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Status **Active** PolicyStat ID **15744164**

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THE UNIVERSITY of TULSA

Origination 08/2021
 Last Approved 05/2024
 Effective 05/2024
 Last Revised 05/2024
 Next Review 05/2026

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Dean of Students
 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 Affairs 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 dean-of-students@utulsa.edu or [918-631-2326](tel:918-631-2326).

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)

Revision: August 22, 2023 (Updates to Prohibited Conduct section)

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 deemed a victim or making a complaint regarding a student or student organization who allegedly violated policy.
5. **Day** - day in which the university is operational, even if classes are not in session. Typically, this is Monday thru Friday and excludes weekends and university holidays.
6. **Employee** – any person hired by the University.
7. **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.
8. **Fraternity and Sorority housing** – any housing, University owned or otherwise, designated for members of fraternity and sorority chapters.
9. **Institution and University** – The University of Tulsa and all its undergraduate, graduate, and professional schools and colleges, divisions, and programs.
10. **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.

11. **Investigator** – the person(s) who conducts the investigation of the complaint or incident.
12. **May** – used in the permissive sense.
13. **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 online 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.
14. **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.
15. **Respondent** – a student or student group who has allegedly violated policy.
16. **Sanction** – consequences issued by the student conduct administrator after a determination has been made that a policy have been violated. Sanctions are meant to be educational in nature, but may include up to expulsion from the University.
17. **Shall** – used in the imperative sense.
18. **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.
19. **Student Conduct Administrator (SCA)** –University official authorized by the Dean of Students (or their designee) to review allegations and impose sanctions upon any Student(s)/Student Organization alleged 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.)
20. **Student Organization** – any group 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 are substantively involved in campus life/activities of the University.

21. **University** – The University of Tulsa.
22. **University Student Conduct Board (USCB)** – 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 policy violations have been committed.
23. **University Community** – any student or employee at the University.
24. **University Student Conduct Board Chairperson** – a University member trained in the conduct review process to adjudicate cases.
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.)

Jurisdiction

The Student Code of Conduct 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 Student Code of Conduct shall have original jurisdiction to hear complaints respecting student offenses, and shall have appellate jurisdiction regarding the conduct procedures of the Interfraternity Council (IFC) and residence hall disciplinary proceedings.

General Standard of 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. As such, the University has established standards of conduct for its students and student organizations.

1. As members of the University community, students are expected to adhere to all published rules, regulations, and policies.
2. Students are also members of the Tulsa community and are obligated to the laws of the city, county, state, and nation.
3. 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.

4. 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.
5. 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.
6. 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 Student Affairs.

Failure to fulfill these expectations will be sufficient cause for the University to initiate disciplinary proceedings.

Any student or student organization 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 University of Tulsa is a space for students to experience growth in their academic and personal lives. Necessary for that growth is access to free speech and free expression in a vibrant marketplace of ideas that challenges students to think critically about their own lives and beliefs, as well as those around them.

What follows is a list of conduct prohibited by the University that is subject to sanction under this policy. In addition to the below, the University categorically prohibits any and all conduct which results, or could result, in physical harm to another, including speech on or off campus that constitutes a true threat of harm to any part of the University community.

1. **Abuse of the Student Conduct System** - Abuse of any University student conduct system, including, but not limited to:
 - a. Attempting to discourage an individual's proper participation in or use of a University student conduct system; or
 - b. 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; or
 - c. Influencing or attempting to influence another person to commit an abuse of the University Student Conduct system.
2. **Academic Misconduct** – Policies are established, published and enforced by each college and the Office of the Provost.
3. **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; 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.

4. **Assault/Threats of Harm** – Engaging in behavior that endangers the physical health or safety of any person or animal, as well as speech that constitutes a true threat to physical harm. Threatening speech can be verbal or written by physical or electronic means, such as text messages or social media. Examples include but are not limited to fighting or assault in any form.
5. **Discrimination** – Refers to the adverse treatment of a person or persons motivated by bias against, or hatred toward, individuals or groups based on characteristics such as age, ancestry, color, creed, disability or handicap, gender identity, genetic information, marital or family status, national origin, political belief, pregnancy, pregnancy-related conditions, race, religion, sex, sexual orientation, or veteran status. Adverse treatment means actions which have a substantial, unreasonable, and materially negative impact on a student’s participation in educational programs, activities, opportunities, or benefits. Minor or trivial actions or conduct, although frustrating, offensive or the cause of discomfort, do not constitute adverse treatment.
6. **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.
7. **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 students from taking part in the following activities while on University premises or engaged in University programs. (Student involvement in such activities is considered gross misconduct and is therefore subject to disciplinary action up to and including immediate expulsion.) Prohibited activities are as follows:
 - a. 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.
 - b. Manufacture or distribution of any Federally Illegal Drug is prohibited, including Cannabis in any form.
 - c. 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.

- d. 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, bongs and scales or other measuring devices.
 - e. Any act which causes a person to ingest any Federally Illegal Drug, prescription drug, or other controlled substance without their effective consent.
 - f. 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.
8. **Endangering Health or Safety** – Taking or threatening action that threatens or endangers the safety, physical or mental health, or life of any person or animal, whether intentionally or as a result of recklessness or gross negligence.
 9. **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 or unlawful material; using University resources for any commercial venture; or violating the Copyright law in any manner.
 10. **Fire-Arson** – Intentionally setting a fire in or around University property.
 11. **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.
 12. **Fire-Exceeding Capacity** – Having more guests in an occupied space than is safely allowed by university policy or city code.
 13. **Fire-Hazard** – Creating a fire-related hazard.
 14. **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 physical health or security of any person or persons including stalking, intimidation, or threatening behavior that unreasonably impairs the security or privacy or another member of the university community.
 15. **Hate Crimes** – A criminal offense that manifests evidence that the victim was intentionally selected because of the perpetrator's bias against the victim.
 16. **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. (See Hazing Policy outlined below.)

17. **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. Possession of tools that are capable of replicating/copying ID cards or keys.
18. **Interference** – Interfering with or disrupting any University teaching, research, administrative, disciplinary, public service, learning, or other authorized activity.
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. This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a call for a boycott, or other forms of dissent. Proscribed behavior in the context of a riot includes, but is not limited to:
 - a. Knowingly engaging in conduct designed to incite another to engage in riotous behavior; or

- b. Actual or threatened damage to or destruction of University property or property of others, whether done intentionally or with reckless disregard; or
 - c. 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.
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](tel: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; Forcible Entry or possession of tools that are used to copy access cards.
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.

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 Affairs will:

1. Assess the nature and circumstances of the allegation;
2. Respond to any need to address immediate physical safety and emotional well-being;

3. Follow up with Complainant regarding incident, gather additional information and/or provide resources as appropriate.
4. 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;
5. Determine if alleged conduct could rise to the level of a suspension if the student was found responsible;
6. If applicable, conduct pre-hearing interview and review check-list with Complainant for Formal Resolution;
7. If applicable, conduct pre-hearing interview and review check-list with Respondent for Formal Resolution.
8. If applicable, USCB is notified of upcoming hearing and date.

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. Formal Resolution will be offered only in cases in which suspension or expulsion are a possible sanction for the alleged violation.
3. 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.
4. 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.

Administrative and Informal Resolution

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

1. Notice of Allegations and Procedural Options
 - a. The Respondent shall be notified in writing of the allegation of misconduct. The written notice shall include the date, time and location to meet with the Student Conduct Administrator (SCA) to respond to the allegation.
 - b. The Respondent shall have no less than three (3) days from when the written notice to meet with the Student Conduct Administrator or to notify the SCA to have the matter resolved through the USCB.

- c. In any instance where the Respondent does not contest the violations at issue or chooses not to attend the hearing, the Student Conduct Administrator may issue a finding of misconduct and decide the appropriate sanction rather than have the complaints referred to the USCB for a hearing. The student shall have the right to appeal the sanction (see #3, below).

2. Investigation and Findings (Administrative Resolution)

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

3. Appeal

- a. Within five (5) days of the SCA's final decision, the Respondent may request an appeal to the Dean of Students (or Dean'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 Respondent. The appeal is a written appeal and will not include a review of the determination of responsibility or a meeting with the appeal officer.

If there is an individual complainant:

The Respondent shall be provided the same options and procedures established herein. An additional option is to resolve the complaint through Informal Resolution by the mutual consent of the Complainant.

1. At any time prior to a conduct hearing and with the consent of the Complainant, a Respondent may waive the right to an Administrative hearing and elect to proceed through informal resolution by mutual consent.
2. The SCA will attempt to support the parties involved in reaching an informal resolution by mutual consent on a basis acceptable to the SCA.
3. As a condition of the informal resolution process, the SCA 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.
4. Such disposition shall be final and there shall be no subsequent proceedings.

5. If the matter cannot be disposed of by mutual consent, the matter may be referred to the conduct process.

Formal Resolution (University Student Conduct Board Hearing)

In cases in which a sanction may include suspension or expulsion, Respondents will be provided the opportunity to have the case heard through Formal Resolution.

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

Quorum

1. Three (3) members (in any combination) of the USCB constitute a quorum. If the USCB is unable to attain a quorum within a reasonable period of time, the Dean of Students (or designee) may appoint temporary members as needed.
2. If fewer than three (3) voting members of the USCB 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.

3. 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.
4. 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.

USCB Hearing Participants

1. The Student Conduct Administrator (SCA)

The SCA (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 SCA is responsible for deciding upon matters related to witnesses, evidence, and procedures. The USCB chair and/or the SCA may exclude from a hearing any person in attendance who disrupts a hearing. The SCA may consult with the USCB and other University officials as necessary.

2. Complainant

3. Respondent

4. Advisors

- a. 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 USCB 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.
- b. 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

- a. 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.
- b. If a party desires to be accompanied by an attorney, that party will provide the SCA with the attorney's name, address, and phone number at least four (4) days prior to the date of the hearing.

- c. The University may have an attorney present at the hearing.

USCB Pre-Hearing Procedures

1. Notice and Investigation

- a. The University will conduct an investigation into the alleged misconduct. Such investigation may include conducting interviews, collecting documents and records, and collecting or examining other evidence.
- b. No less than ten (10) days before the hearing, the SCA will provide the Respondent(s) with written notification of the charges, and the time and place of the hearing.
- c. The SCA shall provide an opportunity for a pre-hearing interview and review the pre-hearing checklist with each party.
- d. No less than seven (7) days prior to the hearing, the Complainant and the Respondent must each present to the Office of Student Affairs 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. Each must also include a written list of witnesses they would like to appear at the hearing.
- e. No less than five (5) days before the hearing, the SCA 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

- a. Character witnesses are not permitted.
- b. The University shall notify witnesses of the time, place and date of the hearing and 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.
- c. 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 SCA that the information be admitted to the hearing.

USCB Hearing Procedures

USCB hearings proceed as follows virtually or in person:

1. The USCB 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 SCA 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 USCB proceedings.
10. The USCB examines the evidence and the testimony of any witnesses, including the Respondent and Complainant.
11. The USCB 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 USCB 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 a Respondent, with notice, does not appear before a USCB Hearing, the information in support of the Complainant shall be presented and considered even if the Respondent is not present. This includes situations where the Respondent withdraws from the University pending a hearing.

USCB Deliberations: Determination of Responsibility

1. Following the closing statements, the USCB 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. [DC1] [DC2] The decision is based on majority vote of the USCB.
2. If the Respondent is found not responsible, the board shall close the case, subject to the appeal rights set forth below.
3. If the USCB makes a determination of responsibility against the Respondent, then the SCA may inform the USCB of any prior disciplinary finding(s) and sanction(s) against the Respondent prior to the USCB's determination of the appropriate sanction.

4. Upon reviewing the history of the disciplinary history of the Respondent, the USCB shall recommend a sanction. The SCA reserves the right to increase or decrease the severity of any sanction recommended in the conduct process.
5. Within five (5) days of the conclusion of the hearing, the SCA will provide written notification to 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:
 - a. Finding of fact;
 - b. The basis for finding responsibility or non-responsibility; and
 - c. The sanctions assigned as a result of the finding, if any.

USCB Appeals

1. Within five (5) days of notification of the hearing outcome, either party may appeal the decision 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 to the SCA and shall set forth the specific reason(s) for the appeal.
 - a. Written copies or summaries of all proceedings appealed to the USCB shall be filed with the Office of Student Affairs 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:
 - a. To determine whether the USCB hearing was conducted fairly in light of the complaints and information presented, and in conformity with prescribed procedures giving the Complainant a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the Respondent 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.
 - b. To determine whether the decision reached regarding the Respondent 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.
 - c. To determine whether the sanction(s) imposed were appropriate.
 - d. 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 USCB hearing.

3. Upon receipt of a notice of appeal, the SCA shall appoint from the membership of the USCB a Review Panel of three (3).
4. The University may submit to the Review Panel a written response to the student's appeal, with any supporting information.
5. 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.
6. 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 Respondents 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 principles underlying sanctions are as follows:

1. The University is committed to providing an environment that makes a positive contribution to the health, safety, and welfare of its students.
2. Students have a significant duty and responsibility to ensure their actions and behaviors contribute to such an environment.
3. 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.
4. To the extent that the actions or behaviors of members of student organizations put the health, safety, and welfare of others at risk, the University has a duty and obligation to respond appropriately.

The following sanctions may be implemented individually or in any combination by the USCB or the SCA. The SCA 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 sanctions as assigned may be subject to cancelled registration and/or a hold placed on their official University records, which may prohibit registration, re-enrolling, or receiving transcripts.

Failure to complete assigned sanctions in cases of violation of the Sexual Misconduct policy or have been adjudicated through the Title IX office will be immediately suspended from the University. Suspension of the student will be for a minimum of one (1) complete semester and will incur additional sanctions in order to return to the University.

The USCB or the SCA 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 and the SCA, which may be administered separately or in combination in order to achieve the desired sanction:

1. **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.
2. **Education** - A student may be directed to complete educational training, perform community service, or undertake other such restorative/rehabilitative measures as appropriate.
3. **Restitution** - A student may be directed to pay, or in some way compensate for damages resulting from their misconduct..
4. **Probation** - There are five forms of probation:
 - a. **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.
 - b. **Housing Probation** – Imposed when conduct in an on campus living facility has been unacceptable and bears improvement. Recurrence of such unacceptable conduct may result in removal from campus housing and/or other disciplinary measures.
 - c. **Disciplinary Probation** – written notification that conduct has been unacceptable. The student is 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 found responsible for additional violations during their probationary period, suspension from the University will be considered.
 - d. **Social Probation (student organization)** - 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.
 - e. **Student Organization 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. It may also include the forfeiture of other specifically listed privileges and may require specific performance by the student organization during the period of probation.

5. **Rescission of University Registration** - this represents the most serious penalty that may be imposed on a 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 student 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. Student organizations that maintain a residence or meeting facility on University property may not occupy or utilize that facility unless and until the student organization returns in good standing.
6. **Restriction of Privileges** - Specific student privileges may be restricted for a specific period of time.
7. **Interim Suspension** - In certain circumstances, the SCA may impose a University and/or residence hall suspension prior to adjudication of the conduct case.
 - a. Interim suspension may be imposed only:
 - i. To ensure the safety and well-being of members of the University community or preservation of University property;
 - ii. To ensure the student's own physical or emotional safety and well-being; or
 - iii. If the student poses an ongoing threat of disruption of, or interference with, the normal operation of The University.
 - b. During the interim suspension, a student shall be denied access to the residence halls, campus and/or other University activities (including classes) or privileges for which the student might otherwise be eligible. Student is prohibited from being on campus except as directed by the SCA to participate in the conduct process.
 - c. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a USCB Hearing, if required.
8. **Suspension** - Student is removed from classes, housing and University activities for a specific period of time. During the suspension period, student is prohibited from being on campus without the expressed written approval from the Dean of Students or designee. Student rights and privileges cease upon Suspension.
 - a. Following the expiration of designated time and completion of imposed sanctions or conditions for return, the student may petition the suspending body for permission to re-enroll in The University.

9. **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.
10. **Withholding Degree** - The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Code of Conduct, including the completion of all sanctions imposed, if any.
11. **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 can't be appealed.
12. **Other disciplinary actions as may be deemed appropriate**

Alcohol and Drug Amnesty Policy

Purpose

1. 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.
2. 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 or drug use. 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.

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

1. Related to the consumption and/or use of alcohol and/or drugs, and
2. Sought by a person not serving in an official University capacity, and
3. 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 be reported for a conduct violation, 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 may be required to consult with the Dean of Students or designee to discuss safety concerns and provide guidance.

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 Student Affairs. 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.

Organizational Amnesty

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

In accordance and connection with The University of Tulsa alcohol and drug amnesty policy, student 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 student organization requiring medical assistance under this amnesty policy may be subject to disciplinary action under university policies.

Student 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 Office of Student Affairs, as described below. This includes suspected hazing, harm to persons, and alcohol and drug violations.

The Office of Student Affairs may, at their discretion, assign educational interventions when there is concern regarding student safety. The Office of Student Affairs 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 student organization via Cane Cares or email to one of the following on-campus services: Dean of Students, Student Rights and Responsibilities personnel, or Fraternity and Sorority Life personnel.

2. The incident must be reported within three (3) days of an executive officer becoming aware of the situation.
3. A student 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 student organization to be eligible for amnesty, the student organization must demonstrate ongoing support and cooperation with all University officials involved in investigations or after incident reporting. A student organization's cooperation and support will be evaluated by the following criteria:

1. Within five (5) days of the initial report, provide the SCA 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 and guests 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; and
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 student 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.

If any information given is found to be knowingly false or fabricated or material details are withheld, amnesty will be revoked, and the student organization will go through standard conduct procedures. Any previously gathered information may be used during the new investigation.

Organization Amnesty Outcomes

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.

If an organization is not granted amnesty, information gathered throughout this process may be used in future disciplinary action.

Records of all requests for amnesty under this policy shall be maintained by the Office of Student Affairs. Participation in any program as a result of this policy shall not be noted on the student organization's conduct record. In the event the student organization previously utilized the policy is involved in a

subsequent incident, this incident and any resulting sanctions shall be treated as an alleged second offense.

Hazing Policy

Any form of hazing 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.

Consent to being hazed is not an acceptable defense.

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

1. 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);
2. 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;
3. 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;
4. 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);
5. 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;
6. 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;

7. Nudity: Requiring forced nudity or partial nudity of new members/individuals;
8. 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;
9. 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;
10. 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;
11. 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:

1. Campus Security [918-631-5555](tel:918-631-5555)
2. Dean of Students Office [918-631-2326](tel:918-631-2326)
3. Counseling Center [918-631-2200](tel:918-631-2200)
4. Campus Housing [918-631-2516](tel:918-631-2516)
5. Emergency (on campus) [918-631-5555](tel:918-631-5555)
6. Tulsa Police (non emergency) [918-596-9222](tel:918-596-9222)
7. Emergency (off campus) 911

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

1. 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.
2. 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.

3. 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.
4. 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.
5. 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.
6. For purposes of this section:
 - a. "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;
 - b. "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
 - c. "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.

Care and Concern Policy

Purpose

The University of Tulsa believes in the ability of all students to be successful and understand that some instances may require intervention to provide appropriate resources. This Care and Concern Policy outlines

the manner in which University will endeavor to reduce or manage behavior that presents a danger to the life, health, welfare, safety, or property of any member of the college community (Concerning Behavior). The 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 may be 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 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 campus community's health and safety.

Policy

1. All members of our community are responsible for being aware of their surroundings and reporting any concerning behavior to appropriate personnel. Reports can be made through Campus Security or by submitting a Cane Cares.
2. In the event the University receives a report that a student has engaged in or displayed Concerning Behavior, the University Behavior Intervention Team (BIT) will determine an appropriate response.
3. In most situations, the BIT will request information and observations from other university employees that interact with the student of concern. This is meant to develop a more complete picture of what is taking place and how the student of concern is presenting in various areas of life.
4. After gathering appropriate information, BIT will determine a Risk Assessment and the appropriate intervention to apply. This may include, but is not limited to:
 - a. Contacting the student to discuss the behavior;
 - b. Conducting a welfare check;
 - c. Referring the situation to Student Access or Student Rights and Responsibilities;
 - d. Referring to mental health provider;
 - e. Contacting the emergency contact;
 - f. Initiating an involuntary withdrawal.

If BIT determines that mental health support is warranted following a Risk Assessment, it will recommend that the student meet with CAPS or other licensed mental health professional.

BIT may ask the student authorize the treating professional to provide the University BIT with confirmation of seeking assistance. The student may limit what information is shared with BIT and may revoke authorization at any time.

Demonstration of Concerning Behavior that interferes with anyone's safe participation in the campus community will be addressed in accordance with the University's Student Code of Conduct, or other applicable University policies.

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 based on academic decisions shall be handled through the academic misconduct policy/process.

Involuntary Separation or suspension as determined by the Student Code of Conduct shall be handled through the established conduct process.

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:
 - a. Imminent danger to the University community, or
 - b. Disruption of the learning environment, or
 - c. Causing significant property damage, or
 - d. The inability to care for their daily physical needs without assistance and the student has failed to secure such assistance.
2. In many 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.

- a. 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.
- b. 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.
- c. 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) 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:
 - i. The reliability of the information concerning the student's behavior, and/or
 - ii. 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.
- d. Following the meeting, the Dean of Students or designee will notify the student in writing indicating whether the Involuntary Separation will or will not proceed.

3. Appeal Process

- a. 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.
- b. The appeal must be made in writing to the Dean of Students or designee, within five (5) days.
- c. Appeals should clarify what facts the student believes were not considered or explain what procedures were unreasonable or unfair.
- d. The Dean of Students or designee will respond in writing to the student's appeal within three (3) 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 and must comply with established stipulations.

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.

a. 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 may 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.

b. 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.

c. 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.

i. 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.

ii. The student will receive a written notification of the decision.

iii. Approval to return may include specific conditions and/or requirements for continued enrollment.

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

1. 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 is designed to promote this environment at The University of Tulsa and an expectation of students who choose to join the university community.

2. The following COVID-19 Standards have been adopted by The University of Tulsa to promote health and safety on campus and among our student body. These standards supplement the Student Code of Conduct and alleged violations will be processed through procedures outlined in the Student Code of Conduct.

Conduct Standards

1. 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.
2. Follow all posted procedures for entering and exiting buildings on campus.
3. 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.
4. 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).
5. Engage in responsible behavior and conduct when off-campus and observe local and state health guidelines pertaining to COVID-19 at all times.

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 Student Conduct Administrator. 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 Affairs 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.

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:

1. Alcoholic beverages of any kind
2. 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:

1. Possession and/or distribution of marijuana, including for medical use.
2. Possession and/or distribution of other drugs.

3. Possession and consumption of alcoholic beverages by anyone under 21 years of age.

4. 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:

1. drastic changes in weight
2. loss of judgment or the ability to concentrate or reason
3. temporary loss of or heightened sensations
4. personality changes
5. memory loss
6. inability to sleep or to remain awake
7. addiction to or dependency upon the substance
8. hallucinations, delusions, depression, or insanity
9. the spread of infectious diseases like AIDS
10. injuries to the immune system
11. heart damage
12. failure or malignancies of the liver and kidneys
13. 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:

1. The University's Counseling Center, located in the Hurricane Health Center, provides 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.
2. 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:
 - a. Hillcrest Medical Center, 1120 S. Utica
 - b. St. John's Medical Center, 1923 S. Utica, and
 - c. OSU Regional Medical Center, 744 W. 9th St.

University Sanctions

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 and required treatment programs.

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.

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](#).

Attachments

Approval Signatures

Step Description	Approver	Date
Legal	Cheryl Dixon: General Counsel	05/2024
Dean of Students	Matthew Ingram: Interim Dean of Students	05/2024
	Matthew Ingram: Interim Dean of Students	05/2024

[+](#) Older Version Approval Signatures