

From: John E. Bonine, B.B. Kliks Professor of Law
To: University Senate
Date: October 8, 2014
Re: Motion 9 for amending the Student Conduct Code

I move to change UO Policy 571-021-0200 by adding a new subsection (e) -- as shown in strike-out text, square bracket insertion, and red underlining in the following:

OAR 571-021-0200 - Conduct Procedures

(d) The requirement to respond within 7 calendar days, to arrange a meeting with the hearing officer. The hearing officer will proceed as provided in (3)(b) if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.

<<[(e) Where sexual misconduct is alleged, the complainant is entitled to the same opportunity as the accused student to have an advisor.] >> *Approved as Part 9a*

<< *Sandy Weintraub agrees with this part.*>>

<<[If either student retains a legal advisor, the other student is entitled to one funded by the University at no cost to the student, if he or she so chooses. The University will provide this assistance through reasonable reimbursement, through a contract with an organization, or through other arrangement.] >> *Part 9b*

<<*It is preferable to resolve matters of sexual misconduct without legal advisors. If, however, one student retains a legal advisor, it is important to provide the other student with the same notice and at least the same resources.*

<<*The ASUO funds an Office of Student Advocacy, which will provide legal assistant to a student accused of violating the Student Conduct Code but that office will not provide assistance to a student who alleges she or he has been victimized and is accusing another student (including for sexual misconduct). The ASUO also does not provide any other funding for legal representation for alleged victims.*

<<*The University Senate does not have authority regarding the ASUO, which acts as an independent entity, but can pass legislation that, if accepted by the University President and Board, would provide for University funding*>>

<< *Sandy Weintraub supports the principle of equity in representation. However, he explains that, as a funding mechanism is not currently in place, he is not able to endorse this particular language at this time. He recommends a collaborative process to examine this or other options. .>>*