Testimony in Support of a Friendly Amendment to University Senate Motion 13/14-47 to include off-campus party disturbances
Malcolm Wilson
Classics Department

Proposed amendment in bold:

571-021-0115
(1) Jurisdiction over types of actions and events....
   (b) Off-Campus. The University extends jurisdiction without exception to off-campus sexual misconduct that consists of unwanted penetration or nonconsensual personal contact as defined in OAR 571-021-0105(30). The University shall have discretion to extend jurisdiction over conduct that occurs other than on University Premises or at a University Sponsored Activity. In determining whether or not to extend jurisdiction, the University will consider its ability to gather information, including testimony of witnesses. The University may extend jurisdiction if the alleged conduct would have violated the Student Conduct Code if the conduct had occurred on campus; and:
   (A) Adversely and significantly affects the learning and living environment; or
   (B) Involved violence or produced a reasonable fear of physical harm; or
   (C) Involved academic work or any records, documents, or identifications of the University.

A. Rationale:
Over the last five years the UO, City of Eugene and other government bodies, landlords and neighborhood groups have worked together to control the alcohol-fueled parties that have made life in the near-campus neighborhoods dangerous for students and infuriating for other residents. Much has been done, but the University has not yet approved an extension of the Student Conduct Code to cover off-campus party disturbances. Many large public universities have such code provisions (e.g., OSU, Boulder, Berkeley, Washington). This amendment of US 13/14-47 helps to clarify condition (A) which is not broad enough to capture off-campus disturbances. If no one's learning is adversely affected by a disruptive party, then it cannot be sanctioned by this clause. The addition of "and living" will cover such cases.

From the Off-Campus Subcommittee Recommendations of the Presidential Taskforce on Substance Abuse (March 2013):

"By expanding the Student Conduct Code, the University can hold students and student organizations accountable and provide educational redress for behaviors that would be violations on campus. This would also improve the University's relationship with adjacent neighborhoods and the overall reputation of the University's students."

B. Support From Civic Leaders

1. Mayor Kitty Piercy (11.5.13)
I write in support of extending the jurisdiction of the Student Conduct Code to include party behaviors off-campus. I support this as a way to fully apprise students of behavior expectations and responsibilities while they attend the UO and live in Eugene.

I want students to know that while they live in Eugene, I consider them to be important, contributing members of our community. I value their being here and they contribute in many ways to this being a great city to live in. We benefit from both the academic work and volunteer activities of students and we all benefit, as a society, when students have academic success and are well prepared for the future. I firmly believe that most students are thoughtful and productive members of our community.

Conversely we all lose when some student conduct costs valuable police resources and makes neighborhoods unpleasant to live in. We all lose when homeowners decide to sell because they cannot endure onsloughts of party behavior, noise, trash, and abuse of property. We all lose when students jeopardize their health, academic success and futures with inappropriate party behaviors.

The UO is important in the civic and economic life of Eugene and we love being part of the same community, but like all university communities, we have to be clear about our expectations of the behavior of those who live here. The city of Eugene establishes law and sets goals around behavior expectations of those who live here. The UO has its own governance and codes around behavior expectations of those who study at the UO. Clarity from the city and UO with consequences for misconduct can make it clear to students and non-students what responsibilities are, thus giving us all the best possibility for success. Extending the jurisdiction of the Student Conduct Code would provide that clarity.

I also want to make clear that I consider the neighborhoods close to the university to be very valuable to those who live there and the city as a whole. These neighborhoods are historic, in a beautiful location and offer a variety of important housing options. Newer neighborhoods tend to be more mono-type housing. These university area neighborhoods are also the most dramatic interface area between student and non-student housing, owner occupied and non-owner occupied. For anyone interested in maintaining a varied housing stock, in retaining historic homes, in having inclusive and rich neighborhoods, in keeping the livability and sustainability of our city, protecting these neighborhoods and keeping them thriving for all is hugely important.

Thank you for your consideration of extending the jurisdiction of the Student Conduct Code. I believe it is a very important tool and I am available for further conversation as you need it. Kitty Piercy

2. Chief of the Eugene Police Department, Pete Kerns (11.8.13)

The University of Oregon is the source of pride for many Oregonians and a remarkably generous and gracious partner to the City of Eugene. The University has joined with the City on many initiatives over the decades. I am personally deeply grateful for the warm and overwhelming assistance it provided our police department in the week following Officer Chris Kilcullen’s murder in 2011.
As a party to our partnership, I am writing today in support of extending the jurisdiction of the Student Conduct Code to include off-campus parties. The Eugene Police Department strives to assure the safety of all community members, including students living in near-campus housing and the neighboring residents. Police enforcement however should be a last resort to manage behavior. It is an expensive and severe approach to what amounts to the outrageously irresponsible and disrespectful behavior of a small number of students.

The reality seems to be that some are swept up in the unhealthy party culture, and do not always realize the long-term effects to their health, their futures as students, and to their potential as contributing individuals. They certainly don’t appear to appreciate the long-term harm to our neighborhoods.

I know the University is proud of its culture and history and of the high standards it sets for its students. Unfortunately, the unruly behavior associated with loud and disorderly parties is out of harmony with its learning environment and with the expectations the school has set out for its representatives.

The University produces world citizens that respect the environment, serve society, and build communities. By addressing behavior of what is only a small fraction of the school’s student body, which occurs in near campus neighborhoods, the University has an opportunity, in the context of the academic and learning culture, to enable those students to see and understand the effects of their actions and to grow from the experience. This strikes me as a far more constructive and enlightened approach than the very few options we, with the City of Eugene, have at our disposal.

With 879 complaints for noise in the past 12 months the effect on near-campus neighbors is profound and has not changed much despite enforcement, increased penalties for repeated unruly gatherings and thoughtful education efforts on campus. Enforcement and education have probably made a positive difference but have not dramatically changed the conditions of loud and disorderly parties.

In nearly all cases, the University’s students intentionally or incidentally help to make Eugene a thriving and exciting place to live and to visit. A new, University based solution, will reinforce that in all settings a student’s duty as a member of the University and the Eugene communities is to behave responsibly. We want all students to enjoy their time with the school and our City, to experience the many amenities and beauties in our community, and to help us to make our City a place where all people feel welcome and safe.

The proposed amendment may be a critical component of a comprehensive solution to reducing unruly off-campus behavior and a major step toward creating a new beauty and vitality in near-campus neighborhoods.

Respectfully,
Pete Kerns
Eugene Police Chief


I wholeheartedly support the proposed change. In my decades on the bench in Eugene Municipal Court, I have consistently observed that the most important deterrent to further improper conduct is the fear that the University will sanction the student through the use of the Student Conduct Code. That threat is more of a deterrent than a fine or even the threat of jail.

We use diversions, education, fines, and now a new restorative justice program, all with the idea that we encourage responsibility on the part of the students. The expansion of the Student Conduct Code is another tool to the same end.

I would also like to say that we find the willingness of the University to partner with the City to address the issue of student conduct in the City to be much appreciated by the Court. I believe that willingness will prove to be most helpful to the City and the students.

Thanks to all. Please let me know if I can be of further assistance.

Wayne Allen

C. Support from UO Faculty and Staff

Zena Ariola, Professor, Computer Science
I support this. Best, Zena

Andrea Coles-Bjerre, Associate Professor, Law School
Carl Bjerre, Professor, Law School
We're very glad to see this proposed legislation and, as residents of the university neighborhood, wholly support it. Best, Andrea Coles-Bjerre and Carl Bjerre

Art Farley, Professor, Computer Science
I support extension of jurisdiction to cover "party-related disruptions" at off-campus locations. The University has been trying to improve this situation through education and outreach, but some enforcement would be good.

Art Farley

Marina Guenza, Professor, Chemistry
Dear Malcolm, I am fully in favor of the proposed extension of the jurisdiction to cover "party-related disruptions (i.e., excess noise and music, littering, illegal alcohol use)." It is important to have the legal support to be able to control the level of noise and general disruption that are generated in some of the student parties. This is because we want to ensure that everybody in the neighborhood can enjoy a livable environment, including faculty and students who do not enjoy participating to out-of-control parties. Thank you Malcolm for doing this. I really appreciate it. Best regards, Marina
Bill Harbaugh, Professor, Economics
I live in the neighborhood (Sunset) and I support this change.
Thanks for organizing this Malcolm!
Bill Harbaugh

Robert Haskett, Professor, History
I agree, the code should embrace "party-related disruptions" in the neighborhoods around campus. Cheers, Bob Haskett

David Hulse, Knight Professor, Landscape Architecture
I'm emailing to support the idea that a revised UO Student Conduct Code acknowledge the reality that, simply because a UO student is off-campus, they don't stop being a UO student, and their conduct doesn't stop reflecting on the University and its reputation. This seems so patently obvious to me that I hesitate to even write it, yet I know the adopted Student Conduct Code has yet to meaningfully acknowledge this simple truth. In part as a result, citizens of Eugene who live close to campus, where a disproportionate share of UO students also live, must too often experience the less-attractive side of student behavior. As a faculty member at UO who, like all faculty at UO, dedicate their professional life to helping these students grow and learn, and one who also happens to live close to campus, I have seen such unattractive behavior far too often. As a result of these behaviors, in these neighborhoods the University's reputation is at risk of becoming that of a bad neighbor, one who cares little for how their actions affect those who live nearby. A modified Student Conduct Code could address this, and in doing so help secure the kind of reputation for the University that all of us could support.
I appreciate the work you're doing on behalf of these concerns.
regards,
Dave

Mary Jaeger, Professor, Classics
I strongly support extending the student conduct code off campus, so long as it explicitly includes provisions to deal with "party-related disruptions (i.e., excess noise and music, littering, illegal alcohol use)."

Ken Kato, Associate Director, InfoGraphics Lab, Department of Geography
Yes, I support an extension of jurisdiction of the student code of conduct. I believe it is in the best interest of all parties – including students.

Robert Lovinger, Professor, Landscape Architecture
Yes Malcolm, I absolutely support your efforts on behalf of the adjacent neighborhoods of the University. Ron

Roberta Mann, Professor, School of Law
I strongly support an extension of the code to cover party related disruptions including but not limited to excessive noise, littering, and illegal alcohol use. We encounter beer
cans on a regular basis in our garden, and are sometimes awakened by drunken revelers shouting in the street. There is also substantial littering in the front yards of rental houses occupied by students. This does not appear to be “party-related” but merely evidence of slovenly living. In Boulder, the city imposes a substantial “couch fee” for furniture left out in the front yard. Perhaps the University could work with the City of Eugene on a similar initiative.

Andrew H. Marcus, Professor, Chemistry
Yes, I support this too.
Andy

Rich Margerum, Professor, PPPM
Yes, you can list me as a supporter of this proposal.

Alan Meyer, Professor Emeritus of Management
And I would strongly add my voice (as does Alan) to increasing the role of the university in overseeing student behavior off campus. The jurisdictional boundaries listed already seem to fall within police concerns. It seems to me students should be held accountable for extreme, repeat behavior that negatively impacts the community. On a side note - do you want me to ask more local folks to respond to this who might not be on your list? I can rally several neighbors - and if you think there's a specific response to encourage that might be helpful, let me know. Thanks again for all your time - you've made a huge difference,
Nancy Meyer

Alexander Murphy, Professor, Geography
I support the extension of jurisdiction.

Craig Parsons, Professor, Political Science
I'd like to register my strong support for an extension of the jurisdiction of the code to cover "party-related disruptions (i.e., excess noise and music, littering, illegal alcohol use)." I think this is enormously important for maintaining a livable neighborhood near the university, which is key to recruiting and retaining strong faculty at UO.
Craig Parsons

John Rowell, Associate Professor, Architecture
I support your motion to extend jurisdiction of the UO Student Conduct Code to cover "party-related disruptions (i.e., excess noise and music, littering, illegal alcohol use).”

Mike Russo, Professor, Business Finance
Malcolm-- I'm in on whatever is proposed.

Steven Shankman, Professor, English
I support this! And thank you so much, Malcolm, for your hard work on behalf of restoring, and improving, the livability of our neighborhoods.
Philip Scher, Associate Professor, Anthropology
I support the new language.

Janis Weeks, Professor, Biology
I support extending the jurisdiction as proposed.
Having said that, I want to mention that my family and I have had excellent interactions with students in our neighborhood for the past 25 years (we're at 1960 University) and that we intentionally chose to live in a lively, age-diverse neighborhood. I understand that some locations have problems, but we haven't had them. JCW

Stephanie Wood, Director, Wired Humanities Projects, College of Education
I support the extension of the jurisdiction of the code to cover "party-related disruptions"
Sincerely,
Stephanie Wood