

From: John E. Bonine, B.B. Kliks Professor of Law  
To: University Senate  
Date: October 8, 2014  
Re: Motion 7 for amending the Student Conduct Code

I move to change UO Policy 571-021-0200 by making changes regarding non-enrolled students, timing, and notice -- as shown in strike-out text, square bracket insertion, and red underlining in the following:

## OAR 571-021-0200 - Conduct Procedures

{This section of the code describes the process that the Student Conduct office adheres to following an alleged breach in the code.}

- (1) Complaint. Any Member of the University Community may file a complaint against a Student [or non-enrolled Student (as defined in 571-021-0115)] for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the Director of Student Conduct and Community Standards. Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to OAR 571-021-0115. The longer one waits to file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has [60 calendar days] ~~six months~~ to send written notice to the accused Student of the complaint, [unless for good cause an extension to six months is provided in writing by the Vice President for Student Affairs].

*<<The proposal at the beginning of paragraph (1) to include a “non-enrolled Student” will allow sanctions against students who are not enrolled but continue as students.*

*<<The proposal near the end is to require the Office of Community Standards to act expeditiously and not to allow a complaint to languish. The Groves Report noted two important things that lead us to believe that a time limit much tighter than six months should be codified. First, the University told Mr. Groves that it has an objective to complete an investigation within 30 days, according to page 16 of the Report. Second, the Office of Civil Rights’ “Dear Colleague” letter of April 2011 contains an expectation that the school will complete its investigation within 60 days, according to page 16 of the Report.>>*

*<< Sandy Weintraub agrees with this proposed change and suggested that only the Vice President be allowed to grant an extension. We agree.>>*

- (2) Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall serve a written notice upon the Student, either by electronic mail or by mailing to the latest address of the Student on file at the Office of the Registrar of the University, or, if necessary, by registered or certified mail or by personal service. [A copy of the notice shall also be sent to the Member of the University Community who filed the complaint.] Such notice shall inform the student of:

*<<It is important to provide a complainant with the same notice as an accused Student.>>*

<< *Sandy Weintraub agrees.*>>