabilitation**

Various treatment options, both on and off campus, are available to members of the University community who have problems with drugs or alcohol. These options include the following:

- Employees and Students – The University's Counseling Center, located in Hardesty Hall, provide free counseling and referral services to students on a confidential basis. Any student who has a drug or alcohol problem may seek help through this facility.
- Employees – The University's health plans reimburse employees for part or all of drug and alcohol counseling and treatment, off campus, under the conditions of each plan. Employees should review their summary plan descriptions to determine the specific treatments that are available and the conditions for reimbursement.
- Self-Referrals – Many local agencies permit self-referrals for treatment of substance abuse. A list of these providers is available on a confidential basis through the Counseling Center or Personnel Services. Some community services are provided free or at very little cost. If an employee uses this approach to treatment, they should ask their immediate supervisor for a medical leave of absence. In most cases, the request for such a leave will be granted, and the employee may return to their job upon completion of the treatment plan. For acute situations, hospitals with emergency rooms near the University campus include:
  - Hillcrest Medical Center, 1120 S. Utica
  - St. John's Medical Center, 1923 S. Utica, and
  - OSU Regional Medical Center, 744 W. 9th St.

### **University Sanctions on Student and Employees**

Violations of this policy by students will be treated under the provisions of the University's Judicial Board and may lead to dismissal from the University. Violations of this policy by employees will be handled as described in [The University of Tulsa's Drug-Free Workplace Policy](#) statement with respect to drugs and under similar procedures with respect to alcohol violations. Various forms of discipline may be imposed, including suspension, required treatment programs, and termination of employment.

### **Designation of Coordinating Committee**

The Substance Abuse Committee, which was constituted under the Drug-Free Workplace Policy statement and is chaired by the Dean of Students, shall coordinate and implement this policy. The University will review this policy and program biennially to determine its effectiveness, to make needed changes, and to review the consistency of the policy's enforcement and the imposition of required sanctions. University employees or students are asked to cooperate with the committee.

### **Availability of this Policy**

This policy shall be distributed annually to each student and employee and shall be available for

inspection by any student or employee and by any representative of the Secretary of Education.

### **Educational and Awareness Programs**

The Substance Abuse Committee shall develop educational programs and materials with respect to drug and alcohol abuse that are consistent with University policies, budgets, and procedures. Training and education can be found by signing in with your Utulsa ID at <https://utulsastudents-ok.safecolleges.com/login>. For more information on how to access these programs, please contact the Office of Compliance at [compliance@utulsa.edu](mailto:compliance@utulsa.edu).

### **Interpretation**

This policy shall be interpreted consistently with the [Drug-Free Schools and Communities Act Amendments of 1989](#) as well as [Title 34, Part 86, Subpart B of the Code of Federal Regulations](#).

### **Hazing Policy**

The University of Tulsa's Student Code of Conduct defines hazing as:

"Doing, requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation or continued membership or participation in any group, that causes or creates a substantial risk of causing mental or physical harm or humiliation. Such acts may include, but are not limited to, use of alcohol, creation of excessive fatigue, and paddling, punching or kicking in any form."

Participation in hazing is prohibited and consent to being hazed is not an acceptable defense.

Last revised December 16, 2021

## **Actions and activities which are explicitly prohibited by The University of Tulsa include but are not limited to the following:**

- **Alcohol & food:** Forcing, requiring or endorsing new members/individuals to drink alcohol or any other substance and/or providing such alcohol or other substance; the unauthorized or illegal use of alcohol in any form or quantity during a new member activity; dropping anything edible or non-edible into the mouth; requiring the consumption of undesirable substances (e.g. spoiled food, unusual food combinations, and noxious fluids);
- **Creation of excessive fatigue:** Conducting new member related activities between the hours of midnight and 8 a.m. or awaking individuals during these hours; permitting less than eight continuous hours of sleep for new members each night; conducting activities which do not allow adequate time for study during pre-initiation or initiation periods;
- **Deception/power dynamics:** Expecting new member participation in an activity that not all initiated members will participate in that is outside of the nationally approved Ritual and/or new-member education program; activity designed to convince the individual that they will not be initiated;
- **Humiliation:** Carrying items that are designed to punish or embarrass the individual; publicly wearing apparel which is conspicuous and not "normally" in good taste; calling new members/individuals demeaning and/or derogatory names; requiring new members to engage in public stunts of behavior that is morally degrading and/or humiliating; running personal errands

(servitude);

- **Line-ups:** Requiring individuals to line up in an environment that could reasonably be considered intimidating or causes personal indignity by reducing someone's status and agency - including but not limited to berating, group interrogations, or requiring individuals to "march" in formation;
- **Mental harm:** Playing extremely loud music, music repeated over extended periods of time, or any other audible harassment; yelling and screaming at individuals; not permitting new members to talk for extended periods of time; requiring or encouraging new members to talk for extended periods of time; causing excessive fatigue through psychological shocks;
- **Nudity:** Requiring forced nudity or partial nudity of new members/individuals;
- **Physical harm:** Branding, paddle swats, pushing, shoving, tackling, or any other physical abuse; members purposely disorganizing the chapter house or a room for the new members to clean; requiring new members to disorganize the chapter house and/or other personal or private property; causing excessive fatigue through physical shocks; forced calisthenics, such as sit-ups, push-ups and runs; throwing anything (whipped cream, garbage, water, paint, etc.) at an individual;
- **Policy/Law:** Forcing, requiring or endorsing individuals to violate any University or national/international fraternity and sorority policy or any local, state, or federal law;
- **Transportation & quests:** Engaging in unauthorized activity which involves compelling an individual or group to remain at a certain place or transporting anyone anywhere (road trips, kidnaps, etc.); conducting unauthorized quests, string hunts, treasure hunts, scavenger hunts, paddle hunts;
- **Vandalism/Theft:** Theft of property under any circumstances; assigning or endorsing "pranks" such as stealing or harassing other organizations; defacement or vandalism of trees, grounds, buildings, or other university, city, or private property;

If you suspect you are a victim of hazing or suspect others may be victims of hazing, please immediately contact any of the following resources or submit a [CaneCares](#) report:

- Campus Security 918-631-5555
- Dean of Students Office 918-631-2742
- Counseling Center 918-631-2200
- Campus Housing 918-631-2516
- Emergency (on campus) 918-631-5555
- Tulsa Police (non emergency) 918-596-9222
- Emergency (off campus) 911

## Oklahoma Hazing Law [Okla. Stat. tit. 21, § 1190]

- A. No student organization or any person associated with any organization sanctioned or authorized by the governing board of any public or private school or institution of higher education in this state shall engage or participate in hazing.
- B. Any hazing activity described in subsection F of this section upon which the initiation or admission into or affiliation with an organization sanctioned or authorized by a public or

private school or by any institution of higher education in this state is directly or indirectly conditioned shall be presumed to be a forced activity, even if the student willingly participates in such activity.

- C. A copy of the policy or the rules and regulations of the public or private school or institution of higher education which prohibits hazing shall be given to each student enrolled in the school or institution and shall be deemed to be part of the bylaws of all organizations operating at the public school or the institution of higher education.
- D. Any organization sanctioned or authorized by the governing board of a public or private school or of an institution of higher education in this state which violates subsection A of this section, upon conviction, shall be guilty of a misdemeanor, and may be punishable by a fine of not more than One Thousand Five Hundred Dollars (\$1,500.00) and the forfeit for a period of not less than one (1) year all of the rights and privileges of being an organization organized or operating at the public or private school or at the institution of higher education.
- E. Any individual convicted of violating the provisions of subsection A of this section shall be guilty of a misdemeanor, and may be punishable by imprisonment for not to exceed ninety (90) days in the county jail, or by the imposition of a fine not to exceed Five Hundred Dollars (\$500.00), or by both such imprisonment and fine.
- F. For purposes of this section:
  - 1. "Hazing" means an activity which recklessly or intentionally endangers the mental health or physical health or safety of a student for the purpose of initiation or admission into or affiliation with any organization operating subject to the sanction of the public or private school or of any institution of higher education in this state;
  - 2. "Endanger the physical health" shall include but not be limited to any brutality of a physical nature, such as whipping, beating, branding, forced calisthenics, exposure to the elements, forced consumption of any food, alcoholic beverage as defined in Section 506 of Title 37 of the Oklahoma Statutes, low-point beer as defined in Section 163.2 of Title 37 of the Oklahoma Statutes, drug, controlled dangerous substance, or other substance, or any other forced physical activity which could adversely affect the physical health or safety of the individual; and
  - 3. "Endanger the mental health" shall include any activity, except those activities authorized by law, which would subject the individual to extreme mental stress, such as prolonged sleep deprivation, forced prolonged exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual.

**Hazing in any form is prohibited and constitutes a violation of Title 21 Oklahoma Statutes section 1190. Responsibility for enforcement of this regulation rests with the officers and members of the respective student organizations. Violation of this policy will result in disciplinary action for the responsible**

**individuals, organizations, and organizational officers as well as exposure to the monetary and incarceration penalties as provided under the law.**

## **Penalties - Individuals**

Individuals will be sanctioned per the Student Code of Conduct and the Dean of Students.

## **Penalties - Student Organizations**

All sanctions imposed on student organizations by the University will be administered through the Office of the Dean of Students. The following penalties may be assessed singly or to follow consecutively (e.g. a group may have their registration rescinded and be allowed to return to the University on probation at the completion of the time of rescinded registration.) Sanctions assessed will list the length of the probation and/or rescission (unless indefinite), the specific privileges to be forfeited, and any and all other conditions established as a part of the sanction.

- A. A Letter of University Reprimand - will not include forfeiture of privileges.
- B. Social Probation - may stipulate the forfeiture of specifically listed social and/or other privileges for a period of not less than three (3) months, or more than three (3) calendar years, and may also require specific performance during probation.
- C. Total Probation - this is the most severe sanction that the University may impose upon a student organization, short of rescinding University recognition. Total Probation shall be for a stated period of time not to exceed one (1) calendar year and prohibits the organization from: sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus; the solicitation of any pledges/associates/new members; and the initiation of any pledges/associates/new members. Total probation may also include the forfeiture of other specifically listed privileges. It may also require specific performance by the organization during the period of probation.
- D. Rescission of University Registration - this represents the most serious penalty that may be imposed on a registered student organization. It involves the revoking of the University's recognition of the organization for a stated or an indeterminate period of time. If the organization also holds a charter from a national organization or association, the University may also request that the national organization or association revoke the organization's charter. Organizations that maintain a residence or meeting facility on University property may not occupy or utilize that facility unless and until the organization returns as a registered student organization in good standing.

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## **Attachments**



## Approval Signatures

Step Description	Approver	Date
Compliance	Matthew Warren: Chief Compliance Officer & Vice President for Risk	09/2022
Legal	Cheryl Dixon: Deputy General Counsel & Secretary to the Board	09/2022
	Steven McClendon: Dean of Students	08/2022

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