University Student Conduct Policies & Procedures

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

PREAMBLE

In spring 2004, in an extensive, campus-wide process, The University of Tulsa Student Association developed and adopted a statement of student commitment and a corresponding pledge to express our commitment to the university and its mission. These statements were accepted by Board of Trustees. It reads:

Student Commitment

We, the students of The University of Tulsa, support the university's virtues of wisdom, faith and service by affirming that: We strive for excellence in the pursuit of wisdom by encouraging free and open inquiry which is fundamental to the pursuit of knowledge, preserving our academic integrity by maintaining the highest ethical standards in our studies, and valuing the relationships with our professors who provide a rich learning environment.

We acknowledge the university's foundation on a faith in God and respect the faith traditions of all individuals.

We seek opportunities for service to benefit the university and the Tulsa community as an expression of appreciation toward those who facilitate and support our education and student community.

In all we do, we seek to strengthen our community by promising to stand against behaviors and actions that breach this pledge and demean others in the campus community – students, faculty, staff, and visitors. Through our contributions we will endeavor to leave The University of Tulsa a better community than when we entered it.

Student Pledge

As a student of The University of Tulsa, I pledge to strive for excellence in the pursuit of wisdom, to acknowledge the university's foundation on a faith in God while respecting the faith traditions of all individuals, and to be of service to others in accordance with the ideals set forth in the Student Commitment.

The University of Tulsa Statement on Rights, Freedoms, and Responsibilities

The Student Association and the Faculty Senate will review the Statement on Rights, Freedoms, and Responsibilities during the fall semester. If you have suggestions regarding revisions to the Statement, submit them to the president of one of these groups or to the Office of Student Affairs.

The University of Tulsa exists to promote the academic and social development of its students, the transmission of knowledge, the pursuit of truth, and a sense of responsibility toward self and society. A deep respect for the fundamental rights of expression, assembly and petition is indispensable to the attainment of these goals. Academic freedom, based upon the freedom of the professor to teach and the freedom of the student to learn, is paramount to the purpose of the University.

Students at The University of Tulsa have varied educational goals and objectives but, as members of the academic community, they share a common important responsibility. That responsibility is to develop an inquisitive attitude toward the social, political, economic, moral, scientific, technological and aesthetic issues of the day; to achieve an understanding of these issues from all points of view and to participate in the humane solution to the problems that arise from them.

It is believed that these ideals can be best pursued and accomplished in an environment where individual and group deportment are tempered with a mutual respect for the rights of all people in the academic community.

I. THE FREEDOM OF ACADEMIC INQUIRY

A. Freedom of Expression

Students should be free to question or take reasoned exception, either written or oral, to the interpretation and/or application of data, and matters of opinion in any course of study. However, students are responsible for learning the content of any course of study as required by the professor.

B. Freedom of Attendance

Attendance policies developed by colleges, departments, or individual faculty members take precedence over contrary statements below. Students are encouraged to read course syllabi carefully and discuss attendance requirements with their professors. Students should be free to attend class or not to attend class in those classes where fair academic evaluation does not necessitate direct student participation. Class attendance should not be required for the sake of attendance itself. However, if the students voluntarily choose not to attend, they should not expect the professor to repeat for their benefit any information already presented in class. In those cases where the accreditation of a school or college requires a regular attendance policy, the requirement of the accrediting agency shall take precedence.

C. Access to Professor

Students should have the opportunity to confer with the professor outside the classroom. Professors should allot a reasonable proportion of their time for appointments with students to an extent consistent with class size and nature of the course.

D. Confidentiality

Students and professors have the ethical obligation to consider as confidential that information concerning views, academic achievement, beliefs, political association, and personal information acquired during their association.

E. Academic Evaluation

Students have the right to fair academic evaluation. At the beginning of each course, the professor should inform students of the standard by which they will be evaluated. Any serious deviation from this standard should be implemented only if no student is penalized by the change. Results of achievement measurement should be made available to the student in a reasonable period of time. Students are responsible for meeting the standards of academic performance established for each course in which they are enrolled.

F. Evaluation of Faculty

In an attempt to assist the University in the pursuit of academic excellence, students should have the opportunity to evaluate the faculty, courses, curriculum, and policies of the University community.

G. Acquisition of Personnel

Students should have a means of voicing their opinions regarding appointment of faculty and

administrative personnel. These opinions should be given fair and serious consideration in the decision-making process. In such cases where advisory committees are formed for acquisition of faculty and administrative personnel, students should have voting representation on such committees.

H. Facilities
Students should have access to facilities of learning where physical conditions such as lighting, seating, temperature control, noise limitations, and electrical facilities are conducive to learning and are adequate to prevent distraction from the learning process.

I. Records and Class Procedures
Students should be allowed to take notes and, with the permission of the instructor, make electronic and photographic records of class proceedings, as long as they do not disturb the class. These records may be reproduced and disseminated only with the permission of the instructor.

J. Retention of Original Work
Students and professors have an ethical obligation to respect the sanctity of original ideas as original work. They also have an obligation to recognize that benefits from such original work belong to the originator unless they are voluntarily relinquished.

II. FREEDOM OF EXPRESSION
The rights of free inquiry and free expression, both public and private, are essential to the learning process and must be protected by the responsible and mutually supporting efforts of all segments of the University community. These rights shall not be infringed upon. It is the responsibility of students and student groups to make clear that they speak only for themselves when they are supporting causes, participating in public expressions, and conducting demonstrations.

A. Guest Speakers
Officially recognized student organizations may invite speakers of their own choosing to campus. Sponsorship of guest speakers does not necessarily imply approval or endorsement of the views they express, either by the sponsoring group or the University.

B. Peaceful Protest and Assembly
The University, groups, organizations, or individuals shall not infringe upon the right of peaceful assembly and protest, and the freedom to petition. Peaceful assembly shall not interfere with normal passage of other students and members of the academic community or the continuity of the educational process.

C. Dissemination of Printed Materials
Leaflets and printed materials may be distributed at gatherings, in common areas, and also in classrooms with the permission of the instructor. Other materials may be posted in designated areas. (Students should check with the deans' offices, resident hall directors, etc. for designated areas.)

D. Employment Interviews
The University, in recognition of the desire of students to seek employment, provides an employment interview service. Students shall be given equal opportunity to interview with any employer.

E. Student Communication Media
An integral part of the freedom of expression is contained in the freedom of student publications and communications media to discuss, examine, and intellectually explore information and ideas emanating from within as well as from outside the University community. The student editors and

student directors of student communications media shall possess editorial rights and responsibilities and should be guided by principles of responsible journalism. Student originated codes shall protect student editors and student directors from harassment or removal from office and from prior censorship of material. Whenever editorial opinion is expressed, it should be so stated, and the source identified. Where federal broadcast regulations require faculty advisors, they shall be protected from harassment, removal from office, or loss of position due to the conduct of students involved.

III. FREEDOM OF ASSOCIATION

Students, having a variety of interests and motivations, shall be free to organize and to join campus associations and groups to promote their common interests. Although the nature of groups based upon common interest does limit participation, no student otherwise eligible shall be excluded from membership in a campus organization on the basis of personal status or group characteristics including, but not limited to, the classes protected under federal and state law in its programs, services, aids, or benefits.

A. Organizations

The recognition, continued approval, and discipline that may be necessary for the governing and regulation of the Student Association as well as other student organizations shall rest with a regulatory body of the Student Association. While organizations periodically may be required to submit a constitution, and a list of current officers, membership lists may not be required as a condition of recognition. If a student organization has an off-campus affiliation, this should not disqualify the organization from recognition. Only those members in the University community will be eligible to make policy in student organizations. Each organization shall retain the freedom to choose its advisor, but the inability to secure an advisor shall not be the basis for non-recognition by the regulatory body. An advisor shall not control the policy of an organization or direct its activities.

B. Use of University Name

Individuals or organizations may use the University name only to identify their affiliation with the University. University approval or disapproval of any action or policy of an organization may not be stated or implied by that organization without expressed or written authorization.

C. Use of University Facilities

The provision of the University facilities used by campus, public, or other private groups shall in no way interfere with academic activities of the University. The appropriate administrative office responsible for coordinating the assignment of facilities is entitled to impose reasonable regulations upon the use of these facilities, including timeliness of request, the appropriateness of the facility, and the maintenance and care of the facility. In scheduling these facilities, priority should be given to groups and individuals within the student community. Those regulations shall not be used for purposes of censorship.

D. Use of Allocation of Funds

Student organizations should exercise autonomy in maintaining their financial affairs. If University funds are allocated to a student organization or if an organization utilizes the University Business Office, University standards of financial accountability will be prerequisite to the continued allocation of such funds or use of such services. The procedures shall not be used to influence the policy of any organization.

IV. THE RIGHT TO PRIVACY

The right to freely exchange ideas and opinions, which is fundamental to the educational process, must be supported by the rights of individuals to the privacy of their beliefs. Students are responsible for their social morality, within the limits of civil legality. Individuals' political beliefs and activities are private and beyond the control of the University. Matters of political and moral behavior on the part of any student shall not be the subjects of recorded information.

A. In Residences on University Property
The right of privacy of University students living in University residence halls shall be as provided by law.

B. Confidentiality of Records
Respect must be accorded the confidential relationship between the University and its students by reserving the privacy of all records of each student. This relationship presupposes that records will be kept only on matters relevant to the educational process and that even those minimal records will not be disclosed except with the student's consent or in carefully circumscribed instances based upon clearly defined policy. The student's records, their supporting documents and other files are confidential. They are to be maintained only by University staff.

C. Maintenance of Separate Files
Separate files should be maintained as follows:
1. Academic records, supporting records and documents, and general education records
2. Student personnel records
3. Records of disciplinary proceedings
4. Financial records
5. Medical and psychological records

Students may reserve the right to determine what honors, awards and organizational membership information are to become a part of their student personnel record.

D. Accessibility of Records for Faculty Advisement
Members of the faculty may have access to records and files necessary for academic advisement. Normally, records relating to financial, medical, psychological, and disciplinary matters will not be available for such purposes.

E. Retention of Records
Records shall not be preserved beyond graduation or other final departure of any student except as follows:
1. The academic records, which include academic probation and dismissals may be retained indefinitely.
2. Financial records may be retained so long as any obligation exists.
3. Disciplinary records should not be retained beyond graduation, termination of affiliation with the University, or after certain agreed upon time, such as a period of probation.
4. Medical or psychological records shall not be retained more than five years after graduation or other final departure from the University.

V. OFF-CAMPUS FREEDOM
Students occupy the dual role of members of the civil community as well as members of the academic community. Therefore, students shall enjoy the freedoms and obligations of any other citizen, while at the same time being subject to the freedoms and obligations of the University community. Where the professional nature of a college requires jurisdiction to be exercised over students' off-campus behavior in accordance with established professional standards, such jurisdiction may be exercised in accordance with such standards.

In cases where students are accused of violating civil law, University officials should be prepared to inform students of sources of legal counsel and may offer other assistance. Students who violate institutional regulations, without intent, as the direct result of off-campus activities, should not be penalized unduly and should be subject only to the penalty normally imposed for the violation of the specific regulation.

VI. STUDENT SELF-GOVERNMENT

The student body shall have the right of self-government. The right shall include the use of allocated funds and the passage of student resolutions, in addition to that usually implied by self-government.

VII. THE RIGHT OF STUDENTS TO PARTICIPATE IN UNIVERSITY GOVERNMENT AND THE DECISION-MAKING PROCESS

As constituents within the University community, students shall possess the freedom and the channels for expressing their opinions on matters of University policy. The faculty and administration must bear final responsibility for the implementation and maintenance of degree requirements, course grades, and general academic standards.

A. Representation on University Committees
In all cases where it is capable of being effected, students shall have adequate representation on University committees.

B. Participation in Housing Regulations
In the matter of student residences, specifically residence halls, fraternities, and sororities, students shall have the right to develop governing rules in conjunction with others directly concerned provided that such rules shall not conflict with any University-wide regulation or policy then in force or thereafter adopted.

C. Autonomy in Student Conduct Process
Students shall have the right to participate in the conduct proceedings and the imposition of sanctions pertaining to student violations based upon codes of conduct.

D. Access to Statements of University Policy
The University administration shall be responsible for providing statements of policy and general information, which affects the activities and well-being of students.

VIII. STANDARDS IN DISCIPLINARY PROCEEDING

A. Expected Conduct
The University has a continuing obligation to make clear the standards of behavior that it believes students must accept in order for the institution to carry out its education purposes. In addition to these statements of expectation, the University shall also clearly describe the means whereby a student shall have recourse in disciplinary proceedings.

B. The Right of Notice
Students who are accused of violating prescribed codes of conduct shall be informed of the complaint against them, student rights and responsibilities, and University Student Conduct Board procedures. They shall also be advised that they need not provide a statement until they have had opportunity to speak to counsel.

C. Complaint Information

1. Individuals filing or named in a complaint may receive a copy of the complaint upon request to the Dean or Associate Dean of Students in the Office of Student Affairs.
2. Per Family Education and Rights to Privacy regulations, complainants of a crime of violence may receive notification of the results of the disciplinary proceeding.

See regulations for further information.

Student Code of Conduct

The current student Code of Conduct Policy remains in effect until a revised policy has been approved. In addition to checking with the Office of Student Affairs for any revisions to this policy (or others published in this Handbook), please be aware that all higher education institutions are subject to revisions in federal law and regulations. These and other changes may take effect after the printing of this Handbook. TU must and will act 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.

Definition of terms used

The term "University" means The University of Tulsa.

The term “students” includes all persons enrolled in ANY course or programs offered by the University whether for credit or not beginning with the first day of classes or the start of the program of any term for which the student has enrolled or the first day of the orientation program for that term—whichever is earlier—and whether or not the student attends the orientation program or the first day of classes or the program through the actual awarding of a degree or completion of the 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.

The term “faculty member” means any person hired by the University to conduct classroom or teaching activities who is otherwise considered by the University to be a member of its faculty.

The term “member of the University community” includes any person who is a student, faculty member, University official or any other person employed by the University. A person’s status in a particular situation shall be determined by the Student Conduct Administrator.

The term “University premises” includes all land, buildings, facilities, and other property in the possession of or owned, used, or controlled by the University (including adjacent streets and sidewalks.)

The term “organization” means any number of persons who have complied with the formal requirements for University recognition/registration.

The “Student Conduct Board” means any person or persons authorized by the Dean of Students to determine whether a student has violated the Student Conduct Code and has been deemed responsible to recommend sanctions that may be imposed when rule violations has been committed.

The term “Student Conduct Administrator” means a University official authorized on a case-by-case basis by the Dean of Students to review allegations and impose sanctions upon any student(s) found to have violated the Student Code. The Dean of Students may authorize a Student Conduct Administrator to serve simultaneously as a sole Student Conduct Administrator or 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.

The term “policy” means 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 Guide to Living on Campus, Office of Research and Sponsored Programs: Policies, Procedures, Guidelines*, or *ACAC Facilities* booklet also may apply to you.

The term “Complainant” means any person who submits a charge alleging that a student violated this Student Conduct Code. When a student believes that s/he has been a victim of another student’s misconduct, the student who believes s/he has been a victim will have the same rights under this Student Conduct Code as are provided to the Complainant, even if another member of the University community submitted the complaint itself.

The term “accused student” means any student accused of violating the Student Code.

The term “plagiarism” includes, but is not limited to, the use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgment. It also includes the unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

The term “cheating” includes, but is not limited to: (1) use of any unauthorized assistance in taking quizzes, tests, or examinations; (2) use of sources beyond those authorized by the instruction in writing papers, preparing reports, solving problems, or carrying out other assignments; (3) the acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff (4) engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

The term “shall” is used in the imperative sense.

The term “may” is used in the permissive sense.

Jurisdiction of the Student Code of Conduct

The Student Code of Conduct shall apply to conduct of individual students and registered student organizations that occurs on The University of Tulsa premises. The Code also applies to the off-campus conduct of students and registered student organizations in direct connection with:

A. A professional practice assignment,

B. Academic course requirements, such as internships, field trips, or student teaching;

C. Any activity supporting pursuit of a degree, such as research as another institution or study abroad;

D. Any activity sponsored, conducted, or authorized by the University or by registered student organizations;

E. Any activity that causes substantial destruction of property belonging to the University or members of the University community or causes serious harm to the health or safety of members of the University community;

F. Any activity in which a police report has been filed, a summons or indictment has been issued, or an arrest has occurred for a crime of violence; or

G. Conduct which adversely affects the educational mission of the University or its relationship with the surrounding community as determined by the Dean of Students in his/her sole discretion.

Each student shall be responsible for his/her conduct and be subject to this Code from the first day of classes of any term for which the student has enrolled or the first day of the orientation program for that term—whichever is earlier—and whether or not the student attends the orientation program or the first day of classes through the actual awarding of a degree, 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.) The Student Code shall apply to a student’s conduct even if the student withdraws from the University while a disciplinary matter is pending.

General Standard of Conduct

The University of Tulsa holds high expectations for student conduct. The pursuits of each student and the high ideals of the University will be served best when students interact with one another and the University in an atmosphere of mutual respect, dignity, trust, and honor. Specifically, it is incumbent upon each University of Tulsa student to:

- Respect order, fairness, morality, and the rights of others.
- Obey the laws of the land and the regulations, rules, and policies of the University.
- Conduct his or her activities with high regard for the ideals of higher education, which include personal honor, academic honesty, and intellectual freedom.

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

Examples of violations of the General Standard of Conduct may include, but are not limited to, the following:

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

Prohibited Conduct

Any student found to have engaged in the following conduct will be subject to disciplinary action or involuntary withdrawal (See policy on Involuntary Withdrawal) by the University.

1. Academic misconduct
   Any activity that tends to compromise the academic integrity of the University, or subvert the educational process. Examples of academic misconduct include, but are not limited to:
   a. Violation of course rules as contained in the course syllabus or other information provided to the student; violation of program regulations as established by departmental committees and made available to students;
   b. Knowingly providing or receiving information during examinations such as course examinations and candidacy examinations; or the possession and/or use of unauthorized materials during those examinations;
   c. Knowingly providing or using assistance in the laboratory, on field work or on a course assignment unless such assistance has specifically been authorized;

d. Submitting plagiarized work for an academic requirement. Plagiarism is the representation of another's work or ideas as one's own; it includes the unacknowledged word-for-word use and/or paraphrasing of another person's work, and/or the inappropriate unacknowledged use of another person's ideas:
e. Submitting substantially the same work to satisfy requirements for one course that has been submitted in satisfaction of requirements for another course, without permission of the instructor of the course for which the work is being submitted;
f. Falsification, fabrication, or dishonesty in reporting laboratory and/or research results;
g. Serving as, or enlisting the assistance of a substitute for a student in the taking of examinations;
h. Alteration of grades or marks by the student in an effort to change the earned grade or credit;
i. Alteration of academically-related University forms or records, or unauthorized use of those forms; and
j. Engaging in activities that unfairly place other students at a disadvantage, such as taking, hiding, or altering resource material, or manipulating a grading system.

2. Endangering health or safety
Taking or threatening action that threatens or endangers the safety, physical or mental health, or life of any person, whether intentionally or as a result of recklessness or gross negligence.

3. Destruction of property
Actual or threatened damage to or destruction of University property or property of others, whether done intentionally or with reckless disregard.

4. Dangerous weapons or devices
Use, storage, or possession of dangerous weapons or devices including, but not limited to, firearms and fireworks unless authorized by an appropriate University official or permitted by a University policy.

5. Dishonest conduct
Dishonest conduct including, but not limited to, knowingly reporting a false emergency, knowingly making false accusation of misconduct; misuse or falsification of University documents by actions such as forgery, alteration, or improper transfer, submission to a University official of information known by the submitter to be false.

6. Theft/unauthorized use of property
Theft or attempted theft, or the unauthorized use or possession of University property or services, or the property of others.

7. Failure to comply with University or civil authority
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.

8. Drugs
Use, production, distribution, sale, or possession of drugs in a manner prohibited under law.

9. Alcohol
Use, production, distribution, sales, or possession of alcohol in a manner prohibited under law or applicable University policy.

10. Unauthorized presence
Unauthorized presence to or presence in or on University premises.

11. Care
Inability to care for daily physical needs without assistance and has failed to secure such assistance.

12. Disorderly or disruptive conduct
Disorderly or disruptive conduct that unreasonably interferes with University activities or with the legitimate activities of any member of the University community.

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

14. University Student Conduct system abuse
Abuse of any University student conduct system, including, but not limited to:
a. Failure to obey the notice of a student conduct body or University official;
b. Falsification, distortion, or misrepresentation of information before a student conduct body;
c. Disruption or interference with the orderly conduct of a student conduct proceeding;
d. Institution of a conduct proceeding knowingly without cause;
e. Attempting to discourage an individual's proper participation in or use of a University student conduct system;
f. Attempting to influence the impartiality of a member of the University Student Conduct Board prior to, and/or during the course of a conduct proceeding;
g. Harassment (verbal or physical) and/or intimidation of a member of the University Student Conduct Board prior to during, and/or after a conduct proceeding;
h. Failure to comply with one or more sanctions imposed under the code of student conduct;
i. Influencing or attempting to influence another person to commit an abuse of the University Student Conduct system

j. Retaliation against a complainant especially in connection with a complaint of sexual harassment or violence.

15. Violation of University rules
Violation of other published University regulations, policies, or rules 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.

16. Riotous Behavior
a. 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.
b. Proscribed behavior in the context of a riot includes, but is not limited to:
i. Knowingly engaging in conduct designed to incite another to engage in riotous behavior; and
ii. Actual or threatened damage to or destruction of University property or property of others, whether done intentionally or with reckless disregard; and
iii. Failing to comply with a directive to disperse by University officials, law enforcement, or emergency personnel; and
iv. Intimidating, impeding, hindering, or obstructing a University official, law enforcement, or emergency personnel in the performance of their duties.
c. This rule shall not be interpreted as proscribing peaceful demonstrations, peaceful picketing, a

call for a boycott, or other forms of peaceful dissent.

University Student Conduct Board and University Conduct Administrators

Upon the occasion of suspected student or student organization violation of the General Standard of Conduct or the above-listed rules, regulations, or policies, students and the University shall have the right to invoke conduct proceedings. Some of the policies carry their own procedures. Where these procedures are not specifically provided for, the University will proceed using the provisions of the University Student Conduct Board. Conduct subject to academic standards under the policies of a specific program (i.e. law, nursing) may also be subject to review under disciplinary procedures.

These procedures also apply when a matter is being decided by a single student Conduct Administrator.

Articles and Procedures

Article I: Composition and Jurisdiction

A. Section 1: Composition
The University Student Conduct Board (USCB) of The University of Tulsa (the University) shall be composed of the Dean of Students as a permanent member and of an additional 10 members appointed for terms of one year as follows:

1. Two administrators appointed by the President of the University

2. Four faculty members appointed by the President of the Faculty Senate

3. Four students appointed by the President of the Student Association with the approval of the Student Senate. Individuals appointed under this Section may be re-appointed to serve more than one term.

B. Section 2: Jurisdiction
The USCB shall have original jurisdiction to hear complaints respecting student offenses, according to the procedures specified in Article II below. The USCB shall have appellate jurisdiction regarding the conduct procedures of the Interfraternity Council (IFC), residence hall disciplinary proceedings, or similar student body, by the Dean of Students, or by the Dean's appointed representative.

1. For purposes of these Articles, an offense is any act or omission that violates University policies and regulations as stated in the Bulletin, handbooks, 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.

2. The original jurisdiction of the USCB shall not supersede the original jurisdiction of the IFC, the residence hall disciplinary proceeding procedures, or similar student body.

3. The original jurisdiction of the USCB shall not deprive the President or Dean of Students of the right to proceed summarily in cases of serious consequence, as may be required by the best interests of the University.

4. The Dean of Students shall have discretion to require that complaints of a sufficiently serious nature be heard originally by the USCB.

5. Written copies or summaries of all proceedings appealed to the USCB shall be filed with the Dean of Students at least three (3) working days prior to any appellate proceedings on such complaints.

6. The USCB serves as the final level of appeal for student complaints.

Article II: Procedure

A. Section 1: Complaints
Students, the Dean of Students, or other appropriate staff members who believe an offense, as defined in Article 1, Section 2 (a) above, has been committed shall issue a complaint by completing the appropriate form in the Office of Student Affairs.

B. Section 2: Review of Complaints
Upon receipt of a complaint, the Dean of Students shall review the complaint and may review any other materials or make inquiry of any person whom he/she believes may have information that bears on the merits of the complaint. If the Dean finds that there is good reason to proceed, he/she shall initiate a disciplinary proceeding. If the Dean finds that there is no good reason to proceed, then no further action by the USCB shall be taken on the account of the complaint.

C. Section 3: Conduct Panels; Proceeding Options
An accused student, based upon a complaint approved by the Dean of Students, has the right to proceedings by a conduct panel of the USCB.
The Student Conduct Administrator may conduct an investigation to determine if the complaints have merit and/or if they can be disposed of administratively by mutual consent of the parties involved on a basis acceptable to the Student Conduct Administrator. Such disposition shall be final and there shall be no subsequent proceedings. If the complaints are not admitted to and/or cannot be disposed of by mutual consent, the Student Conduct Administrator may later serve in the same matter as the Student Conduct Board or a member thereof. If the student admits violating institutional rules, but sanctions are not agreed to, subsequent process, including a hearing if necessary, shall be limited to determining the appropriate sanction(s).

1. Conduct panels of the USCB shall be composed of one administrator, two faculty members and two students selected by the Dean of Students from the member roster of the USCB. The Dean shall designate the administrator or a faculty member to serve as chairperson.

2. If the Dean of Students, in his/her sole discretion, determines that the case is appropriate for such treatment, he/she may offer the accused student the option of having the complaint reviewed by the conduct panel (Option 1) or by the Dean of Students or other Conduct Administrator (Option 2). Under Proceedings Option 2, the complaining student and the accused student may choose to have the Dean of Students mediate a solution to the problem. Upon signing the mediation agreement, the involved students agree to accept the decision of the Dean as final with no appeal.

D. Section 4: Procedures

1. The conduct panel or the Dean of Students or other Conduct Administrator may call and examine witnesses and examine whatever information is considered relevant to the issues.

2. The panel or Dean may make a verbatim tape recorded or stenographic record of the proceedings.

3. Information regarding a prior complaint against the accused student that did not result in a finding of responsibility shall not be admissible at the proceedings.

4. A finding of no responsibility or partially/fully responsible shall be based on the information presented at the proceeding.

5. The University of Tulsa may designate legal counsel to advise the panel or the Dean as to their conduct of the proceedings against the accused student.

6. The conduct panel (under Option 1) or the Dean of Students or other Conduct Administrator (under Option 2) shall determine whether the student is not responsible or partially/fully responsible for an offense, and if so, shall determine the sanction to be imposed or recommended.

7. In all cases, a student accused of one or more violations of the student code has the right to a hearing. However, in a case where an accused student admits such violations in writing, the student may request in writing to have a decision as to appropriate action made administratively by a hearing officer rather than have the complaints referred to a hearing officer, panel or commission for a hearing. In such situations, the student waives the right to a hearing and the related procedural guarantees provided by a hearing officer, the panel or commission hearing. Following an administrative decision, the student retains the right to request an appeal of the original decision, but may do so only upon the grounds that the sanction is grossly disproportionate to the offense committed.

8. Formal rules of process, procedures, and/or technical rules of evidence, such as are applied in criminal or civil court are not used in this Code's proceedings.

9. If an accused student, with notice, does not appear before a Student Conduct Board Hearing, the information in support of the complainant shall be presented and considered even if the accused student is not present. This includes if the student were to withdraw from the University pending a hearing. The proceedings would continue.

E. Section 5: Rights of the Accused

In conformity with The University of Tulsa's Statement on Student Rights, Freedoms, and Responsibilities, no student shall be found partially/fully responsible for an offense without having been afforded each of the following rights, except with respect to those rights specifically and knowingly waived by the student in writing:

1. Written notice of the specific complaints against the student and a copy of this conduct code, at least five (5) working days prior to the commencement of the proceedings. Notification may be made by letter or through the University e-mail system.

2. The opportunity at the proceedings to hear all information against the student and to question all witnesses against the accused student.

3. The opportunity at the proceeding to present relevant information and witnesses on his/her behalf.

4. The right to remain silent at all points in the disciplinary proceeding provided that the aforementioned right is deemed to have been waived by the student who elects to testify in his/her own behalf.

5. The right to have a support person from the University community present to advise the student in the proceedings (requires advance notice to the University Student Conduct Board); however the support persons may not speak nor act on the behalf of the student during the proceedings.

6. The right not to be proceeded against a second time for the same alleged offense unless there is reason and information to believe that the student sought to destroy or otherwise suppress information. Such conduct shall constitute a separate offense under these articles.

F. Section 6: Determination of Responsibility

If a majority of the conduct panel (under Option 1) or the Dean of Students or other Conduct Administrator (under Option 2) finds that it is more likely than not that the student is partially/fully responsible for an alleged offense, the panel or the Dean shall impose or recommend whatever sanction is determined appropriate; however, under Option 1, the sanctions of suspension or expulsion from the University shall not be imposed or recommended unless four members of the panel concur that such a sanction is appropriate. Such recommended suspension or expulsion from the University shall require the approval of the appropriate University Vice President.

G. Section 7: Notice of Findings

At the conclusion of a proceeding, the Chairman of the conduct panel shall report in writing to the Dean of Students the findings of partial or full responsibility or of no responsibility and any recommended sanction. The Dean of Students shall communicate same to the student.

H. Section 8: Appeal

If a student is found partially or fully responsible by the Dean of Students, IFC, Panhellenic, residence hall disciplinary proceedings, or similar conduct body, the student may appeal the finding of partial or full responsibility or the sanction imposed to the USCB unless the student has previously agreed to accept the original decision without an option for appeal.

1. Such an appeal must be filed with the Dean of Students by a written notice of the appeal within five (5) working days after the student has been notified of the decision in the original proceeding.

2. The notice of appeal shall state with reasonable specificity the reasons why the student believes the original finding was erroneous or the sanction imposed improper. 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 Student Conduct Board hearing was conducted fairly in light of the complaints and information presented, and in

conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that the Student Code was violated, and giving the accused student a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.

b. To determine whether the decision reached regarding the accused student was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of the Student Conduct Code occurred.

c. To determine whether the sanction(s) imposed were appropriate for the violation of the Student Conduct Code which the student was found to have committed.

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 to the person appealing at the time of the original Student Conduct Board hearing.

3. Upon receipt of a notice of appeal, the Dean of Students shall appoint from the membership of the USCB a review panel comprising a faculty member, administrator, and student.

4. The Review Panel is to determine the merits of the appeal on the basis of the proceeding record or interviews with the proceedings official and may examine additional information and witnesses and hold additional proceedings. Appeals shall be limited to a review of the investigation, and the initial conclusion may be revised if appropriate; however, no new investigation will be brought about from an appeal. The Review Panel shall have power, by majority vote, to affirm or overrule the findings, and in the event it affirms, may modify the sanction originally imposed or recommended.

5. Decisions of the USCB are final.

I. Section 9: Closed Proceedings
All proceedings under these Articles shall be closed to persons not participating in the proceedings. Deliberations of the panel shall be closed to all except the members of the panel.

J. Section 10: Retention of Records; Release
Unless a record of a sanction imposed in the proceedings becomes and remains a part of the student's permanent University record, no information about the complaint or the proceedings therein shall, without the consent of all students accused in the complaint, be disclosed to any person except:

1. As provided by the Family Educational Rights and Privacy Act (FERPA).

2. In response to an order of subpoena of any court or administrative agency having authority to issue such an order of subpoena; in response to any other order with which The University of Tulsa, or any employee of The University in his/her 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 his/her official capacity.

Article III. Sanctions

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

A. Section 1: Warning, Reprimand, or Admonition

Verbal or written notification to the student that his/her conduct has been unacceptable and requires immediate improvement. Further incidents of misconduct may result in additional disciplinary measures.

B. Section 2: Restitution

A student may be directed to pay, or in some way compensate for damages resulting from his/her misconduct.

C. Section 3: Punitive Fine

A student may be directed to pay punitive damages resulting from his/her misconduct. Such a monetary fine would be payable to The University of Tulsa or other appropriate entity.

D. Section 4: Probation

There are three forms of probation:

1. 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.

2. Residence Hall Probation—Imposed when conduct in a residence hall has been unacceptable and bears improvement. Recurrence of such unacceptable conduct may result in suspension from the residence hall or other disciplinary measures.

3. Disciplinary Probation—Written notification that conduct has been unacceptable. The student is normally placed on disciplinary probation for a specific period. Disciplinary probation also may entail withdrawal of certain privileges. If the student is involved in misconduct during his/her probationary period, the question of his/her suspension from the University will be raised automatically.

E. Section 5: Withdrawal of Privileges

Certain student privileges can be withdrawn by the appropriate conduct body.

F. Section 6: Interim Suspension

In certain circumstances, the Dean of Students or a designee, or the Resident Hall Conduct Administrator may impose a University or residence hall suspension prior to the Student Conduct Board Hearing before a Student Conduct Board.

1. Interim suspension may be imposed only: a) to ensure the safety and well-being of members of the University community or preservation of University property; b) to ensure the student's own physical or emotional safety and well-being; or c) if the student poses an ongoing threat of disruption of, or interference with, the normal operation of The University.

2. During the interim suspension, a student shall be denied access to the residence halls and/or to the campus (including classes) and/or all other University activities or privileges for which the student might otherwise be eligible, as the Dean of Students or a designee may determine to be appropriate.

3. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Conduct Board Hearing, if required.

G. Section 7: Suspension
Suspension of a student from the University indicates that a student's behavior has been unacceptable to a considerable degree. Suspension may be invoked immediately following appropriate proceedings or at the end of a particular academic session. A student usually will be suspended for a specific period. Following the expiration of this time, the student may petition the suspending body for permission to re-enroll in The University. Student rights and privileges cease upon Suspension. Exception may be petitioned to the Dean of Students.

H. Section 8: 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.

I. Section 9: Withholding Degree
The University may withhold awarding a degree otherwise earned until the completion of the process set forth in the Student Conduct Code, including the completion of all sanctions imposed, it any.

J. Section 10: Dismissal
Dismissal is complete separation from the University. A student may be dismissed for unusual misconduct or after repeated violation of University regulations. (Dismissed students usually are not permitted to re-enroll in the University).

K. Section11: Other Disciplinary Actions as May be Deemed Appropriate

L. Section 12: The following sanctions may be imposed upon groups or organizations:

1. Those sanctions listed above.

2. Loss of selected rights and privileges for a specified period of time.

3. Deactivation, loss of all privileges, including University recognition, for a specified period of time.

The principles underlying these sanctions are as follows:

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

The University Of Tulsa Code Of Student Conduct, which applies to all students, outlines expectations for the behavior and responsibilities for both students and organizations. The following sanctions will be applied if it is determined by means of The University's conduct policies and procedures that the actions or behaviors of any member(s) of a student organization that has an application and selection process for membership places the health, safety, or welfare of others in jeopardy in connection with any organization activity of any kind whether authorized or not and regardless of where the activity occurs.

Generally, these sanctions will be applied in sequential order based on repeated violations. However, the University reserves the right, based on the nature and severity of the actions or behaviors, to apply more stringent sanctions even if lesser sanctions have not been previously applied. If a violation were to occur in which an individual was disabled or died, the organization would immediately be disbanded with no opportunity to be reestablished for a minimum of ten years.

First Incident in an Academic Year
The University would determine the average size of the organization's three most recent membership classes encompassing an entire academic year, i.e. fall and spring semesters. In the next recruitment cycle following the incident which would either be the fall and spring semester or the spring and fall semester, depending on the date of the violation, the organization's membership class capacity would be reduced by 33% based on the previous three years' average. Every prospective member would be required to receive information from the organization during the recruitment period indicating this fact along with a general description of the circumstances that prompted the sanction.

Second Incident in a Three Year Period Following the First Sanctioned Violation
In addition to the sanction for a first violation, a second violation within any three academic years would result in the membership class in the next recruiting cycle following the incident which would either be the fall and spring semester or the spring and fall semester, depending on the date of the violation, to be reduced by an additional 50% based on the previous three years' average. Additionally, in the case of fraternities and sororities, no freshmen from that membership class would be allowed to move into the fraternity or sorority house in fulfillment of The University's residency requirement.

Third Incident in a Three Year Period Following the Second Sanctioned Violation
In addition to the sanction for the first and second violation, a third violation within any three academic years would immediately cause the University to rescind its recognition of the organization for a period of two years. The organization could no longer have any relationship with The University, be involved in any activities that were identified in any way as being associated with the organization, and in the case of fraternities and sororities, members would no longer be permitted to live in the organization's housing facility.

Possible sanctions for violations of the General Standard of Conduct may include, but are not limited, to the following: exclusion from certain extra-curricular, co-curricular, intramural, intercollegiate, or student activities and organizations; verbal and/or written warning; reprimand; admonition; restitution; punitive

fine; membership, residence hall or disciplinary probation; withdrawal of privileges; suspension; and/or expulsions/dismissal.

Involuntary Separation Policy

Introduction

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: 1) the types of behaviors that The University may need to address; and 2) procedures which may be used.

In rare circumstances, the Dean of Students or the Dean's designee may determine that a student must be Involuntarily Separated from The University. Those who are involuntarily separated for any reason are not allowed to participate in any University activities, attend classes, reside in or visit on-campus student housing, and may not be on campus except to attend a meeting or hearing related to their separation. Involuntary Separation shall remain in effect for a minimum of one calendar year. Students who desire campus housing on their return from an Involuntary Separation are responsible for notifying the Office of Housing and Residence Life of their intention with sufficient advance notice. The University cannot guarantee on-campus housing will be available upon return to The University.

The procedures for Involuntary Separation from The University will be used only after reasonable attempts to secure voluntary separation have been exhausted. An Involuntary Separation may be imposed if a student is unwilling or unable to request a voluntary leave of absence, and such a separation may be necessary to protect the safety of The University community and the integrity of The University's learning environment. A student will be subject to Involuntary Separation when there is a reasonable possibility the student's behavior will result in:

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

In most such cases these situations can be addressed by the student's decision to voluntarily withdraw from The University. However, if the student is unwilling to voluntarily withdraw, the Dean of Students or designee may invoke The University's right to Involuntarily Separate the student from The University. 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.

Involuntary Separation

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.

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 working

days prior to the effective date of separation to review the following issues. The representative must be a member of The University community and attorneys are not permitted to participate in the meeting to discuss:

1. The reliability of the information concerning the student's behavior and/or
2. Whether or not the student's behavior poses a danger of causing imminent harm to members of The University community or integrity of the learning environment, causing significant property damage, or substantially impeding the lawful activities of others.

Following the meeting, the Dean of Students will notify the student in writing indicating whether the Involuntary Separation will or will not proceed.

Appeal Process

If a student believes that a decision for an Involuntary Separation made by the Dean of Students/designee is unreasonable or that the procedures used were unfair, the student may appeal. The appeal must be made in writing to the Vice President for Enrollment and Student Services or the Vice President's designee. Appeals should clarify what facts the student believes were not considered, or explain what procedures where unreasonable or unfair. Once notified of the Involuntary Separation, the student has five (5) University business days to submit his/her appeal.

The Vice President or designee will respond in writing to the student's appeal within three University business days. The response will clarify whether the Vice President 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 Vice President or designee. Unless the Vice President or designee determines otherwise, the student will remain separated from The University for a period of one calendar year and must comply with stipulations provided by the Dean of Students before returning to the University.

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

In addition to the General Standard of Conduct for all University students, students enrolled in the College of Law are also responsible for adhering to the College of Law Honor Code. For copies of this policy, contact the Law School in John Rogers Hall.

Authority

The bylaws of the University Board of Trustees and rules of the University faculty provide that The University president shall have the final responsibility and authority for the discipline of all students of The University. This responsibility and authority has been delegated by the president to the Vice President for Enrollment and Student Services, whose office is also charged with responsibility for promulgation of rules governing student conduct.

The deans of colleges and the graduate school, the directors of schools, and chairpersons of departments, respectively are responsible to the president through regular disciplinary channels for the discipline of all students in the activities of their respective colleges, schools, and departments.

The University of Tulsa code of student conduct is an official publication of the University administration. All petitions for revision and amendment of this code of student conduct should be submitted through the office of the Vice President for Enrollment and Student Services. Proposed revisions to the code shall be reviewed, in draft form, by the Office of the President, and Vice President for Enrollment and Student Services. No revision shall become effective unless approved by The University administration and until printed notice of such revisions is made available to students.

Policies Regarding Activities and Conduct

The rules, regulations, and policies contained in this handbook apply to all TU students, full time and part time, including but not limited to undergraduates, graduates, law school students, athletes, residence hall occupants, apartment occupants, members of fraternities and sororities, and commuting students.

In addition to the rules, regulations, and policies contained in this handbook, other handbooks specific for certain groups of students apply as well. Therefore, *the Policies & Procedures Handbook for School of Nursing, Sports Medicine Handbook, Student-Athlete Handbook, Undergraduate and Graduate Bulletins, Law School Policies and Regulations and the Law School Student Code of Conduct Handbook, Residence Living Handbook, Office of Research: Policies, Procedures, Guidelines, or ACAC Facilities* booklet also may apply to you.

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

Affirmative Action/Equal Employment Opportunity

The University of Tulsa is an equal opportunity employer and institution of higher education. The University endeavors to create and nurture an informed and inclusive environment in its workplace and educational programs. Affirmative action and equal employment opportunity are integral parts of The University of Tulsa, not just because they are legally mandated, but because we recognize that the present and future strength of the University is based primarily on people and their skills, experience, and potential. The University of Tulsa does not discriminate on the basis of personal status or group characteristics, including, but not limited to, the classes protected under federal and state law. The University seeks to recruit, select, and promote students, faculty, and all other employees on the basis of individual merit.

The University of Tulsa, an Affirmative Action/Equal Employment Opportunity institution, recognizes the need to increase representation by underrepresented groups. The Affirmative Action/Equal Employment Opportunity Officer at The University of Tulsa has the responsibility for implementing and monitoring the Affirmative Action Plan of the University and assisting with the application and interpretation of pertinent laws and policy.

Individuals with complaints or inquiries should contact the Director of Personnel Services at 631-2259 or the Vice President for Enrollment and Student Services.

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

The University of Tulsa's Alcohol Policy: Intent, Educational Initiatives and Behavioral Expectations

I. Intent

The University of Tulsa's Alcohol Policy, like other standards of conduct applicable to the University community, is intended to further the educational mission of the University. The University is committed to the welfare of its students, faculty, staff and the surrounding community. When individuals misuse alcohol, academic performance, health, personal relationships and safety are compromised. The University neither encourages nor condones the legal consumption of alcoholic beverages but recognizes such legal consumption occurs in a campus environment in which the majority of undergraduate students are below the legal drinking age.
Therefore, the University's Alcohol Policy has been created in the spirit of emphasizing individual and shared responsibility, healthy and informed decision-making and maintaining a caring environment – including providing medical and therapeutic responses to individuals with alcohol-related concerns. It is for these reasons that a University-wide commitment to alcohol education prevails and why members of the University community are assured that the absence of alcoholic beverages from social events is an acceptable practice.

II. Educational Initiatives

The abuse of, and dependency on, alcoholic beverages are issues of concern to the TU community as well as society at large. To this end, education becomes the responsibility of the entire campus community and includes an individual's peers, and any organization sponsoring an event where alcoholic beverages are served.
In addition, any sponsoring organization that intends to conduct events where alcoholic beverages will be consumed will be required to register the event in advance and: a) have its president and social chairman attend a University-sponsored alcohol education seminar and b) conduct a University-approved alcohol education seminar for its entire membership once a year. Failure to comply will result in the inability to conduct such events.
Additionally, a range of other educational programs are provided by various departments and organizations throughout the academic year.

III.Behavioral Expectations

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

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

The University of Tulsa Alcohol Policy

The University of Tulsa is an educational community dedicated to maintaining a healthy and safe community that reflects high standards of academic excellence and responsible social behavior. This policy permits the responsible use of alcohol in moderation by persons of legal drinking age in accordance with the law and these regulations. In general the law states that the legal minimum age for the consumption of alcoholic beverages in 21. Thus it is a violation of the law and this policy for anyone under the age of 21 to possess or consume alcoholic beverages. It is also a violation of the law and this policy for anyone of any age to provide alcoholic beverages to someone under the age of 21.
All student organizations, students and employees at The University of Tulsa and their guests are responsible for following federal, state and local laws regarding the possession and use of alcoholic beverages and The University of Tulsa Alcohol Policy. Consumption of alcohol is prohibited on university premises except as authorized by this policy.

1. Sale - The sale of alcoholic beverages on campus is prohibited except for sales of beer in the Hurricane Hut 2 or in other locations as permitted by the University license. Beer purchased in the Hurricane Hut 2 must be consumed in the Hurricane Hut 2 or its outdoor patio.

2. Registration of events - All events where alcoholic beverages may be consumed, whether held on or off the campus, are to be properly registered on the form available from the Office of Student Affairs, Holmes Student Center, at least 7 days prior to the event. Parties and events confined to the individual residences of students, 21 or older, that do not affect the immediate environs or the larger community, need not be registered. However, only students and guests 21 and older may possess and/or consume any legal alcoholic beverage.

Events at which alcoholic beverages are present must be held between the hours of noon and 2:00 a.m. No event shall be more than four hours in length.

Students residing in residence halls and fraternity houses are referred to the *Guide to Living on Campus*, and the *Fraternity Event Alcohol Procedures*, respectively. For more detailed information on the policy for residence halls, see the *Guide to Living on Campus* and for fraternity events, see section 17 of this policy.

3. Locations for Registered Events – When an event has been properly registered, beer may be consumed, but not sold, in the following locations: The Great Hall, and the outdoor patios and surrounding areas of the Allen Chapman Activity Center , Collins Hall, residence halls, fraternity houses, Harwell Field, Chapman Commons, The "Old U", John Rogers Hall and surrounding areas, Designated locations in H.A. Chapman Stadium, the Reynolds Center, and the Reynolds Plaza area located between H.A. Chapman Stadium and the Reynolds Center, and other locations by special petition to the Dean of Students in the Office of Student Affairs.

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

5. Publicity and Sponsorship – Publicity for events must focus on the purpose of the event, the sponsoring organization and the University, and must not highlight the availability of alcoholic beverages at the event.
Therefore, terms that relate to alcohol or its imagery are prohibited for use in publicity. The use of social websites (e.g., Face Book, My Space, etc.), as a means of publicizing an event is prohibited. The Dean or Associate Dean of Students, in the Office of Student Affairs, must approve all event publicity. Events designated for "Invited Guests Only" may not be publicized. Any publicity to be posted in the residence halls must be pre-approved by the Director of Residence Life. In support of the academic atmosphere of the institution, no marketing or program sponsorship can come from distributors of alcoholic products. This includes no promotions or distribution of free gifts or products (food, beverages, etc.).

6. Event Security - **Responsibility of Organization Officers** - It is the position of TU, as stated in University policies, that organization officers be held accountable in the planning and administration of their organizations' parties and other registered events. Organization officers are responsible for promoting an orderly atmosphere, providing for the welfare and safety of guests, and ensuring adherence to the University's alcohol beverage policy, as well as other policies which may apply. Organization officers are to be particularly vigilant in ensuring that all members comply with University guidelines regarding proof of age identification. The organizations and their officers will be held accountable for any violations of the Student Organization Security Procedures found in section 16 of this policy.

7. Event Security - Responsibility of Security Officer(s) - Security officers will assist student leaders or responsible parties, should they encounter student conduct problems, in the fulfillment of their responsibilities. At events where security officers are present, organization officers are expected to work cooperatively with security officers through the event and to ensure compliance with university policies and procedures. At any registered event where alcohol is consumed, at least one university approved security officer must be present. When an event has more than 100 people present, one additional security officer, one campus security officer, one shirt squad staff, and 4 organization officers are required. The responsible parties must make these arrangements at least seven (7) days prior to the event by contacting the director of campus security.

8. Responsibility Regarding Damages - If damage to property occurs at any event where alcohol is served, the direct cost of repair may be passed on to the sponsoring organization. Additionally, the University may elect to proceed with disciplinary measures. The determination in these matters will be handled by the appropriate supervisor of the facility. Any discrepancies or appeals of assessed damages may be referred to the Dean of Students. Until such time that damage claims have been resolved, the organization shall not be able to sponsor any social event on campus.

9. Guest Procedures - Student organizations that sponsor registered events where alcoholic beverages are consumed may have only TU students and invited guests in attendance**.** TU students must present a valid TU identification card or other form of photo I.D. showing date of birth to gain admission to the event. Invited guests must present a valid driver's license to gain admission to an event. Further,

student organizations are urged to extend written invitations to those whom they wish to attend the event.

10. Fire Code and Occupancy Requirements - Campus organizations must also abide by Fire Code regulations regarding the posting of Occupancy Load signs in designated areas. Organization officers are responsible for insuring that appropriate personnel will monitor the number of people in designated areas so as not to exceed posted occupancy load.

11. Consumption in Student Residences – Students who are 21 or older may consume any form of legal alcoholic beverage in the privacy of their residence hall room or apartment.

12. Prohibition regarding single-source containers – Single source containers including but not limited to kegs or "beer balls" are never permitted in any student residence or at any registered student event.

13. Providing non-alcoholic beverages and food – At any registered event where alcoholic beverages are present, the sponsoring organization must provide complimentary non-alcoholic beverages in sufficient quantity to meet the needs of those attending. In addition, a variety of complimentary, nonsalty food must be available to meet the needs of all guests throughout the duration of the event.

14. Sanctions Pertaining to Students
Any violation of the alcohol policy will subject the student to the following minimum disciplinary sanctions. Violations by University personnel will be addressed through the appropriate administrative channels and policies.

A. First Offense – The first alcohol violation in an academic year will result in:
1. $150 fine (or 30 hours of community service in lieu of fine)
2. An alcohol assessment
3. Required attendance to an educational workshop
4. Placed on probation for one semester
5. Parents of students under the age of 21 will be notified by a letter

B. Second Offense – The second alcohol violation in an academic year will result in:
1. $225 fine
2. An additional alcohol assessment
3. Required attendance to an 8 hour educational workshop
4. 45 hours of community service
5. A letter will be sent to the student's parents
6. Probation will be extended; warned that 3rd offense will result in suspension for one Semester

C. Third Offense – The third alcohol violation in an academic year will result in:
1. $300 fine
2. Further alcohol assessment
3. 60 hours of community service
4. Automatic suspension from the University for one semester

D. As authorized by law, the Dean of Students may notify parents or legal guardians when students under the age of 21 are found to have committed serious or repeated violations of federal, state, or local law or University policies related to the possession, use, or distribution of alcohol or a controlled substance.

15. Administration of Alcohol Policy

a. Definitions
i. Alcohol and alcoholic beverages – are defined as any consumed beverage that has alcohol content. This would include but is not limited to all forms of beer, wine, wine

coolers and distilled beverages.

ii. Responsibility – “Responsible party” or “sponsoring party” are defined as those who plan, organize, host, or coordinate events where alcoholic beverages are present and consumed. The sponsoring party and those who choose to attend events where alcoholic beverages are present and consumed must assume full legal responsibility and liability for the consequences of their actions. The University holds the sponsoring party specifically responsible for the activities of their organization, members, and guests. The University will proceed with appropriate conduct proceedings or administrative action whenever a breach of this policy occurs. (Students, faculty and staff should refer to the University Student Code of Conduct regarding conduct procedures pertaining to students.)

b. Jurisdiction and Violations

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

c. Alcohol, Abuse, Intoxication and Intervention

Students and/or organizations demonstrating abuse, intoxication, dependency, or disregard of this policy may be subject to University discipline and/or removal from The University setting and will be referred to appropriate University or community services for assistance.

16. Student Organization Security Procedures

A. Security Officers are responsible for assisting student leaders or responsible parties should they encounter student conduct problems in fulfillment of these procedures. At events where Security Officers are present, organization officers are expected to work cooperatively with the Officers throughout the event to ensure compliance with University policies and procedures.

B. Security personnel should check in with the responsible parties. This will allow security to be informed about the nature of the event and provide a contact person should any problems arise.

C. Security personnel should arrive approximately 30 minutes before the event begins and should not leave before the crowd is dispersed. Compensation will be handled accordingly. The parking lot and adjacent properties should also be checked following the event to determine whether groups have gathered which could be considered a problem.

D. For events in ACAC policy prohibits beer purchased in HH2 to be brought to any other location in the building. There should be sufficient security in place to enforce this policy. No alcoholic beverages (including beer) can be brought into the building.

E. Security should assist individuals responsible for governing admission to events.

F. Security should patrol the facility during an event and should provide the visibility required to handle a crowd and to be easily contacted if their assistance is needed.

G. The duty of Security personnel is to preserve the safety of the participants, performers, building, and university property.

H. If Security fails to arrive or is available in insufficient numbers, the student or responsible party in charge should contact the Security Department Dispatcher at x5555 to request additional Security.

I. Emergency matters which require fire, police, or ambulance services should be coordinated with

security assigned to the event.

17. Fraternity Event Alcohol Procedures

Fraternities must follow the above guidelines as well as the following additional regulations.

A. Guest List
1. Open parties, meaning those activities where alcohol is present which have unrestricted access by non-members of the fraternity, are prohibited. Thus, all guests both men and women must be on the guest list for an event. If social websites are used as a means to invite guests (keeping in mind that they may not be used to publicize the event to those not invited), invitations must be sent only to those individuals indicated on the official guest list. These events will not be publicized and flyers with “Invited Guests Only” and “I.G.O.” are prohibited.

2. All people on the guest list must be 18 years of age or older or a student of The University of Tulsa.

3. The size of a function shall be limited to the individual members of the chapter and no more than five guests per member.

4. The tentative guest list may exceed the capacity of the chapter house by no more than 100 people. At no time should the number of people in the chapter house exceed the designated capacity as determined by the fire marshal or the occupancy load posted in the fraternity house. Chapters must also comply with their fraternity’s risk management policy.

5. The tentative guest list must be entered into a spreadsheet database computer program so that an alphabetized list can be generated.

6. Modifications to the guest list may be made up to the day of the event (unless Saturday, Sunday, or a school holiday). Modifications of up to 10 additions may be made at the event but must be approved by the signature of the President of the chapter (or his designee, if he is unable to attend) or the Social Chairman. The names of the two individuals who will be responsible for approving modifications should be noted at the top of the tentative guest list submitted with the Alcohol Event Registration Form.

7. Admission to a registered function shall be only by the guest list at the door and all who are admitted will initial the guest list next to their name. In the case of a modification, the security officer who is working the door will also initial the change.

8. The resulting initialed list of actual attendees will be turned in by the second day of class following the event to the Office of Student Affairs.

B. Event Security
1. The host fraternity will procure and pay for security through The University of Tulsa Department of Campus Security in accordance with the guidelines listed in the campus alcohol policy. The event coordinator must contact the Campus Security at least seven (7) days in advance to arrange for university approved security staff.

2. The event shall be restricted to the first floor of the chapter house only. Members and guests on the guest list may not venture to any other part of the chapter house during the event.

C. Alcohol
1. The possession, use and/or consumption of alcoholic beverages, while on chapter

premises, during an official registered fraternity event, or in any situation sponsored or endorsed by the chapter, must be in compliance with any and all applicable laws of the state, county, city, and policies of the university.

2. No member shall permit, tolerate, encourage or participate in “drinking games” at a fraternity sponsored event.

3. No alcoholic beverages may be purchased through the chapter treasury nor may the purchase of same for the members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter.

4. Beverages, both alcoholic and non-alcoholic must be consumed from their original containers. The chapter must provide an adequate supply of cold, non-alcoholic beverages for event attendees. Beverages must be in original single serving size containers. Plastic and/or paper cups are prohibited.

5. Alcoholic beverages at a chapter house event are limited to 3.2 beer. As such, drinks containing hard liquor and/or wine are prohibited.

6. Each chapter member or guest 21 or older is limited to bringing one six pack of 12 ounce cans to an event. Glass containers of any kind are prohibited.

D. Alcohol Distribution
1. The Office of Student Affairs will provide two different colored sets of wristbands for the event. These wristbands will be distributed by the security guard at the door. One color will be distributed to individuals who are 21 years of age or above and the other color will be distributed to individuals who are not yet 21 years of age.

2. For guests and chapter members 21 years of age and above who bring alcoholic beverages to the event, the security guard at the door will write the name of the beverage the guest has brought onto their wristband and will note the quantity they are bringing in.

3. Alcoholic beverages will then be checked in at a beverage station.

4. The persons serving the beverages will be responsible for checking wristbands and punching the wristbands as beverages are retrieved. The person responsible for distributing the alcohol must be 21 years of age or older.

5. Individuals must present their wristband and identification each time they retrieve an alcoholic beverage.

6. At no time during the event will the persons working the beverage station serve alcoholic beverages to a member/guest who did not check their beverage.
Revised October 20, 2010

Parental Notification Policy for Alcohol and Other Drug Violations

The Higher Education Amendments of 1998 (P.L. 105-244-Sec.952) permit educational institutions to disclose to the parents or legal guardians of a student information regarding the student’s violation of any federal, state or local law or any rule or policy of an institution governing the use or possession of alcohol or a controlled substance, if the student is under age 21 and the institution determines the student has committed a disciplinary violation with respect to such use or possession.

The Dean of Student Affairs has the authority to determine when and by what means to notify parents or legal guardians when students under the age of 21 are found to have committed serious or repeated violations of

University policies related to the possession, use, or distribution of alcohol or drugs. The Dean of Student Affairs will follow these guidelines in determining whether to notify.

Notification of parents or legal guardians is indicated when:

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

Computer Equipment and Software Misuse

The University forbids the misuse of computer hardware and software to gain access to unauthorized data or to change University data or records in any fashion. It also is a violation to engage in unauthorized reproduction of software, to use illegally obtained software, or to use University equipment to make illegal copies of software. *The University of Tulsa Policy Governing Use and Duplication of Computer Software* may be obtained in any public computer laboratory by downloading from www.is.utulsa.edu (See "Ethics Code and Policy for Computer Use" in this section.) All Information Services Policies are available at www.is.utulsa.edu/policies.

Concealed Weapons Policy

Oklahoma's Concealed Weapons Act became effective on January 1, 1996. The University of Tulsa has reviewed its position regarding firearms and other weapons in the workplace and will continue with existing policies prohibiting the carrying of concealed weapons on University premises. (See "Firearms, Air Rifles, Weapons, Explosives, and Fireworks" policy below; *The Guide to Living of Campus*, *and the Policy and Procedures Manual*.)

In addition to the University's current policies, as a private institution, Title 21 Oklahoma Statutes section 1277D and 1290.22 prohibits carrying concealed weapons on colleges and university campuses, except under specified conditions as set out in University of Tulsa policy.
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 the Security Department and turn them over for storage.

Violation of The University of Tulsa's policies pertaining to concealed weapons may result in disciplinary action. Please contact the Office of Personnel Services or the Office of Student Affairs for questions or additional information.

Drug-Free Schools and Communities Act Policy

The University of Tulsa, through compliance with the requirements of the Drug-Free Schools and Communities Act of 1990, forbids the use of illegal drugs and controlled substances. This policy covers all full-time, part-time, regular, or temporary students and employees. The policy governs use and possession of alcoholic beverages of any kind and all controlled substances and illegal drugs. Student involvement in such activities is considered gross misconduct and, therefore, is subject to disciplinary action up to and including immediate dismissal.

This policy was adopted by The University of Tulsa on September 5, 1990, and stands in addition to all other existing drug policies, including those for athletes and employees.

I. GENERAL POLICY

At a time when our society faces enormous substance abuse problems, our purpose in developing 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 1990. The following substances are covered by this policy:

A. Alcoholic beverages of any kind.
B. 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.

II. 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:

A. Possession and/or distribution of marijuana.
B. Possession and/or distribution of other drugs.
C. Possession and consumption of alcoholic beverages by anyone under 21 years of age.
D. The consumption of alcoholic beverages on campus except as authorized by University policy.

III. LEGAL SANCTIONS

Federal and state laws impose grave penalties on those who illegally possess, use, or distribute drugs or alcohol. The major penalties may be summarized as follows:

Nature of Offense	**Minimum Penalty**	**Maximum Penalty**
Possession of marijuana	$1,000 or 15 days-1 year	10 years
Possession of other drugs	$1,000 or 15 days-1 year	20 years
Distribution of marijuana	$25,000 and 4 years-life	$4,000 and life without parole
Distribution of other drugs	$25,000 (28 gm cocaine, 5 gm cocaine base, 10 gm heroin); add 10 years minimum for amphetamines, $50,000 - 100,000 for 1 gm LSD, $20,000 - $50,000 for PCP	$8,000,000 and mandatory life without parole
Possession of liquor containing over 3.2% alcohol by anyone under 21 years of age	$0-100 or 0-30 days	100 and 30 days
Possession of liquor containing less than 3.2% alcohol by any-one under 21 years of age	$0-100 or 20 hours of community service	100 and 30 days

Furnishing anyone under 21 years of age with liquor containing over 3.2% alcohol	$2,500 or 0-5 years	$5,000 and 5 years

Penalties may escalate sharply between the minimums and maximums described, depending on the quantities of drugs involved and whether the individual has had a previous conviction. Also, minimum penalties vary, depending on the court in which a case is tried. Those listed above are the lesser of the state or federal penalties; thus, a higher minimum penalty may be levied depending on whether the case falls under the jurisdiction of a federal or a state court. Also, Congress or the Oklahoma legislature may change the penalties described herein after the date of this policy.

In addition to the criminal penalties described above, a member of the University community may become liable for personal injuries or property damage that occur because he/she illegally sells or, in some instances, furnishes illegal drugs or alcohol to someone else. This liability may include liability for injuries or death to the person to whom the drugs or alcohol are given or sold, and may also include liability to third persons who are injured or suffer property damage because of the actions of the person to whom the drugs or alcohol have been given or sold.

IV. HEALTH RISKS

It is important to understand the very serious risks incurred through the use of drugs or the abuse of alcohol. These risks include addiction to or dependency upon the substance; memory loss; liver and kidney failure; malignancies of the liver and kidneys; personal injuries while under the influence, infectious diseases including AIDS (if needles or other drug delivery devices are shared); injuries to the immune system; heart damage; changes in weight; loss of ability to concentrate or reason; personality changes; insanity; temporary loss of or heightened sensations; hallucinations; delusions; depression; inability to sleep or to remain awake; loss of judgment; and 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.

V. 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:

A. Employees and Students
The University's Counseling and Health Centers, located in the Alexander Health Center, provide free counseling and referral services to students and employees on a confidential basis. Any employee or student who has a drug or alcohol problem may seek help through this facility.

B. Employees
The University's health plans reimburse employees for part or all of drug and alcohol counseling and treatment, off campus, under the conditions of each plan. Employees should review their summary plan descriptions to determine the specific treatments that are available and the conditions for reimbursement.

C. 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, he/she should ask his/her 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 hi/her job upon completion of the treatment plan. For acute situations, hospitals with emergency rooms near the University campus include:

Hillcrest Medical Center, 1120 S. Utica;
St. John's Medical Center, 1923 S. Utica, and
OSU Regional Medical Center, 744 W. 9th St.

VI. SANCTIONS ON STUDENT EMPLOYEES

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

VII. 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.

VIII. 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.

IX. 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.

X. INTERPRETATION

This policy shall be interpreted consistently with the Drug-Free Schools and Communities Act Amendments of 1989.

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

Family Educational Rights and Privacy Act (FERPA)

In addition to checking with the Office of Student Affairs for any revisions to this policy (or others published in this handbook), please be aware that all higher education institutions are subject to revisions in federal law and regulations. At the time of printing, Congress has approved amendments that will result in changes to reporting and confidentiality requirements affecting the current privacy rights of those students under age 21. These and other changes may take effect after the printing of this handbook. TU must and will act 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.

The Congress of the United States, on August 21, 1974, enacted into law the Family Educational Rights and Privacy Act. This act sets out requirements of educational institutions designed to protect the privacy of students and their records.

Specifically, the act governs access to education records maintained by educational institutions and the release of information contained in such records. Copies of the law as

recorded in the Federal Register may be reviewed in the Student Affairs Office. The following statements and policies govern the University's compliance with the provisions of the act.

***Recently, new regulations were added to the Health Insurance Portability and Accountability Act of 1996 (HIPAA) regarding the privacy of health information. These regulations are effective April 14, 2003. Although FERPA pre-empts the rules of HIPAA, there may be situations where HIPAA standards will require the releases of health information.**

I. Students have the right to inspect and review the education records which pertain directly to themselves. Where such records include information on more than one student, each student shall be entitled to review or be informed only of that part which pertains to themselves. Students wishing to inspect and review their education records shall complete a "Request for Inspection and Review of Education Records Form" which may be secured in the Office of Student Affairs. Such requests shall be acted upon as expeditiously as possible but in no case in excess of 45 days after the request has been made.

II. Students shall not have access to the following material

A. Financial records of parents of the student or any information contained therein;

B. Confidential letters or statements of recommendation which were placed in the education records prior to January 1975, if such letters or statements are not used for purposes other than those which were specifically intended. If students file a waiver of their right to access, there shall not be made available to them confidential recommendations. If students file a waiver of their right to access, there shall not be made available to them confidential recommendations respecting admission to The University of Tulsa; respecting an application for employment with The University of Tulsa; respecting the receipt of an honor or honorary recognition at The University of Tulsa. Students may secure a "Waiver of the Student's Right to Access Form" form the Office of Student Affairs in Holmes Student Center, Room 59. A student or person applying for admission may waive his/her right of access to confidential statements described above, except that such waiver shall apply to recommendations only if: 1) the student is, upon request, notified of the names of all persons making confidential recommendations; and 2) such recommendations are used solely for the purpose for which they were specifically intended. Such waivers will not be required as a condition for admission to, receipt of financial aid from, or receipt of any other services or benefits from The University of Tulsa.

C. Students are provided with an opportunity for a hearing to challenge the content of their education records for the purpose of corrections or deletion if inaccurate, misleading or otherwise inappropriate date. It is suggested that where the students find the content of their education records to be inaccurate, misleading, or otherwise inappropriate, that attempts be made to adjust the content of such records with the University administrator responsible for the keeping of those records. Where such arrangements for adjustment cannot be worked out to the satisfaction of the parties concerned, the student is entitled to a formal hearing of his/her complaint.

D. The term "education records" means those records, files, documents, and other materials which contain information relating directly to a student and are maintained by the University or a person acting for the University. The term "education records" does not include:

1. Records of instructional, supervisory, or administrative personnel and educational personnel ancillary thereto which are in the sole possession of and maker thereof and which are not accessible or revealed to any other person except a substitute;
2. Records and documents of the University's Security Department which are kept apart and are maintained solely for law enforcement purposes and are not made available to persons other than law enforcement officials of the same jurisdiction;
3. Records relating to person who are employed by The University of Tulsa but who are not in attendance at the institution, such records being made and maintained in the normal course of business and relate exclusively to such person in the person's capacity as an employee and are

not available for use for any other purpose.
4. Records on a student which are made or maintained by a physician, psychologist, psychiatrist, or other registered professional or paraprofessional acting in their professional or paraprofessional capacity, or assisting in that capacity, and which are made, maintained, or used only in connection with the provision of treatment to the student, and are not available to anyone other than persons providing such treatment, except that such records can be personally reviewed by a physician or other appropriate professional of the student's choice.

E. The University is entitled to release "directory information" which includes the following: the student's name, address, telephone listing, date and place of birth, major field of study, participation in officially recognized activities and sports, weight and height of members of athletic teams, dates of attendance, degrees and awards received, and the most recent previous educational agency or institution attending by the student. The University may publish each year a student directory to include the student's name, local address, local telephone number, college of enrollment, and year of attendance. Student snot wishing to be included in the directory may so indicate by completing a "Request to Withhold Student Directory Information Form" available in the Office of Student Affairs.

F. The term "student" includes any person with respect to whom the University maintains education records or personally identifiable information but does not include a person who has not been in attendance at the University.

G. The University of Tulsa will not permit the release of education records or personally identifiable information contained therein other than directory information to anyone without the written consent of the student except for the following:

1. Other school officials, including teachers within the University who have been determined to have a legitimate educational interest;
2. Officials of other schools in which the student seeks or intends to enroll, upon condition that the student be notified of the intent to furnish such information, receive a copy of the records if desired, and have an opportunity for a hearing to challenge the content of the record.
3. Authorized representatives of:
   a. the Comptroller General of the United States
   b. the Secretary
   c. an administrative head of an education agency
   d. state educational authorities as provided by the law
4. In connection with a student application for or receipt of financial aid
5. State and local officials or authorities to whom such information is specifically required pursuant to state statutes adopted prior to November 19, 1974;
6. Organizations conducting studies for or on behalf of educational agencies or institutions for the purpose of developing, validating, or strengthening predictive test, administering student aid programs, and improving instruction, if such studies are conducted in such a manner as will not permit the personal identification of students by persons other than their representatives of such organizations and that such information will be destroyed when no longer needed for the purpose for which it was conducted;
7. Accrediting organizations;
8. Parents of such dependents, as defined in 26 U.S.C. 152; Subject to regulations of the secretary in connection with an emergency, appropriate persons if the knowledge of such information is necessary to protect the health and safety of the student or other persons.

H. The University will not provide access to any personally identifiable information in education records other than directory information or as permitted above unless:

1. There is written consent from the student specifying records to be released, the reasons for such release and to whom, and with a copy of the records to be released to the student , or
2. Such information is furnished in compliance with a judicial order, or pursuant to any lawfully

issued subpoena upon condition that the student is notified of all such orders or subpoenas in advance of the compliance therewith by the University.

I. Nothing contained in this act shall preclude authorized representatives of (1) the Comptroller General of the United States, (2) the Secretary, (3) an administrative head of an education agency, or (4) State educational authorities from having access to student or other records which may be necessary in connection with the audit and evaluation of federally supported education programs, or in connection with enforcement of the federal legal requirements which relate to such program; provided, that except when collection of personally identifiable information is specifically authorized by federal law, any data collected by such officials shall be protected in a manner which will not permit the personal identification of students and their parents by other than those officials, and such personally identifiable data shall be destroyed when no longer needed for such audit, evaluation, and enforcement of federal legal requirements.

J. The various University offices listed below in this statement maintain a record, kept with the education records of each student, which will indicate all individuals (other than those previously specified in these statements), agencies, or organizations which have requested or obtained access to a student's education records maintained by the University and which will indicate specifically the legitimate interest that each such person, agency, or organization has in obtaining this information. Such record of access shall be available only to students, to the University official and his assistants who are responsible for the custody of such records and to persons or organizations authorized in, and under the conditions previously specified in these statements as a means of auditing the operation of the system. With respect to this paragraph, personal information shall be transferred only to a third part on the condition that such party will not permit any other party to have access to such information without the written consent of the student.

K. The University will release to University faculty members who are bona fide faculty advisors to honorary societies or organizations such information as may be necessary in the selection process for members in such organizations. Such information may include that listed under the definition of "directory information" in addition to the student's cumulative grade point average. Faculty members wishing such information must complete a Confidential Information Request form available in the Office of Student Affairs. Such information will be released on the signature of the faculty member with the understanding that such information will be utilized only for the stated purpose and not to be divulged to third parties and that such information will be destroyed when no longer needed.

L. For purposes of this Act, whenever a student has attained 18 years of age, or is attending an institution of post secondary education, the permission or consent required of and the rights accorded to the parents of the student shall thereafter only be required of and accorded to the student.

M. The University offices which maintain "education records" and a brief listing of data kept by each office follows:

1. *Academic Deans (Offices of), Advising Offices*: grades earned, record of student's progress toward meeting degree requirements, correspondence relating to academic records and degree requirements, records of academic dismissals, correspondence relating to academic dishonesty.
2. *Admissions Office*: application forms, secondary school transcript, college transcript (if a transfer student), admissions test scores, letters of recommendation, when student is admitted and enrolled these records are forwarded to the Registrar's Office.
3. *Alexander Health Center*: health history form, medical records completed by physician and health center nurses.
4. *Business Office*: tuition accounts, student loan accounts, student scholarship accounts, student employee payroll records.
5. *Career Services*: information provided by the student such as data sheet, course sheet or transcript, letters of recommendation, and resume.

6. *Counseling Center*: test scores, records of counseling interviews.
7. *Housing Office*: student housing records.
8. *International Student Services*: personal data as provided by international students, and immigration records as provided by international students.
9. *Registration and Records*: grades earned, records of academic dismissals, classes completed, changes in registration, application for admission, admissions test scores, high school transcript, letters of recommendation for admission, records pertaining to veteran's status.
10. *Campus Security*: automobile registrations, parking violations.
11. *Office of Student Affairs*: records of membership in fraternities and sororities, students conduct records.
12. *Student Financial Services*: applications for loans, scholarships, and grants; action taken on applications; letters of recommendation regarding applications.

The above list is not intended to be exhaustive and some records will be accessible to the student while others will not. The above paragraphs should provide some outlines in determining which records are accessible to the student. Students, faculty, administrators, and others having questions pertaining to this point or any other matter dealing with this Act are referred to the Dean of Students.

FERPA Section 99.31 (1) (13) which implements 20 U.S.C. 1342g (b) (6) of the statute will "allow institutions of post-secondary education to disclose the results of a disciplinary proceeding conducted by the institution against an alleged perpetrator of a crime of violence to the alleged victim of that crime without the prior written consent of the alleged perpetrator." A crime of violence is defined as "(a) an offense that has an element of use, attempted use, or threatened use of physical force against the person or property of another, or (b) any other offense that is a felony and that, by its nature, involves a substantial risk that physical force against that person or property of another may be used in the course of committing the offense."
Form is available on Office of Student Affairs website.

MISSING STUDENT POLICY

In compliance with the Missing Student Notification Policy and Procedures 20 USC 1092 C; (Section 488 of the Higher Education Opportunity Act of 2008), it is the policy of the Department of Housing and Residence Life to actively investigate any report of a missing student who is enrolled at the University as either a full or part-time student. Each resident will be notified of the missing students' policy and procedures in the event that they are reported missing.

Each resident upon checking into their assigned room is requested via the Resident Student Check-In Card (RSCC) to identify the name and contact number of the individual(s) that is to be contacted in case of an emergency, including in the event of the resident being reported missing for a period of no more than 24 hours. For any resident under the age of 18, and not an emancipated individual, the institution is required to notify a custodial parent or guardian no later than 24 hours after the time that the resident is determined to be missing by Department of Campus Security and University staff.

If a member of the University community has reason to believe that a student is missing, all efforts will be made immediately (no waiting period) to locate the student to determine his or her state of health and well-being. These efforts include, but are not limited to, checking the resident's room, class schedule, friends, ID card access, contacting Department of Campus Security, locating the resident's vehicle, and calling cell phone number.

If upon investigation by Department of Campus Security and Housing and Residence Life Staff, the resident is determined missing for at least 24 hours, the Dean of Students will contact the resident's designated emergency contact or custodial parent or legal guardian, if under the age of 18 or the student has failed to designate an emergency contact. Department of Campus Security will continue to

investigate utilizing established investigative procedures and in collaboration with staff from Student Affairs and Housing and Residence Life. Department of Campus Security will also coordinate its efforts with outside law enforcement agencies in full compliance with legal obligations and good faith practice.

Policy on Parental Notification

Purpose
The purpose of this policy is to clarify the circumstances under which The University of Tulsa may disclose information about a student to the parent(s) or legal guardian(s) of the student without the prior consent of the student. This policy is consistent with the educational philosophy of The University and with all laws which govern disclosures of information about students to parents or legal guardians.

Who is Covered
Anyone who is enrolled as a student at The University of Tulsa.

Policy
The University of Tulsa treats its students as adults and supports them as they develop individual responsibility, maturity, and independence. The University respects the trust between students and parents or legal guardians and is committed to maintaining effective relationships with students and parents or legal guardians.

When a student chooses to enlist the help or support of parents or legal guardians, the staff of The University is happy to work in partnership with the student and parents or legal guardians. There are circumstances in which the disclosure of certain information is appropriate. These include questions related to certain aspects of financial aid, certain safety or health emergencies, and when students under the age of 21 have been found responsible for violating the University's policies regarding alcohol and other drugs.

The right of access to information in a student's educational record is governed by a federal law known as the Family Educational Rights and Privacy Act (FERPA). The right of access to other information, such as medical or counseling records, is governed by applicable state or federal law.

As a general rule, students attending a college or university, regardless of age, have the right under FERPA to control disclosure of information from their educational records while the law also provides for certain exceptions. FERPA permits colleges and universities to make certain exceptions to this general rule and also allows disclosure of certain "directory information" from a student's educational records without obtaining the student's prior consent. The broad range of exceptions is contained in other government sources pertaining to FERPA and it is not the purpose of this policy to provide a comprehensive summary of FERPA.

The University of Tulsa reserves the right to disclose information from a student's educational records to parents or legal guardians under various circumstances without a student's prior consent. Typically, these disclosures fall into the following categories.

1. The University may provide information which the University has designated as "directory information" unless the student has specifically requested that directory information be kept confidential.

2. The University may provide information in connection with a serious injury or other health or safety situation when deemed necessary to protect the health or the safety of the student or other individuals.

3. The University may provide information regarding a student who is under the age of 21 when the student has been found responsible for violating the University's policies regarding alcohol and other drugs.

4. The University may provide information about a dependent student as defined in section 152 of the Internal Revenue Code of 1986. It is important to remember since tax returns are filed for the previous year that the information about the student must coincide with the time frame during which the student was a dependent.

The University observes and is guided by all laws and regulations regarding disclosure of information about students by an institution of higher learning. Nothing in this policy shall be construed to supersede any provision of federal and state laws governing such disclosures.

Policy Effective Date: March 19, 2008

NOTICE OF PRIVACY PRACTICES (HIPAA)

THIS NOTICE DESCRIBES HOW MEDICAL INFORMATION ABOUT YOU MAY BE USED AND DISCLOSED AND HOW YOU CAN GET ACCESS TO THIS INFORMATION. PLEASE REVIEW IT CAREFULLY

There are two federal laws that protect the privacy of health information. These are the Family Education Rights and Privacy Act (FERPA), and the Health Insurance Portability and Accountability Act (HIPAA).

For students of The University of Tulsa (TU), the applicable federal privacy regulations are found in FERPA. However, it is our goal to comply with the standards of HIPAA.

For all other individuals, the applicable federal privacy regulations are found in HIPAA.

We are committed to protecting your medical information under HIPAA.

Under the Health Insurance Portability and Accountability Act of 1996 (HIPAA), we are required by law to:

* Maintain the privacy of your medical information
* Give you a Notice of our legal duties and privacy practices with respect to your medical information; and
* Follow the terms of the Notice currently in effect.

We reserve the right to change our practices and to make the new provisions effective for all protected health information we maintain. Any change we make to our privacy practices will be made available to you.

YOUR RIGHTS REGARDING YOUR PERSONAL HEALTH INFORMATION (PHI)

Although your health information is the physical property of the University of Tulsa, the information belongs to you. The following describes your rights:

1. You may request a restriction to the use and disclosure of your Personal Health Information for circumstances involving treatment, payment or healthcare operations. You may also restrict disclosure of any part of your PHI to family members or individuals involved in your care. Those

restrictions must be in writing and specific. However, these restrictions may not be appropriate. (See Examples of Disclosures for Treatment, Payment and Healthcare Operations).

2. You have the right to see and request a copy of your PHI. This request must be in writing and we do reserve the right to charge for the copy request. There may be circumstances in which we are not required to comply with your request. If such circumstance should arise, we will provide you, in writing, an explanation.
3. You have the right to amend your PHI. If you believe that there is a mistake or missing information in our record of your PHI, you may request, in writing, that we correct or add to the record. We will respond within 60 days of receiving your request. We may deny the request if we determine that the PHI is (i) correct and completed; (ii) not created by us and/or not part of our records, or, (iii) not permitted to be disclosed.
4. You have the right to a listing of disclosures we have made. As stated, FERPA is the primary federal law with respect to student health records. However, there may be incidents where disclosures of your PHI are required by law. See Special Circumstances for Disclosures of PHI.
5. You have the right to receive a copy of this Notice. This Notice will also be available at www.utulsa.edu/alexhealth.

FILING A COMPLAINT

We are required to place in the Notice, contact information for filing a complaint if you feel that your privacy rights have been violated. Please contact:

HIPAA Privacy Officer
Office of Human Resources and Risk Management
The University of Tulsa
800 S. Tucker Dr.
Tulsa , OK 74104
918-631-2259

Secretary of Health and Human Services
200 Independence Avenue SW
Washington D.C. 20201
1-877-696-6775

To file a complaint with the Secretary of Health and Human Services, you must do so within 180 days of the date on which that action that caused concern happened. There will be no punishment or penalty for filing a complaint.

The effective date for this Notice is April 14, 2003.

EXAMPLES OF DISCLOSURES FOR TREATMENT, PAYMENT AND HEALTH OPERATIONS

1. Providing health care treatment to you – We will use your health information for diagnosis and treatment. For example, information obtained by a nurse, physician assistant, physician or other member of the healthcare team will be recorded in your record and used to determine the course of treatment that would work best for you.
2. To obtain payment for services – There are some services provided in our organization through contacts with business associates. Examples include physician services and laboratory services. When these services are contracted, we may disclose your health information to our business associate so that they can perform the job we have asked them to do. To protect your health information, however, we require the business associate to appropriately safeguard your information.
3. Performance of health care operations – Health care operations are those functions that include utilization review, receiving and responding to complaints, compliance programs, audits, etc.

4. When required by law – For example, the U.S. Department of Health & Human Services may want to audit our records to ensure HIPAA is being invoked.
5. Individuals Involved With Your Care – We will only communicate with family if we have a signed release from you authorizing the communication that has been executed in compliance with FERPA or if it is a life threatening medical condition.
6. Appointment Reminders – Unless you provide us with alternative instructions, we may send appointment reminders and other similar materials to your home, or notify you of appointments by phone.

EXAMPLES OF SPECIAL CIRCUMSTANCES FOR DISCLOSURES OF PHI WITHOUT YOUR AUTHORIZATION

There may be special circumstances that require us to use and disclose your *Protected Health Information*. Those circumstances may include some or all of the following:

1. Public health activities – The use and disclosure of PHI for public health activities and purposes to a public health authority that is permitted by law to collect or receive the information. The disclosure will be made for the purpose of controlling disease, injury, or disability. We may also disclose PHI if so directed by the Public Health Authority. For example, it is required by Oklahoma State law to report any positive lab reports on patients who are infected with the sexually transmitted infections of Chlamydia, gonorrhea, and HIV. There are other infectious diseases that require reporting and examples of those would be Hepatitis A, Meningitis, E-coli, and Salmonella.
2. Any incident relating to abuse, neglect or domestic violence – The use and disclosure of PHI to a public health authority that is authorized by law to receive reports of child abuse or neglect. We may also disclose PHI if we believe you have been a victim of abuse, neglect or domestic violence to the governmental agency authorized to receive such information.
3. Health oversight activities – Use and disclosure of PHI to a public health authority for activities authorized by law, such as audits, investigations, and inspections. These oversight agencies would include government agencies that oversee the healthcare system, government benefit programs, or other government regulatory programs, and civil rights laws.
4. For judicial and administrative proceedings – The use and disclosure of PHI to any judicial or administrative proceeding, in response to an order of a court or administrative tribunal, and in certain conditions, a subpoena, discovery request or other lawful process.
5. For law enforcement purposes – The use and disclosure of PHI, so long as applicable legal requirements are met. Law enforcement purposes are legal processes required by law; limited information requests for identification and location purposes; issues pertaining to victims of a crime, and suspicion that death has occurred as a result of criminal conduct.
6. For purposes relating to decedents – The use and disclosure of PHI to a coroner or medical examiner for identification purposes, determining cause of death or for the coroner or medical examiner to perform other duties authorized by law.
7. For purposes of organ, eye or tissue donation – The use and disclosure of PHI for recipients of your organs.
8. To avert a serious threat of health safety – For example, outbreaks of communicable diseases such as smallpox, SARS, etc.
9. For specialized government functions – Specialized government functions could involve authorized federal officials who are conducting national security and intelligence activities.
10. For purposes relating to correctional institutions and in other law enforcement custodial situations – The use and disclosure of PHI if you are an inmate of a correctional facility and your physician created or received PHI in the course of providing care to you.
11. Individual use and disclosure – The use and disclosure of PHI to you and when required by the Secretary of the Department of Health and Human Services to investigate or determine our compliance with HIPAA

Fire, Security, and Emergency Telephone Equipment

Fire-fighting, security, and emergency telephone equipment is placed throughout the campus. Tampering with or removing alarms, fire hoses, extinguishers, security doors, lighting, smoke detectors, telephones, or any other devices or facilities installed for fire, safety, or security purposes is prohibited. Violation of this policy will result in disciplinary and/or legal action.

Firearms, Air Rifles, Weapons, Explosives, and Fireworks

These items (including knives with blades longer than four inches) are not permitted in any University building, on the campus, or stored in vehicles parked on the campus. Students living in University-supervised housing who wish to bring firearms to the campus must register them with the security department and turn them over for storage upon arrival. Violation of this policy will result in a minimum $250 fine and disciplinary action. The Residence Hall Association also has imposed significant financial penalties for possession of these items in housing. Refer to "Concealed Weapons" in this section for further details.

Hazing Policy

Hazing in any form is prohibited and constitutes a violation of Title 21 Oklahoma Statutes section 1190. Responsibility for enforcement of this regulation rests with the officers and members of the respective student organizations. Violation of this policy will result in disciplinary action for the responsible individuals, organizations, and organizational officers as well as exposure to the monetary and incarceration penalties as provided under the law. Definitions and examples of hazing, contained in Title 21 Oklahoma Statute section 1190, are as follows:

I. 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.

II. 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.

III. 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.

IV. 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 of all the rights and privileges of being an organization organized or operating at the public or private school or at the institution of higher education.

V. Any individual convicted of violating the provisions of subsection A of this section shall be guilty of a misdemeanor that may be punishable by imprisonment 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.

VI. For purposes of this section:
A. "Hazing" means an activity that 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, non-intoxicating beverage 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.
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.

This act became effective July 1, 1990. It being immediately necessary for the preservation of the public peace, health, and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

Health Risks and Counseling Services

Students risk serious health and safety problems when there is use or abuse of alcohol and drugs. Students experiencing these problems may seek assistance through the Counseling and Psychological Services Offices located in the Alexander Health Center. Such assistance is strictly confidential. Additionally, there are many community agencies that students may use.

Identification Cards and Hurricane Gold Account Policies

The ID/Parking Center in Fisher Hall East issues identification cards to all students and University employees. The cards are required for admission to and checking books out of the libraries, entry to residence halls, labs, and selected classrooms, and identification at campus business offices and campus activities. Whenever students are on University property or at University events, they must carry their TU Student Identification Cards and should be prepared to present the ID card to University officials to verify their identity. For this and other reasons, ID cards should not be lent to anyone at any time. Disciplinary action will be taken against students fraudulently using another's card and against the owner if the fraudulent use for the card was permitted by the owner.

The debit account feature (called "Hurricane Gold") of the ID card allows students to use their card for purchases at all dining locations, at the bookstore, in vending and laundry machines, and in copiers. More applications for use of the Hurricane Gold account are being identified each semester. This debit feature reduces the need to carry or keep cash on hand, greatly enhancing safety for all. Hurricane Gold is easy to buy. Simply set an amount and prepay it on your account at the ID/Parking Center, located in Fisher Hall East; the Dining Services Office, located in the Administrative Offices on the second floor of Allen Chapman Activity Center; or the Business Office in McClure Hall. Smaller dollar increments can be added to your account through the (DART) automated terminal in McFarlin Library, College of Law, and Allen Chapman Activity Center. Purchases will be deducted from this amount as they are made upon presentation of your ID card. When you reach your Gold limit, purchase more. Remaining balances are fully refundable at the end of the spring semester. Hurricane Gold is not a credit card or checking account. The account will be a non-interest bearing convenience account. Banking regulations and

University policy prohibit cash withdrawal during the academic year. Any request for withdrawal of funds must be presented in writing.

If you lose your ID card, especially when there is money on the "Hurricane Gold" account, notify the ID/Parking Center immediately. You will be responsible for all transactions made by you, or by anyone else who uses your card, even if lost. However, to minimize loss, a $20 per day spending limit has been established via the computer for all vending locations. The ID/Parking Center can instantly change the account number, and, thus, protect the account from unauthorized use. Additionally, the ID/Parking Center will issue replacement ID cards (there is a charge for this service).

If an ID card is discovered missing after normal business hours when the ID/ Parking Center is closed, please report the missing card to any Hurricane Gold location with a cash register. These locations, like the Hut or Pat Case Dining Center in Fisher, can "lock-out" use of your missing ID card. Then, when the ID/Parking Center reopens, the account number can be changed and the account reactivated. If this is not convenient, leave a message on the voice mail (AUDIX) at the ID/Parking Center. Invalidation of the card will occur on the morning of the next business day. The University of Tulsa is not responsible for cash balances of lost cards. The charge for replacement cards is $15.

If you have money in your Hurricane Gold account at the end of the academic term, it will be carried over into the upcoming academic term's balance. You may request a refund of any balance remaining in your account at academic year end, if you prefer.

If you fail to request a refund of any balance remaining in your account for a period of six (6) months after you graduate or withdraw from the University, the balance may be deemed abandoned property, in which case the balance will be remitted to the University, or you may choose to contribute any balance in your account to the Annual Fund designated for University scholarships.

Outdoor Amplified Music

The University of Tulsa is located in an area of the city in which there are many private residences. Students and student organizations are reminded of the importance of respecting the rights of our neighbors to have a tranquil environment. Therefore, amplified music out of doors must be held to a reasonable volume level. By City of Tulsa ordinance, amplified music is prohibited Sunday through Thursday evenings after 10:00 p.m. and Friday and Saturday evenings after 11:00 p.m.

Parking Permits

All students, staff, and faculty members must register motor vehicles that will be parked on University parking lots. Parking permits and copies of parking regulations should be obtained from the ID/Parking Center located in Fisher Hall East. Authorization for special apartment parking permits must be secured from the Apartment Coordinator, located in the Management Office in University Square, prior to purchasing the permit from the ID/Parking Center.

Personal Access Codes

Personal Access Code (PAC) are also known as Personal Billing Numbers (PBN) are issued for the purpose of making long distance telephone calls via the University telephone system are intended for the sole use of the student or other person to whom the number is issued. Therefore, each student is financially responsible for the long distance telephone calls made using his or her PBN number. Students who use a PBN number that was not specifically issued to them are subject to University disciplinary procedures. Visit campus connection at http://cc.utulsa.edu to apply for a PBN online.

Public Disturbances

The University recognizes that students have the rights and privileges granted to all citizens in the Bill of Rights - specifically freedom of speech, freedom of assembly, and freedom of dissent. The University will not, however, condone the abuse of these rights if they interfere with the University's functioning as a free academic institution or with the rights of the members of the University's academic community.

On the occasion of the clear and present danger to life, limb, or property of members of this community, the University has the responsibility to act reasonably toward the alleviation of that danger.

Registering and Cleanup for Student Gatherings

In accordance with The University of Tulsa statement on student rights, freedoms, and responsibilities, students may conduct activities and programs that are expressions of their opinions, viewpoints, and beliefs, or for the entertainment of themselves and their guests. Such activities and programs, for the sake of the orderly management of the University, are to be scheduled through the Dean of Students Office, or if they are to be held in the Allen Chapman Activity Center, through the Administrative Office of ACAC. The sponsoring organization is responsible for returning the reserved location to its original condition and removing all items brought to the location, or they are responsible for making specific arrangements with appropriate University personnel to do so. For such a service, there may be a charge.

Religious Expression

Students are entitled to the freedom to express their religious views. University student groups with a religious orientation wishing to express their views as a group or to have a religious ceremony on campus must schedule these events through the Office of the Chaplain or the Dean of Students' office.

Non-University religious organizations wishing to represent their views on campus may do so only in the Allen Chapman Activity Center or in the lobby of Pat Case Dining Center following registration through the Dean of Students office. A registration fee is required when the Allen Chapman Activity Center is used. These organizations will be assigned to a specific location and provided with a table. Literature may be distributed only from the table. Representatives of the organization must remain at the table in conducting their business. Sound amplification devices may not be used.

Residence Hall Visitation

Maximum visitation hours in each living facility have been established by a student referendum and approved by the administration. Individual hall governments may change these hours within the approved limits by hall referendums conducted during the fall semester each year. All visitors must be accompanied by escorts in the living areas of the halls. Escorts are not required in the main lobby or established public areas of the halls. Specific visitation hours for each residence hall are listed in *The Guide to Living on Campus*

Fraternity and sorority organizations also establish specified visitation hours within these time frames.

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

Sexual Violence Policy Pertaining to Students

I. INTRODUCTORY STATEMENT

This policy is designed to address the issue of sexual violence aimed at students as described in the U.S. Department of Education's "Dear Colleague" letter dated April 4, 2011. As stated in the letter, "Sexual harassment of students, which includes acts of sexual violence, is a form of sex discrimination prohibited by Title IX." It further states that ". . . this letter explains that the requirements of Title IX pertaining to sexual harassment also cover sexual violence, and lays out the specific Title IX requirements applicable to sexual violence." It also states that "A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, and sexual coercion. All such acts of sexual violence are forms of sexual harassment covered under Title IX."

Therefore, because the University stands against such behaviors and intends to be in compliance with Title IX, the University will take prompt, decisive action to: investigate allegations of sexual violence; initiate the disciplinary process if appropriate; and issue appropriate sanctions against any student found responsible for acts of sexual violence whether the behavior occurred on campus or off campus. The University of Tulsa respects the privacy of consensual relationships among its students and does not intend to become intrusive in these relationships. However, if these relationships should lead to a charge of sexually violent behavior or if a student is involved in an unwanted or non-consensual sexual act, then the University will assist the student who presents him/herself as a complainant as necessary and make available its conduct process to hear a complaint against an alleged perpetrator.

Furthermore, these acts may constitute violations of other University policies and regulations that may require additional proceedings. Complaints against non-student alleged perpetrators who are employed by the University may also be filed under the appropriate faculty or staff conduct-policy. Students are advised that some acts of sexual violence also may constitute a violation of Oklahoma statutes. Therefore, students may wish to pursue the matter through the state's civil, and/or criminal systems as well as through the University.

Sexual harassment, which includes sexual violence, includes a variety of unwelcome conduct of a sexual nature ranging from uninvited and unwanted sexual advances, touching, requests for sexual favors, other verbal, non-verbal or physical conduct of a sexual nature including forced intercourse. As stated in the "Dear Colleague" letter, sexual violence may occur when any such act is committed "against a person's will or where a person is incapable of giving consent due to the victim's use of drugs or alcohol. An individual may also be unable to give consent due to an intellectual or other disability." It can occur between persons in dating, previously non-sexual, or sexual relationships and between persons of the same sex.

Persons engaging in these behaviors, with either a stranger or friend, may be charged with and prosecuted for sexual violence under this policy or state law. An allegation of sexual violence is very serious. The reputation of both the complainant and the accused within the University community, possible legal action, and many other issues are at stake. Therefore, a knowingly false complaint will be viewed as a breach of the Student Code of Conduct and may result in a formal complaint against the student who complains falsely.

II. DEFINITIONS

A. Sexual harassment: Unwelcome conduct of a sexual nature. It includes unwelcome sexual advances, requests for sexual favors, and other verbal, nonverbal, or physical conduct of a sexual nature.

B. Sexual violence: A form of sexual harassment prohibited by **Title IX**. Title IX of the Education Amendments of 1972 (Title IX) broadly prohibits discrimination on the basis of sex in any education program or activity receiving federal financial assistance. Sexual violence is viewed

under the law as an extreme form of hostile environment/sexual harassment and must be addressed. When an institution "knows or reasonably should know" about a hostile environment, they are required "to take immediate action to eliminate the harassment, prevent its recurrence and address its effects." Institutions must adopt and publicize policies as well as designate at least one Title IX coordinator to respond to their obligations under the law.

C. Consent to a sexual act: A clear expression of consent to a sexual act. Consenting persons must act freely, voluntarily, and have knowledge of the act or transaction involved. Consent will not be implied by silence, mere passivity from a state of intoxication or unconsciousness. Lack of consent is implied if there is a threat of violence, if violence is in fact used, or if the accused has taken advantage of a position of influence which that person has over the complainant.

D. Non-consent to a sexual act: A lack of clear expression of consent to a sexual act.

E. Forcible sexual offense: Involvement without consent in any sexual act in which there is force, expressed or implied, or use of duress or deception upon the complainant. This may include, but is not limited to rape, sexual penetration, sodomy, or any other act as defined in this policy. This may also include forced penetration by a foreign object (including a finger). **Note: For the purposes of this policy, it is emphasized that Forced Sexual Intercourse is defined as rape and includes the terms commonly referred to as "date rape" or "acquaintance rape".**

F. Non-forcible sexual offense: Involvement without consent in any sexual act when the complainant is unable to give consent due to the use of drugs, alcohol, intellectual deficiency or other disability.

III. REPORTING SEXUAL VIOLENCE

If the University knows or reasonably should know about an incident of student-on-student harassment that creates a hostile environment, Title IX requires that the University take immediate action to eliminate the harassment, prevent its recurrence, and address its effects. To be proactive, the University publishes a notice of nondiscrimination and has adopted and published grievance procedures. Because sexual violence is considered sexual harassment under Title IX, these steps apply to matters involving sexual violence. In cases involving potential criminal conduct, the Title IX Coordinator or appropriate Deputy Coordinator will determine, consistent with state and local law, whether appropriate law enforcement or other authorities should be notified.

In addition to publishing a notice of nondiscrimination and publishing grievance procedures (which are those steps students may take according to the Student Code of Conduct) the University has designated a Title IX Coordinator and a number of Deputy Coordinators. Those are listed by the following titles followed by the names of the incumbents along with their contact information. The mailing address for all is The University of Tulsa, 800 south Tucker Drive, Tulsa, Ok, 74104.

Title IX Coordinator
Associate Vice President for Human Resources and Risk Management, Wayne Paulison, Fisher Hall East, suite 103, 918-631-2616, wayne-paulison@utulsa.edu

Deputy Coordinator for Students
Associate Vice President for Enrollment and Student Services & Dean of Students,
Yolanda Taylor, Holmes Student Center, room 59, 918-631-2327, yolanda-taylor@utulsa.edu

Deputy Coordinator for Student Athletes and Athletic Department Employees

Associate Athletic Director – Senior Women's Coordinator, Crista Troester, Mabee Gymnasium, 918-631-3507, crista-troester@utulsa.edu

Deputy Coordinator for Faculty
Associate Vice President for Academic Affairs & Vice Provost, Winona Tanaka, 918-631-3054, winona-tanaka@utulsa.edu

Deputy Coordinator for Administrative/Professional and Hourly Staff
Employee Relations Coordinator, Laurie Austin, 918-631-2615, lorie-austin@utulsa.edu

Deputy Coordinator for Study Abroad Programs
Vice Provost for Global Education, Cheryl Matherly, 918-631-3225, cheryl-matherly@utulsa.edu

Students who are the recipients of sexual violence are encouraged to report the incident to appropriate University officials such as Housing staff members, Campus Security, a faculty member, and Health Center and Counseling Center staff and to do so immediately. The following individuals also have been trained to assist an individual who has experienced sexual violence. They are referred to as TU Primary Contacts.

At the first opportunity during the University's regular business hours, sexual violence complainants are encouraged to telephone or visit one of the TU Primary Contacts. The Primary Contact will be knowledgeable about the resources, services, and options available to victims of sexual violence and will be prepared to guide the complainant in accessing those resources and services. The Primary Contact will be a source of support and help and, with the complainant, will explore the various options available and ensure the complainant is provided the information necessary to make informed decisions.

Primary Contact Network
Laura Allen, Holmes Student Center room 51, 918-631-2966
Tom Brian, Alexander Health Center, 918-631-2200
Stephanie Fell, Alexander Health Center, 918- 631-2241
Melissa France, Fisher Hall East, Housing Office, 918-631-2516
Alyson Garrison, Holmes Student Center room 59, 918-631-3516
LeeAnna Lamb, Fisher Hall East, Housing Office, 918-631-2516
Laura McNeese, Holmes Student Center room 51, 918- 631-2967
Mike Mills, Collins Hall room 2170, 918- 631-2510
Yolanda Taylor, Holmes Student Center room 59, 918- 631-2327

Both outside of the University's regular business hours and during them and based on the nature of the incident, a sexual violence complainant may choose to telephone *Call Rape* as soon as feasible. Their number is 9187HELPME or (918-743-5763) and request the Call Rape counselor to give specific instructions as to the actions to take. Additional information from Domestic Violence Intervention Services (DVIS/Call Rape) can be found at www.dvis.org The complainant may also choose to seek immediate medical attention by going to the emergency room of a local hospital.

The following are recommended steps to take based on the nature of the sexual violence that occurred: don't bathe; women should not douche and should try not to urinate; don't drink anything, smoke, eat, or brush your teeth if oral contact took place; and if clothes are changed, place them in a paper bag as plastic destroys evidence.

Since it is important to check for internal or other injuries and sexually transmitted diseases in certain instances, complainants who decide not to go to an emergency room are advised to seek attention as promptly as possible from a private physician or the Alexander Health Center.

IV. COURSES OF ACTION

Following initial medical procedures (if needed) and attention to the emotional well-being of a complainant, the Primary Contact or other appropriate University official will review appropriate University services and legal remedies with the complainant. These are:

A. Follow-up Medical Assistance: It may be necessary for subsequent medical services through Alexander Health Center, an emergency room or a private physician. The Primary Contact or other appropriate University official will be in the best position to monitor the situation and inform the complainant accordingly.

B. Counseling and Psychological Services: The staff of the Counseling and Psychological Services Center is prepared to assist sexual violence complainants in dealing with the emotional aftermath of such an experience. Complainants can discuss their concerns in an atmosphere of privacy and confidentiality to the extent allowed by the law. Off-campus counseling resources also may be considered.

C. Filing a University Complaint: Sexual violence constitutes a violation of University policy. The University will inform and obtain consent from the complainant before beginning an investigation. By filing a complaint with the Dean/Associate Dean of Students, complainants will have their complaints investigated by the Dean of Students. If the Dean finds there is good reason to proceed, the complaint will have access to the provisions of the University Student Code of Conduct. Most investigations would be expected to be completed within 60 days from the date of the original complaint.

If the complainant requests confidentiality or asks that the complaint not be pursued, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request for confidentiality or the request not to pursue an investigation. If the complainant insists that his or her name or other identifiable information not be disclosed to the alleged perpetrator, the complainant would be informed that the University's ability to respond may be limited. The complainant will also be reminded that Title IX prohibits retaliation and that University officials will not only take steps to prevent retaliation but also take strong responsive action if it occurs.

After all such advice if the complainant continues to ask that his or her name or other identifiable information not be revealed, the University will evaluate that request in the context of its responsibility to provide a safe and nondiscriminatory environment for all students. This includes considering such factors as: the seriousness of the alleged harassment; the complainant's age; whether there have been other harassment complaints against the same individual; and the alleged harasser's rights to receive information about the allegations if the information is maintained as an "educational record" under FERPA.

If the complainant is a student but the alleged perpetrator is not a TU student or employee, the Dean/Associate Dean of Students will provide the complainant support and guidance through the civil or criminal complaint process. University resources are available to complainants regardless of the status of the alleged perpetrator, including assistance in pursuing an internal complaint process where the alleged perpetrator is not a student but is employed by TU.

Note: The conduct of students enrolled in the College of Law is governed by the College's Student Conduct Code and an alleged perpetrator may be subject to a proceeding and sanctions imposed under that code as well as the University Student Code of Conduct. Students who are under the jurisdiction of organizations with their own conduct bodies may also be subject to a proceeding and sanctions under those bodies.

If the alleged perpetrator is a TU student, the complainant may choose to have the complaint heard by the University Student Conduct Board or by the Dean/Associate Dean of Students. Mediation is not an option to resolve a complaint of sexual violence. Among the provisions of either process are the following:

1. Both parties will be able to present witnesses and evidence;
2. Attorneys will not be permitted for either party;

3. Neither party will be allowed to question or cross examine the other;

4. Both parties will have the opportunity to appeal;

5. The past sexual history of the complainant and alleged perpetrator will be deemed irrelevant to the proceeding process except as that history may be related directly to the incident being heard; and

6. A decision will be based on the standard that it is more likely than not that the alleged behavior occurred, sometimes referred to as the preponderance of the evidence.

7. Both parties will be notified concurrently in writing about the outcome of both the complaint and any appeal whether harassment was found to have occurred or not.

D. Should the alleged perpetrator be found responsible for the alleged sexual violence, the University, where possible, and for the welfare of the complainant, will make adjustments in such things as housing assignments and enrollment. The University will also take steps to prevent reoccurrence of any harassment and to correct its discriminatory effects on the complainant and others if appropriate.

E. While there is no time limit for filing a complaint with the Dean/Associate Dean of Students, the University retains jurisdiction over individuals only so long as they remain enrolled or employed by the University.

F. As long as sexual assault complainants remain enrolled as TU students, there is no time limitation for complainants to report complaints and receive services from the University.

G. Certain forms of sexual assault may be a violation of the statutes of the State of Oklahoma. Complainants, therefore, may have certain legal rights with regard to criminal and civil action. Again, the Primary Contact or other appropriate University official will have pertinent information regarding the rights of complainants, but will not be providing legal advice. They will assist complainants in their contacts with the police department and the district attorney. Complainants may wish to consult the attorney on retainer with the Student Association where the initial session is without charge. These procedures can often be complex, puzzling, and time-consuming. Thus, the assistance of a Primary Contact or other appropriate University official is deemed essential.

V. SEXUAL VIOLENCE RESPONSE TRAINING

The University will provide appropriate training aimed at identifying and assisting in reporting sexual harassment and violence to those individuals likely to witness or receive reports of such behavior.

VI. SEXUAL VIOLENCE PREVENTION AND EDUCATION

Students are urged to take responsibility for their relationships and guard against sexual violence. Furthermore, students must be aware of their surroundings both on campus and off campus and take precautions that will diminish the likelihood of becoming a victim of sexual violence.

The University provides numerous educational means by which students can be informed about these issues. Also, students are urged to practice risk reduction behaviors. The entire University community must be alerted to and conscious of sexual violence and the impact such behavior has upon complainants and the University community at large.

Educational programs are an essential part of prevention. Names of TU personnel who have agreed to serve as Primary Contacts will be posted prominently around campus and will be on file with

Campus Security and other University offices including the Office of Student Affairs. Brochures dealing with prevention will be readily available to all students. Students new to the University are urged to participate in a program on sexual violence and risk reduction behavior while attending the new student orientation program.

All student organizations are encouraged to develop their own educational programs to be presented to their members. The University offers a broad range of consultants and presenters who will be prepared to assist organizations in the design and delivery of their programs. Students are referred to the Dean of Students for assistance in this area.

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

Policy on Harassment

Policy Effective Date: August 9, 2005

Purpose

The University of Tulsa is committed to fostering a civil campus community. The University expects participants in this community to support an employment, educational, co-curricular, social and living environment in which all participants are free from unlawful or otherwise inappropriate conduct on any basis, actual or perceived.

Indeed, The University expects of all such participants that they will treat each other respectfully and refrain from any inappropriate conduct, especially conduct that rises to the level of being prohibited under this policy. Such conduct is unacceptable behavior and will not be tolerated. The purpose of this policy is to protect participants from conduct which is unsolicited, unwelcome and inappropriate, in any form and by any means. This policy may not be used to infringe upon academic freedom, but will guide social and professional interactions.

All participants in the campus community must be aware of the need for freedom of inquiry and openness of discussion in the University's educational and research programs, and must strive to create and maintain an atmosphere of intellectual seriousness and mutual tolerance in which these essential features of academic life can thrive. No university can or should guarantee that every idea expressed on its premises or through its media will be inoffensive to all; pursued seriously, campus residential life, participation in campus community, education and scholarship, at times entail raising questions about perceived opinions and conventional interpretations. The University of Tulsa does guarantee, however, that credible accusations of inappropriate conduct under this policy will be investigated promptly, thoroughly, and fairly.

Who is covered?

This policy applies to all full-time, part-time, and temporary faculty members, administrative/ professional and hourly employees, trustees, students, contract workers, business invitees, visitors and guests (collectively, the "Campus Community"), at all times and places in any connection with this institution, whether on or off campus. This policy shall be applied and interpreted in conjunction with the following existing documents (and any amendments or successor documents): *The Statement on Academic Freedom Responsibility and Tenure* (faculty); *The Student Code of Conduct* and *The University of Tulsa Statement on Rights, Freedoms and Responsibilities* (students); *The University Policies and Procedures Manual* (non-faculty employees); *The University of Tulsa Policy on Non-Discrimination*, as adopted by the Board of Trustees on September 18, 1991 and *The University of Tulsa Student Pledge and Commitment*,

created and approved by the student body and accepted by the Board of Trustees in the Fall of 2003. Additionally the *Ethical Conduct in Academic Research and Scholarship* policy may also apply to any situation. All of these documents are available online, and as links in this policy.

Policy

Any form of inappropriate conduct that constitutes Prohibited Harassment (see following definition) of or by any participants in the Campus Community is prohibited by this policy.

Such conduct may also constitute violations of criminal and civil laws of the State of Oklahoma and the United States, and the accused may be charged by appropriate external agencies. Further, such conduct may also constitute violations of the Sexual Assault Policy protecting students or other university policies (or amended or successor policy).

Such conduct most often takes place in situations with a power differential between the persons involved; the university also recognizes that it may occur between persons of the same Campus Community status.

The University of Tulsa will take appropriate actions within its power to prevent, correct, and discipline conduct that violates this policy.

A. Definition of Prohibited Harassment
(1). General - Conduct which is prohibited by this policy (herein referred to as "Prohibited Harassment") may be verbal, physical, or visual; it may be conduct related to favoritism, or based upon a person's legally protected status, or any actual or perceived status that motivates inappropriate conduct, such as inappropriate conduct based on color, age, disability, gender, gender identity, national or ethnic origin, race, religion, sexual orientation, veteran status, marital status or personal physical trait. Prohibited Harassment also may include inappropriate conduct harmful to an individual's reputation.

(2). Verbal/Physical/Visual - Verbal Prohibited Harassment may occur in person, by telephone or other audio means. Physical Prohibited Harassment may be conduct such as assault, impeding or blocking movement or any physical interference with normal activities or movement. Visual forms of Prohibited Harassment may include notes, email, blogging or other electronic means, derogatory posters, cartoons, graffiti or drawings.

(3). Reputation - Prohibited Harassment related to an individual's reputation may include any form of inappropriate conduct which is defamatory, demeaning, intimidating, threatening, or otherwise places an individual in fear of harm to his or her person or reputation on or off campus.

(4). Sexual Harassment - Sexual harassment is defined by law and also constitutes Prohibited Harassment; generally under the law, it includes any unwanted or unsolicited sexual gesture, physical contact, or statement which, when viewed from the perspective of a reasonable person similarly situated, is offensive, threatening, humiliating, or interferes with a person's ability to perform his or her job, educational pursuit, or participation in campus life.

(5). Sexual Favors - Conduct which constitutes Prohibited Harassment related to sexual favors includes unwanted sexual advances which condition terms of employment, academic opportunity, housing options or other benefit upon sexual favors.

(6). Favoritism in General - Conduct related to favoritism on the basis of any of the above identified characteristics may constitute Prohibited Harassment where someone suffers harm, such as loss of job promotion or course work opportunity, due to the conduct. Prohibited Harassment may also include preferential treatment of one or more individuals, to the detriment of others.

(7). Standard - For each of the foregoing examples, under this policy, the standard of determining whether Prohibited Harassment occurred shall be the perspective of a reasonable person similarly

situated; these examples are meant to be illustrative and are not all inclusive. Conduct which constitutes Prohibited Harassment, under this policy may or may not also be unlawful. An occasional remark or act which may hurt feelings, or otherwise offend, will not necessarily rise to the level of Prohibited Harassment under the reasonable person standard.

B. Prohibited Acts

(1). Effect of Conduct Assessment - For the purpose of this policy, Prohibited Harassment may take many forms - subtle and indirect, or blatant and overt. It may consist of repeated actions or may even arise from a single incident if sufficiently extreme. In assessing whether a particular act or acts constitute Prohibited Harassment under this policy, the standard shall be the perspective of a reasonable person similarly situated.

Prohibited Harassment includes any conduct or behavior of an inappropriate nature where:

a. Submission to or acceptance of such conduct is made, either explicitly or implicitly, a term or condition of an individual's employment or participation in a university-sponsored educational program, activity or in campus residency;
b. Submission to or rejection of such conduct by an individual is used as the basis for academic, housing or employment decisions;
c. Such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile or offensive working, educational or campus living environment;

(2). Examples - Some examples of Prohibited Harassment include, but are not limited to:

a. unwelcome physical contact or intentional physical contact without consent;
b. physical assault, including date or acquaintance rape;
c. verbal or written comments or statements that are intimidating, threatening, demeaning, humiliating, sexually suggestive, insulting, vulgar, or lewd;
d. unwelcome visual contact that communicates a threatening or intimidating sexual message;
e. unwelcome request for sexual favors or acts, or other inappropriate requests;
f. requests for dates or a more personal relationship (whether sexual or not) by an individual who is, or is perceived to be, in a position of authority able to affect the campus status of the individual subject to the request;
g. inappropriate conversations of a sexual nature or similar jokes and stories, whether sexual or related to any actual or perceived status as set out at A.1 hereinabove;
h. continued expression of sexual interest after being informed that the interest is unwelcome;
i. the inappropriate use or display of materials such as posters, photos, cartoons or graffiti that are demeaning or offensive;
j. inappropriate comments, communicated by any means, that demean, intimidate, threaten or harm an individual's reputation;
k. telephone or other audio contact, letters, notes, blog or other postings, or electronic mail containing comments, words, or images as described above;
l. "bullying", "stalking", or activities which may constitute "hazing", as defined by Oklahoma and/or other state laws;

The facts and circumstances will be determinative of whether any of the above or other behaviors would violate this policy, under the reasonable person standard.

(3). Relationships - Prohibited Harassment may occur within a variety of relationships, including classroom situations involving instruction, online chat rooms, departments (faculty or staff) or campus life. It may occur among peers. It may occur where no relationship exists between the parties other than being co-employees or co-students, or simply interaction for other reason. Especially injurious, however, is Prohibited Harassment in relationships characterized by an imbalance of power and authority. Typically, such relationships are found between:

a. employer and employee [usually supervisor and subordinate]
b. administrator and faculty
c. administrator and student
d. employee and student
e. senior and junior faculty
f. graduate assistant and undergraduate student
g. faculty and student [Examples are when the student is enrolled in a faculty member's class, or when the student is in a position to require continuing evaluation or work or letters of recommendations from faculty]
h. vendor representative and TU employee

C. Other Conduct Prohibited by the Policy on Harassment
(1). Reprisals/Retaliation -
a. Against the Complainant: It is a violation of the Policy on Harassment to retaliate against a complainant for filing a charge of Prohibited Harassment. A complaint of retaliation will be pursued using the steps followed for a complaint of Prohibited Harassment.
b. Against the Accused/Respondent: Lodging a complaint of Prohibited Harassment does not constitute proof. A complaint shall not be taken into account during reappointment, tenure, promotion, merit, or other evaluation or review until a final determination has been made that the Policy on Harassment has been violated; however, a decision on such matters may be delayed, pending the resolution of an investigation.
c. Administrators and supervisors have the legal responsibility to protect a complainant or victim from continued Prohibited Harassment or retaliation and a person accused of Prohibited Harassment from potential damage by false allegations.

(2). Knowingly False or Malicious Complaints -
a. To file a knowingly false or malicious complaint of Prohibited Harassment or of retaliation is a violation of the Policy on Harassment, under the reasonable person standard.
b. A complaint that a knowingly false or malicious complaint has been filed will be pursued using the steps followed for a complaint of Prohibited Harassment.
c. A credible complaint under C.(2).b. shall not constitute prohibited retaliation.

D. Prompt Attention
Complaints of Prohibited Harassment, submitted in writing or orally, are taken seriously and will be dealt with promptly. Anonymous complaints of Prohibited Harassment will be taken seriously and may be investigated. Allegations of Prohibited Harassment shall be evaluated on the facts of the particular case and the context in which the alleged incident(s) occurred. The complainant has the responsibility of providing all known relevant evidence of the alleged Prohibited Harassment, including names of witnesses, dates, times, places and other pertinent information.

E. Confidentiality
Throughout the complaint and investigation process, every effort will be made to assure and provide confidentiality to the fullest extent reasonably possible to protect against retaliation. Subject to applicable law, communication will be limited to a minimum "need to know" basis, coupled with a directive not to discuss the matter outside the process. However, the investigation of such complaints will generally require disclosure to the accused party and other witnesses in order to gather pertinent facts.

F. Disciplinary Actions for Violations of the Policy on Harassment
Disciplinary actions for violations of the Policy on Harassment can include: oral and/or written reprimand, reassignment, suspension, counseling, demotion, termination, probation, dismissal or any combination thereof. Offenders may be disciplined under the appropriate governing code of conduct (See "Who is Covered", First paragraph, hereinabove). Sanctions for Prohibited Harassment depend upon the circumstances in each case.

G. Statement on Consenting Relationships
(1). Be Aware - The intent of the Policy on Harassment, with regard to consenting relationships, is to

inform the Campus Community of the expectation that individuals will not engage in Prohibited Harassment, rather than to prevent personal and social relationships. However, it should be understood by all members of the Campus Community that sexual relationships, which occur in the context of educational/employment supervision and evaluation or their equivalent, are generally deemed unwise even when the parties consent, because of the underlying power imbalance in such relationships.
(2). No Defense I - It is incumbent upon those with authority not to abuse or appear to abuse the power with which they have been entrusted. Should a charge of Prohibited Harassment be brought by a person in a subordinate position, "consent to the relationship" shall not be deemed a sufficient defense or justification for conduct which otherwise would be deemed Prohibited Harassment under the university's policy.
(3). No Defense II - This concept of "consent" also extends to conduct among individuals engaged in non-sexual relationships, particularly where there is a power differential, such as faculty/student or supervisor/employee. Examples include inappropriate conduct or remarks by someone in a position of actual or perceived authority, at after-hours social gatherings, intimidating, or otherwise inappropriate conduct by a senior colleague to a junior colleague, etc.

H. Informational Sessions
The University of Tulsa will conduct informational sessions (either in person or online) on the Policy on Harassment for all new employees, including faculty. In addition, each employee will be required to take a "refresher" course (usually offered online) on at least a biannual basis. Students will have the opportunity to attend a Policy on Harassment training session during their orientation session and at other times during the academic year. Trustees will be advised of such informational sessions. These sessions will address strategies for preventing Prohibited Harassment in order to allow individuals to reach their full potential within their roles in the Campus Community. Individuals who attended a session under the predecessor sexual harassment policy (which is replaced by this Policy on Harassment) will be provided a copy of this policy and are expected to review it, ask questions or complete a session on this policy, in order to be fully informed.

I. Pursuit of Complaint Outside the University
This policy does not preclude anyone from pursuing a complaint, at any stage of the process, with any external agency or other entity (such as an incident occurring where a student is in an internship or field placement, a faculty member is visiting at another institution, etc.).

J. Responsibilities of Faculty, Administrators and Supervisors
(1). Duty to Act - University faculty, administrators, and supervisors are responsible for fostering and maintaining a work place, educational and living environment that results in a campus culture where Prohibited Harassment is not tolerated. Faculty, administrators and supervisors have a legal obligation to act whenever they learn--directly or indirectly--about the occurrence of Prohibited Harassment. Faculty, administrators and supervisors shall immediately notify the appropriate University officers (see below, Procedure A-4).

(2). Failure to Act - Failure of faculty, administrators or supervisors to notify the appropriate University officer of allegations of Prohibited Harassment, or failure to take timely corrective action as advised, may be a violation of University policy and of the law. Faculty, administrators or supervisors who engage in such misconduct may be subject to appropriate disciplinary action, under this or other policies.

K. Record Keeping
The Office of the Provost, Office of Personnel Services and the Office of Student Affairs will track reports of Prohibited Harassment for statistical purposes and report at least annually to the University President concerning their number, nature, and disposition.

Procedures

A. Reporting and Investigation Procedures
Investigations of Prohibited Harassment complaints will be formally administered by the appropriate University officer. These offices shall have the final determination of discipline based primarily upon the

investigations and recommendations derived from the outlined process; however, discipline shall be subject to the appropriate process as set out in documents identified hereinabove under "Who is Covered". Successor documents to those identified herein will replace the named documents, upon adoption; any process underway at the time of adoption of an amended (or successor) document will continue under the document in place at the time the process began, unless both complainant and the accused agree in writing to proceed under the new documents.

(1). Reporting Option - An incident of perceived Prohibited Harassment may be reported to any University official or faculty member, including an individual's supervisor, department chair or dean, or the appropriate University officer of The University of Tulsa.

(2). After Hours Reporting - Individuals who need to report a perceived incident of Prohibited Harassment after regular business hours of the University should report the incident to the Campus Security Office. The Campus Security Office will take appropriate action regarding the report, at the time received, and will notify the appropriate administrative office at the beginning of the next business day.

(3). Visitors - Perceived incidents of Prohibited Harassment involving visitors should be reported directly to the appropriate University officer or the Senior Administrator with appropriate oversight responsibility, or, if after regular business hours, to the Campus Security Office.

(4). Appropriate University Officer - The University of Tulsa designates appropriate University officers to handle allegations of Prohibited Harassment. The offices and officers responsible for investigation of allegations of alleged Prohibited Harassment, depending on the specific circumstances are: Director of Personnel and Campus Services or his/her designate (Office of Personnel Services); Provost or his/her designate (Office of the Provost); and/or the Dean of Students or his/her designate (Office of Student Affairs); or persons holding the successor titles to these positions.

(5). Other Than Appropriate University Officer - Individuals who witness possible Prohibited Harassment, or who receive a report of possible Prohibited Harassment, should immediately notify the appropriate University officer. Individuals should not take any action to investigate, or resolve the matter informally and must act only on direction from such office. After hours incidents should be reported to the Campus Security Office.

(6). Referral to Other Entity - Complaints involving only individuals who do not come within the jurisdiction of an internal University complaint resolution procedure (e.g. complaints between guests on campus, etc.) may be referred to other entities for handling.

B. Complaint Process

(1). Informal Complaint Process

a. In the event that an individual believes Prohibited Harassment has been or is occurring, he or she will be encouraged to communicate clearly, preferably in writing (keep a copy), to the alleged harasser and state that the conduct is not acceptable. The individual is also encouraged to maintain careful written records of the perceived Prohibited Harassment and to continue maintaining current records throughout the process.

i. The individual will be given an opportunity to meet with an appropriate University officer to discuss the Prohibited Harassment allegation. If an individual cannot decide whether to initiate a formal complaint or is reluctant to discuss the matter with the supervisor, he or she may seek the advice and counsel of an appropriate University officer who, with the individual's permission, may seek to resolve the issue informally through discussions with the supervisor and the accused.

ii. A signed, written complaint shall not be required to initiate the informal complaint process. If the individual does not wish to prepare a signed, written complaint, written

documentation shall be prepared by an appropriate University officer. Such written documentation shall include the nature of the complaint and the date(s) on which the alleged incident(s) occurred. The complaining individual shall be asked to read the written documentation prepared by the appropriate University officer to correct and acknowledge its accuracy; a written acknowledgement will be preferred and may be made in a separate document.

iii. Written documentation shall be prepared before any informal discussions are held with the supervisor and the accused. The accused shall be given an opportunity to read the written documentation, which may be edited by the appropriate University officer to protect the anonymity of the complaining individual.

iv. The University will proceed on an informal complaint, even if the individual does not wish to do so, to either confirm the allegations and take appropriate action or to clear the name of the accused from a malicious or unwarranted complaint.

v. If the parties are unable to reach a mutually satisfactory agreement after meeting, the option of filing a formal complaint is still available.

(2). Formal Complaint Process

a. If an individual wishes to file a formal complaint, he/she must submit a signed written statement alleging Prohibited Harassment, to the appropriate University officer. Documentation should include the name of the complainant, the name of the accused, the nature of the complaint, date(s), witnesses, the name(s) of the person(s) who received the complaint, and any other information relevant to the case. If some of this information is not available, the reason(s) for unavailability, if known, should be documented.
b. The appropriate University officer will investigate all formal Prohibited Harassment complaints according to the following procedures:

i. When a formal complaint is made naming the accused individual, that accused individual shall be informed as soon as possible and in accordance with the appropriate procedures governing the individual participants in the Campus Community. The accused will not be informed of the name of the accuser or the name of the alleged victim unless and until they each have consented. If the complainant does not consent to disclosure of his or her name, the investigation will proceed pursuant to the discretion of the appropriate University officer, in the best interests of preventing future Prohibited Harassment, whether against the complainant or others. In no event will a sanction be imposed without the accused having an opportunity to respond, in writing, to a formal complaint.

ii. The appropriate University officer (or the officer's designee) shall gather relevant evidence by interviewing the complainant, the victim (if not the complainant), the accused, and any witnesses determined to be appropriate.

iii. A copy of the complaint will be provided to the accused. The accused will be given an opportunity to respond to the complaint orally and in writing, and may provide evidence and/or witnesses.

iv. Investigations, and if appropriate, hearings shall be conducted in accordance with the appropriate governing document (See "Who Is Covered", first paragraph, hereinabove)

v. Once a determination has been made by the appropriate University officer, both the complainant and the accused will be notified of any finding and action to be taken. Pursuant to FERPA (Family and Educational Rights to Privacy Act), disciplinary student

records will remain confidential unless the affected student (complainant, accused, or witness) provides written consent to release of information.

vi. If either party disagrees with the determination made and/or the action taken, he/she may make an appeal in accordance with the appropriate governing university procedures. (See "Who is Covered", first paragraph, hereinabove). Appeals shall be limited to a review of the investigation, and the initial conclusion may be revised if appropriate; however, no new investigation will be brought about from an appeal.

WHOM TO CONTACT
This is a contact list for your file of whom to call for guidance, information, or informal resolution.

Informal Complaints - Contact any of the following persons on campus:
Your supervisor, chair, director, or dean
The Employee Relations Coordinator, Lorie Austin (631-2615)
The Associate Director of Personnel Services, Sherry Eskew (631-2250)
The Director of Personnel & Campus Services, Wayne Paulison (631-2616)
The Provost, Roger Blais (631-2554) (faculty)
Associate V.P. for Enrollment & Student Services, Dean of Students, Yolanda Taylor (631-2965) (students)
The Director of Campus Security, Joe Timmons (631-5555)

If a student is involved in any way, please also contact the Dean of Students.

The authority to grant exception to one or more of these policies and procedures is vested with the President of The University of Tulsa or his/her delegated representative(s).

Smoke-Free Policy

The University of Tulsa adopted a Smoke-Free Policy effective June 1, 1991. The policy applies to all University facilities on both the main and north campuses with the exception of student room space within University housing, fraternities, and sororities. Common areas within these facilities (lounges, cafeterias, TV rooms, study areas, hallways, etc.) are smoke free. To ensure the immediate availability of smoke-free residential space for students requesting a smoke-free environment, Housing & Dining Services declares appropriate smoke-free space each year. If demand for smoke-free housing via the housing application process exceeds available space, additional smoke-free housing will be dedicated in residence halls. Fraternities and sororities may vote to expand smoke-free policies within their living areas.

The only University-owned facilities excluded are private residential dwellings surrounding campus. No-smoking signs shall be posted at all building entrances. Cigarettes are not sold on University grounds in vending machines, in the student activity center, or at any other campus location.

Solicitation by Vendors and Religious Organizations

Solicitation by vendors for the sale of goods or by religious organizations on the University campus, in its residence halls, fraternity or sorority houses, or other University buildings is prohibited without registration and written consent from the Office of Student Affairs. A fee is charged for solicitation privileges, and the solicitor must be sponsored by a campus organization.

Student Admittance to Athletic Events

General Provisions

Students enrolled for full-time credit courses during the academic year must present their valid University of Tulsa ID and ticket for admittance to all athletic events. If a valid student ID is not presented, the student may not enter. All patrons holding a student ticket must present their personal student ID. The Department of Intercollegiate Athletics reserves the right to refuse admittance to an event or to remove a student from an event at the discretion of event operation personnel.

Students enrolled for full-time credit courses during the academic year at The University of Tulsa are allowed one (1) free student admittance to all athletic events. An individual whose relationship is predominantly identified as that of being a student will receive student ticket benefits. Individuals who are full-time employed by the University, regardless of the number of hours they may be enrolled as a student, will receive applicable employee ticket benefits.

Football
The number of student tickets available for football is 2,468. These tickets are located in sections R and S of H. A. Chapman Stadium. The band will now be located in rows 1-9 of sections N and O, leaving all of sections R and S for students. Rows 1-7 and 15-45 will be available in section R as general admission seating (1,234 seats), and section S is reserved seating (1,234 seats). Students are allowed to purchase one (1) half-price guest ticket for either section, and any additional tickets at regular price.

Student tickets will not be made available in reserved seating (section S) until all general admission seating is allocated. Variations from this policy are at the discretion of the Athletic Ticket Manager.

The deadline for student tickets is the close of business two (2) days prior to the event date. The Department of Intercollegiate Athletics reserves the right to sell all remaining available student tickets to the general public. Sections will remain "reserved" and "general admission," respectively. As long as tickets are available within the stadium, students will have an opportunity to obtain a free ticket. No tickets will be sold to the general public in sections R and S before this deadline.

Students can enter H. A. Chapman Stadium two hours prior to kick-off. Student tickets are available for pick-up at the Athletic Ticket Office two weeks prior to the event. Students must enter at the east, center gate of H. A. Chapman Stadium.

Basketball
All student seating in the Reynolds Center will be General Admission. Students are allowed to purchase one (1) half-price ticket, with a total student guest ticket for each event; quantity not to exceed fifty (50) tickets. No students will be allowed to purchase full price seating beyond the previously stated conditions in the student section.

Student tickets will be available three weeks prior to scheduled games at the Athletic Ticket Office. The deadline for student tickets is the close of business five (5) days prior to the event date. The Department of Intercollegiate Athletics reserves the right to sell all remaining student tickets to the general public. As long as tickets are available within the Reynolds Center, students will have an opportunity to obtain a free ticket. No tickets in the student section(s) will be sold to the general public before this deadline.

All Other Sports
Students are admitted to all other sports on the date of the event by presenting a valid University of Tulsa Student ID. Students may purchase one (1) additional ticket at half-price at the gate on the event date.

Student Telephone Directory

The University publishes a student telephone directory each year in hard copy and on-line, and all students are included in the directory unless they give written notice to have their name withheld.

The directory includes students' names and their local address, local telephone number, college, and year in school. The directory is distributed free to the University community and will be available on or before mid-October. The book offers coupons and discounts from area merchants as well as a list of on-campus office numbers for quick reference. Anyone who lives off campus must complete a form to be listed in the phone book.

Students needing to update their directory information may do so by submitting a "Student Telephone Directory Update" form. Students who want their names and phone numbers withheld must complete a “Request to Withhold Student Telephone Directory Information" form. Forms are available at the Allen Chapman Activity Center, residence hall front desks, the Office of Student Affairs, as well as this website by clicking on the links. Deadline to submit requests to update or withhold information from the directory is 5:00 p.m. the second Friday of classes in August.

Tuition Payment Policy

As a University of Tulsa student, it is your responsibility to ensure that all educational expenses are paid during the semester in which they are incurred. If financial aid does not cover all of your expenses, you may either pay the balance in full or participate in The University of Tulsa's Monthly Payment Plan. Please contact The University of Tulsa's Business Office (918/631-2600) or visit our website at www.utulsa.edu to obtain information regarding the monthly payment plan. A nominal fee will be assessed to establish a monthly payment plan.

Payment of current semester charges or payment arrangements must be made by 5:00 p.m. on the first day of classes. Payment arrangements may include the monthly payment plan, pending financial aid, or a combination. Payments not made when due will be subject to a finance charge of 1-1/2% per month.

If the account remains unpaid, the University reserves the right to suspend or withdraw you from classes; withhold grades, transcripts, and diplomas; deny you future enrollments; and require you to move from student housing.

The University accepts charges on valid VISA, MasterCard and Discover credit cards.

Use of Facilities

University-provided facilities are to be used for university-related purposes. In order to effectively use University facilities, all University facilities must be scheduled in advance of their use. Exceptions to this policy are at the discretion of the administrator responsible for the facility when it is used in connection with its intended purpose such as using the chapel for prayer or the library for reading or research. Furthermore, for the facility to be effectively used, the activities occurring on University property must conform to all other University policies.

It is the responsibility of the sponsoring person or organization to be aware of those policies in advance of the activity. Two such policies, which are most frequently related to the use of University facilities, are those which address the consumption of alcoholic beverages and the purchase of food and beverages both when University funds are used, and when the consumption of food and beverages occurs on University property as part of a scheduled event.

Procedure:

- Non-University persons and/or groups can use university facilities by following all reservation procedures and by paying an appropriate rental fee unless the University waives the fee. However, as a private, non-profit Oklahoma corporation, the University reserves its rights to govern the used of its facilities and premises by persons or groups not part of the University community. Consequently, some requests may be denied.

- Areas and facilities owned by The University are private property. Any person, group or entity either internal or external to The University wishing to use these areas and/or facilities must contact the appropriate office responsible for that area or facility listed at the end of this policy well in advance in order to request to reserve the facility. That office will consult with others as needed to determine if the request will be approved.
- For certain types of events, the appropriate Vice President or Vice President's designee must also approve the scheduling of the facility. For facilities requested by students, that would be the Vice President for Enrollment and Student Services. For facilities requested by faculty, that would be the Provost and Vice President for Academic Affairs. For facilities requested by non-faculty employees, that would be the Vice President for Business and Finance.
- Two types of events require the appropriate Vice President's approval. These are: 1) In the case of an event which a reasonable person would understand to be a protest or demonstration defined as a person or assembly of persons engaged in a rally, march, sit-in, fast or other public manifestation of welcome, approval, protest or disapproval but not social or athletic exhibitions or events; and 2) In the case of an event that might be reasonably expected to draw more than 200 members of the public and/or present The University with parking, safety or health problems.
- Failure to secure a reservation and to comply with this policy once one is granted subjects the activity to immediate termination at the sole discretion of the University and will require those in attendance to immediately disperse. Non-members of The University community may be required to leave University property or be subject to arrest for trespassing. As a private Oklahoma corporation, the University also reserves its right to refuse the use of its facilities to any group, internal or external if, in its sole judgment, the proposed used of the facility would be inconsistent with the Mission and purposes of The University.
- Therefore, in order to balance rights and responsibilities, it is appropriate to require a reasonable and orderly scheduling of University facilities, resources, and personnel. In some cases and at The University's sole discretion, this may involve the sponsoring organization hiring security personnel through The University's Campus Security Department at the sponsoring organization's expense. The University will not however, condone the abuse of these rights if they interfere with The University's functioning as a free academic institution or with the rights of the members of the University community.
- On the occasion when an activity, whether previously approved or not, interferes with the normal functions of The University or appears to a reasonable person to be likely to do so or presents an indication that there is a likelihood of danger to life, limb, or property, The University may act toward the alleviation of that actual or anticipated interference or danger including ending the activity and having the participants disperse.
- Whenever facilities are used, the sponsoring organization is responsible for returning the reserved location to its original condition and removing all items brought to the location, unless the organization has made specific arrangements in advance with appropriate University personnel to do so. For such a service, there may be a charge.
- Following is a list of the offices responsible for scheduling University facilities which must be contacted in a reasonable amount of time in advance of the planned event to schedule the event.

Facility Office

- Allen Chapman Activity Center (ACAC)--ACAC Administrative Office x2251
- Athletic Facilities (indoors and outdoors)--Assoc. Vice President for Facilities and Campus Services x5222
- The "U" and space between ACAC and Law--ACAC Administrative Office x2251
- Collins Fitness Center--Dir. Fitness Center x2675
- Mabee Gym--Associate Athletics Director x3063
- Residence Halls (indoors and outdoors)--Resident Director for the building affected
- Alumni Relations, Collins Hall x2555
- Helmerich Hall--Dean's Office x3184
- Chapman Hall (Arts and Sciences)--Dean's Office x3795
- Kendall Hall (Chapman Theater)--Kendall Hall x2566
- Keplinger Hall (Eng. & Natural Sciences)--Keplinger Hall x2478
- Lorton Hall—(Graduate School) Dean's Office x3795

- John Roger Hall (Law School)--Law School x2401
- Tyrrell Hall--Tyrrell Hall x2262
- McFarlin Library--Library x2352
- Sharp Chapel--Chaplain's Office x2546

The authority to grant exception to one or more of these policies and procedures is vested with the President of The University of Tulsa or his/her delegate representative(s).

Policy Effective: March 10, 2004

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504/ADA Accommodation Policy for Students with Disabilities

(Revised and approved June 25, 2001)

A. The University of Tulsa is committed to providing equal access for all students to its programs and services, including the equality of opportunity to be competitive in academic endeavors. Effective and efficient implementation of this commitment requires the cooperation of all of The University's offices, departments, and personnel as well as appropriate utilization by students of the University's services, depending on their particular situations and needs.

B. Admission requirements for students with disabilities are the same as for all other students. The University does accept the certified results of all standardized tests (e.g. ACT, SAT, GRE, and LSAT). The University is very concerned that students with disabilities who consider attending The University of Tulsa be competitive in this academic environment. Therefore, reasonable accommodations will be made upon proof, both of disability and need for the accommodation. It must be understood that accommodations for disabilities are meant to equalize educational opportunities. Admission and accommodations do not guarantee success or level of academic achievement. Therefore, in addition to the specific accommodations provided, The University encourages utilization of auxiliary services available to all students to maximize opportunities for success.

C. Individuals with disabilities are guaranteed certain protections and the right to accommodation based upon documentation. The documentation must indicate that the disability substantially limits a major life activity and addresses academic impact. Students whose disabilities require academic accommodations must complete an "Application for Disability Services" form and an intake interview prior to the academic term for which the accommodation is requested. Accommodations may be made during the term upon late submission of the form, but will not serve to alter prior grading or academic status. Documentation must be appropriate and justify a need for the accommodation by addressing the functional limitations created by the disability and must be applicable to the request for accommodation. Any requested curricular changes (e.g. course substitutions) would require more extensive justification for academic adjustments. Determination of eligibility and approval of accommodations will be made by the Eligibility Committee for Students with Disabilities (composed of the ADA/504 Coordinator, at least one individual knowledgeable in the specific area of disability, an administrative representative(s) from the college in which the student is enrolled, and an additional representative as determined appropriate by the ADA/504 Coordinator). The Eligibility Committee will also review all requests for changes in accommodation. Appropriate modifications of accommodations will be determined on a case-by-case basis and will not necessarily incorporate all requested changes. Requests must be submitted in writing utilizing the Request for Change in Accommodations Form. A more thorough explanation of the requirements for documentation is available on The University of Tulsa website or from the Center for Student Academic Support. Written permission must be granted for the Eligibility Committee to review the documentation directly with the responsible

professional, in order to clarify or better understand how to best accommodate the specific disability without compromising academic performance standards or graduation requirements.

D. Within 20 working days, based on The University work calendar, of receiving the written request and all pertinent documents, a written response will be issued. To avoid delay due to multiple requests made at the beginning of each term, students requesting accommodations (including any changes) are encouraged to submit all documentation no later than one month prior to the beginning of the term for which the accommodations are requested. When the student is found eligible for services, the student must meet with a staff member for discussion about accommodations and to review rights and responsibilities. Faculty and other personnel are to provide accommodations only according to the official written accommodation statement. This document will not cover accommodations for a student as an employee, accommodations in the workplace must be separately requested through the Office of Personnel Services.

E. It is the responsibility of the student who requests educational accommodations to provide the following:
1. Documentation prepared by appropriately certified personnel qualified to diagnose disabilities; including, but not limited to those certified or licensed as physician, educational diagnostician, learning disability specialist, or psychologist. The service providers cannot be associated to the University in a full-time or part-time employment capacity.

2. Documentation of the testing procedures followed, the instruments used to assess the disability, the test results, and the interpretation of the results. Diagnosis of some disorders must meet specific criteria, for example the diagnosis of Learning Disabilities, Attention Deficit Disorder or similar conditions. Contact the ADA/504 Coordinator for more information.

3. Documentation specifying recommended academic accommodations, which will be taken into consideration when identifying reasonable academic adjustments.

4. Documentation reflecting the individual's present achievement level. This must be as comprehensive as possible, and to be in the student's best interests, must usually be dated no more than three years prior to the students request for services.

5. Documentation including test results for at least the following characteristics: intelligence, vocabulary, reading rate, reading comprehension, spelling, mathematical comprehension, memory, and processing skills, which are required for most disabilities involving intellectual functioning.

6. Additional testing results or additional appropriate documentation for the disability as determined by the Eligibility Committee.

Documentation should be sent directly from the service provider to the Center for Student Academic Support

F. All information submitted concerning the disability is confidential and will be released to instructors or others only with written release of information consent from the student or in compliance with legal requirements.

G. Students needing auxiliary services, such as readers, interpreters, or note takers, etc. should discuss these needs with the ADA/504 Coordinator. In addition to discussing appropriate education modification, the ADA/504 Coordinator will serve as liaison with University faculty and administration on behalf of students with disabilities, including the Office of Human Resources for those students who are also employees and in need of accommodations in the workplace.

H. Students who request accommodations and who believe that the accommodations have been impermissibly denied, or who believe that they have been discriminated against on the basis of their disability, should bring this matter to the ADA/504 Coordinator. If the ADA/504 Coordinator is unable to resolve the matter informally or if the student is unsatisfied with the resolution, the student should refer to the ADA/504 Grievance Procedure for University of Tulsa for students which is available on The University website or in the Center for Student Academic Support.

I. Students with documented disabilities who warrant the adjustment of carrying less than a full-time course load can be determined eligible for full-time student status. In such cases, the student must provide documentation of need for a reduced course load, which will be submitted to the Eligibility Committee for consideration. Accommodations for a reduced course load must be reconsidered each semester and may require additional documentation. Students should check as needed with appropriate departments regarding requirements affecting eligibility; such as Financial Aid, Athletics, internship placements, etc.

J. Accommodations for off-campus placement, such as internships, study abroad or other experiential programs may be subject to limitations beyond the control the University. Students seeking accommodations for such off-campus programs should do so as far in advance as possible, so that the ADA/504 Coordinator can attempt to work with the off-campus site in the best interest of the student's educational opportunity.

K. Students with documented disabilities will be allowed to enroll prior to the regular enrollment date. Additionally, students with disabilities are encouraged to take advantage of the following related services available to all students at The University through the Center for Student Academic Support:
1. Listing of tutors available for hire at the student's expense
2. Individual, confidential conferences about individual concerns
3. General study skills, time management, and goal setting assistance
4. Referral to qualified resources for diagnostic evaluation of learning disabilities at the student's expense
5. Academic counseling and individualized assistance for improving study strategies
6. Psychological support through referrals to the Office of Counseling and Psychological Services

L. The University of Tulsa does not offer students with disabilities the following:
1. Special classes
2. Special tutorial program
3. A reduced standard for academic performance
4. Exemption to graduation requirements
5. Credit for effort in place of demonstrated competence in course or subject content
6. A substantial change or alteration in the course of study

M. Student's responsibilities are further delineated in Responsibilities of Student Receiving Academic Accommodation Policy which is available through the Center for Student Academic Support.

N. Physical Disability and Temporary Disability Students wishing to discuss the availability of services for the physically disabled, or who wish to identify barrier problems should contact the ADA/504 Coordinator, Lorton Hall 210, 800 S. Tucker Drive, Tulsa, Oklahoma 74104-3189, or call (918) 631-2315, or TDD (918) 631-3329.

For further information contact:
Jane R. Corso, Ph.D.
ADA.504 Coordinator

Lorton Hall, 210
800 S, Tucker Drive
Tulsa, Oklahoma 74104
(918) 631-2315/TDD (918) 631-3329

504/ADA Grievance Policy for Students at /The University of Tulsa

Grievance Procedures

General Procedures
The University of Tulsa is committed to providing equal access for all students to its programs and services, including the equality of opportunity to be competitive in academic endeavors. Effective and efficient implementation of this commitment requires the cooperation of all of the University's offices, departments, and personnel as well as appropriate utilization by the students of The University's services, depending on their particular situations and needs. Students who believe they have been discriminated against on the basis of their disability may choose to engage the grievance procedure below.

ADA Student Grievance Procedures
The University of Tulsa has adopted an internal grievance procedure for prompt and equitable resolution of complaints alleging any actions prohibited by Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Students who request accommodations and believe that the accommodations have been impermissibly denied, or believe that they have been discriminated against on the basis of their disability, should address all complaints, excluding those filed against the ADA/504 Coordinator, to:

ADA/504 Coordinator
Center for Student Academic Support
Lorton Hall, 210
University of Tulsa
800 South Tucker Drive
Tulsa, OK 74104-3189
(918) 631-2315
(918) 631-3329

All ADA/504 complaints filed against the ADA/504 Coordinator and or the Eligibility Committee for Students with Disabilities should be addressed to:

Office of the Executive Vice President
Collins Hall
The University of Tulsa
800 South Tucker Drive
Tulsa, OK 74104-3189

Specific Grievance Procedures

A student who believes that they have been impermissibly denied this opportunity may appeal any decision by taking the following steps in the order they are shown:

1. All complaints should be filed in writing*, containing the name and address of the person filing it, the

parties involved, and the alleged violation.
2. A complaint should be filed within thirty (30) days after the complainant becomes aware of the alleged violation.
3. An investigation, as may be appropriate, will follow the filing of the complaint. Either the ADA/504 Coordinator or the Office of the Executive Vice President, depending on the nature of the grievance, will conduct the investigation. These rules anticipate informal but thorough investigations, affording all interested persons and their representatives notice and the opportunity to be heard and to submit evidence relevant to the complaint.
4. A written determination as to the validity of the complaint and a description of the resolution will be issued by either the ADA/504 Coordinator or the Office of the Executive Vice President. A copy will be forwarded to the complainant no later than fifteen (15) working days after its filing.
5. The ADA/504 Coordinator or the Office of the Executive Vice President will maintain the files and records relating to the complaints filed.
6. Should the grievant desire to appeal the written determination, the appeal should be filed in writing* within fifteen (15) days of receiving a written determination as to the validity of the complaint. The appeal should describe the grounds upon which the complainant bases his or her appeal.
7. The Dean of Students will review the written record and determine within thirty (30) working days of receipt of appeal any additional steps to be taken, including whether to send the grievance back for further review. A determination by the Dean of Students is final and is not subject to further review. The appeal should be addressed to:

Dean of Students
Holmes Student Center, #59
The University of Tulsa
800 South Tucker Drive
Tulsa, OK 74104-3189
(918) 631-2327

* Students who are unable to write their grievance due to a disability should utilize assistive technology assistance or request technical support from the Center for Student Academic Support.

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Policies Regarding Academic Activities and Conduct

The rules, regulations, and policies contained in this handbook apply to all TU students, full time and part time, including but not limited to undergraduates, graduates, law school students, athletes, residence hall occupants, apartment occupants, members of fraternities and sororities, and commuting students.

In addition to the rules, regulations, and policies contained in this handbook, other handbooks specific for certain groups of students apply as well. Therefore, the *Nursing Student Handbook, Athletic Trainers Handbook, Student-Athlete Handbook, Undergraduate and Graduate Bulletins, Law School Policies and Regulations* and the *Law School Student Code of Conduct Handbook, The Guide to Living on Campus, Office of Research and Sponsored Programs: Policies, Procedures, Guidelines, or ACAC Facilities* booklet also may apply to you.

For specific information relating to academic standing, advising, classification determination, credit by examination, transfer credits, academic probation and dismissal, the awarding of undergraduate degrees, graduating with honors, the grading system, and auditing courses, please refer to pages 21-25 of the *Undergraduate Bulletin*.

Academic Appeals

Recognizing that students may feel aggrieved from time to time regarding grades or other academic decisions made by a particular instructor or administrator, The University of Tulsa provides the following mechanism for students to appeal such decisions.

A student who believes that a decision made by a professor, department chair, committee, or other entity is either unwarranted, negative, or otherwise adversely affects the student's record, may appeal the decision by taking the following steps in the order shown:

1. The student should first seek an audience with the individual or committee who has made the decision to attempt to explain the basis for the complaint and the remedy requested (e.g., grade change, withdrawal from the course, etc.). If the party or parties petitioned feel there are insufficient reasons for honoring the appeal, the individual or committee should explain their refusal to do so in writing on appropriate academic grounds.
2. If the student is unsatisfied with the explanation provided at the first level of complaint, he or she may appeal in the designated order to the next level of academic supervision, which will differ depending on the structure of a given college. For example, appeal of a decision by an instructor might go first to the department chair, next to the college committee established to hear such appeals, and thence to the dean. Although each college will establish its own structure for such appeals, normally the appeal will be final when a decision is rendered by the dean.
3. In the unusual circumstance that the student can make a case that the concept of fundamental fairness has been violated in the appeals process itself, the final appeal may be made to the provost, who may either consider it or decline to do so depending on his or her assessment of the circumstances presented. In all such cases, student appeals on academic issues will be final when a decision is rendered by the provost.
4. The grade appeal must be made in accordance with the following rules:
a. It must be made in writing to the academic dean.
b. It must set forth (i) the error complained of (ii) the rationale for considering the decision to be in error, and (iii) the remedy requested.
c. Further, an initial grade appeal must be submitted within 90 days after the grade has been assigned.
Every effort should in turn be made to communicate a decision on the appeal to the student within 30 days after all pertinent information has been placed in the hands of the individual or committee to whom the appeal is addressed. This rule applies to each level of the appeal.

Academic Honesty

In keeping with the intellectual ideals, standards for community, and educational mission of The University, students are expected to adhere to all academic policies. Cheating on examinations, plagiarism, and other forms of academic dishonesty violate both individual honor and the life of the community, and may subject students to penalties ranging from failing grades to dismissal. Academic misconduct also includes the unauthorized or inappropriate use of University computers, vandalism of data files or equipment, use of computer resources for personal reasons unrelated to the academic and research activities of The University, plagiarism, violation of proprietary agreements, theft, or tampering with the programs and data of other users.

Specific policies exist in the various colleges in addition to the overall University policies published in this handbook and other campus policy guides. Students enrolled in the College of Law are to refer to the *College of Law Honor Code* for additional policies regarding conduct.

Academic Misconduct

Standards and Definitions

These policies, which were originated in the Henry Kendall College of Arts and Sciences, have been adopted, with some variations, by most other colleges.

The University of Tulsa expects students and instructors to have prepared the work or research that bears their name, and to give acknowledgment in the use of materials and sources. Students are expected to do their own work and research, to prepare their own reports and papers, and to take examinations without the assistance of others or aids not allowed in the testing procedure. The standards and ideals of learning at the University assert that students develop and learn as they participate directly in the process of learning, rather than by substituting the labor and experience of others.

Academic misconduct includes, but is not confined to, plagiarizing; cheating on tests or examinations; turning in counterfeit reports, tests, and papers; stealing tests or other academic material; knowingly falsifying academic records or documents of the college; and turning in the same work to more than one class without informing the instructors involved.
Students and instructors need to recognize that none of the procedures set forth in this document operate to the exclusion of civil or criminal litigation. Also, no definitions in this document supersede any part of the civil or criminal code. However, it is hoped that the procedures set forth herein will enable the parties concerned to resolve the contested issues without the necessity for recourse to the law, and in a manner that protects the rights of the individuals involved.

Plagiarism is presenting as one's own efforts the work of someone else without proper acknowledgment of that source. Exact copying is to be enclosed in quotation marks with an appropriate indication of its origin. Paraphrasing, wherein the basic sentence structure, phraseology, and unique language remain the same, is also plagiarism. The failure to acknowledge unique, unusual, or new ideas and facts not the product of one's own investigation or creativity is plagiarism. When in doubt in a particular course on these matters, it is the student's responsibility to seek guidance from the instructor of the course.

Cheating is the use of aids or assistance not allowed in the quiz or testing procedure. Using notes, charts, books, and mechanical devices not specifically allowed by the examiner in the test or examination constitutes cheating. Visually or verbally receiving or giving information during the test not specifically allowed by the examiner is a form of assistance defined as cheating.

Counterfeit work is work turned in as one's own that was created, researched, or produced by someone else. Turning in a report of another's research, submitting a paper researched or written by someone else, having someone else take a test, and submitting joint projects as if they were solely one's own are all forms of counterfeit work that is unacceptable. Theft, use, or circulation of tests or answer sheets specifically prepared for a given course and as yet not used or publicly released by the instructor of a course constitutes academic misconduct.

Falsification of data or creation of false data by instructors or students in research or experimental procedures is considered academic misconduct.

Unauthorized re-use of work or the turning in of the same work to more than one class without informing the instructors involved constitutes academic misconduct. Falsification of academic records by knowingly and improperly changing grades on transcripts, grade sheets, and related documents, class work reports, tests, and projects, and knowingly falsifying documents related to the meeting of academic requirements or to academic achievements constitute academic misconduct.

(Throughout this document, "instructor" is used as the term to designate members of the faculty, teaching assistants, laboratory assistants, or others in their role and function as teachers or supervisors in connection with academic course work in the college.)

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warrant. Please check with the appropriate office for updates and current application of any policy.

Academic Misconduct: Student and Instructor Rights

Student

- A student has those rights, freedoms, and responsibilities as enunciated in the *Statement on Rights, Freedoms, and Responsibilities of The University of Tulsa.*
- The student has the right to differing and contrary opinion without fear of reprisal or unfair treatment in his or her academic work.
- A student charged with academic misconduct is innocent unless judged guilty through due process.
- A student has the right of appeals.
- The policies, procedures, and rights set forth in this document will be applicable to any student who enrolls in a class or course in The University.
- If students in one college are involved in cases of academic misconduct in other colleges, they may seek the advice and assistance of the Review Board for Cases of Academic Misconduct in their own college.

Instructor

- An instructor has those rights, freedoms, and responsibilities as enunciated in *The University of Tulsa Statement on Academic Freedom, Responsibility and Tenure.* An instructor has the right to establish reasonable and appropriate rules and procedures in accordance with the standards outlined in this document as they apply to the instructor's particular classes.
- Instructors are responsible for informing a class in written form concerning any special scholarship standards, rules, and penalties for the class or field of study, and to give clarification in the event of class or private queries on the subject.
- An instructor has the responsibility to treat fairly and impartially all members of a class, and to devise testing and assignment procedures that reflect this impartiality.
- Instructors have a responsibility to respect contrary opinions and the right of a student to think differently or to be critical without being penalized.
- Instructors have a responsibility to judge the performance or academic work of a student on its own merit without regard to the student's personality, origins, political or social views, and campus or community actions.
- An instructor has the responsibility to restructure courses and their content periodically. Otherwise, this may invite an approach to the class by students in which they rely on work that has been done by students in previous semesters.
- An instructor has the responsibility to use testing procedures, assignments, and class procedures that prohibit cheating or plagiarism, insofar as this is reasonably possible.
- It is expected that the instructor will refrain from using ideas expressed by a student without permission and proper acknowledgment.

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Ethical Conduct in Academic Research and Scholarship

I. Background/Introduction

The integrity of the research process is an essential aspect of a University's intellectual and social structure. Research is defined as all investigative, scholarly, and creative activity that supports the intellectual endeavors of the University. Although incidents of misconduct in research may be rare, those that do occur threaten the entire research enterprise.

The integrity of the research process must depend largely upon self-regulation. Formalization of the rights and responsibilities underlying scientific method is imperative in the research process. The University is responsible both for promoting academic practices that prevent misconduct and also for developing policies and procedures for dealing with allegations or other evidence of fraud or serious misconduct. All members of the University community - students, staff, faculty and administrators - share responsibility for developing and maintaining standards to assure ethical conduct of research and detection of abuse of these standards.

In dealing with this problem it is important to create an atmosphere that encourages openness and creativity. Good and innovative science cannot flourish in an atmosphere of oppressive regulation. Moreover, it is particularly important to distinguish misconduct in research and scholarship from the honest error and the ambiguities of interpretation that are inherent in the scientific process and are normally corrected by further research. The policies and procedures outlined below apply to faculty, staff and students; however, they are not intended to address all academic issues of an ethical nature. For example, discrimination and affirmative action are covered by other University policies.

II. Ethical Conduct in Academic research and Scholarship

The primary way to encourage appropriate conduct in research and scholarship at the University is for faculty to promote and maintain a climate consistent with high ethical standards. To reduce the likelihood of misconduct in research and scholarship, the faculty and administration should facilitate the following:

A. Encouragement of intellectual honesty
B. Assurance that quality of research, scholarship, and creative activity is emphasized
C. Acceptance of responsibility by supervisor as appropriate to the discipline
D. Establishment of well-defined research procedures
E. Appropriate assignment of credit and responsibility

III. Definitions

A. "Misconduct in research and scholarship" means any form of behavior which entails an act of deception whereby one's work or the work of others is misrepresented. Other terms, such as research fraud or scientific misconduct, are subsumed within the term as defined. Misconduct in research and scholarship does not include honest error, or honest differences of interpretation s or judgments of data. The principal element of misconduct in research and scholarship is the intent to deceive others or misrepresent one's work. Misconduct involves significant breaches of integrity which may take numerous forms such as, but not limited to, those outlined below:

1. Falsification of data
2. Plagiarism
3. Improprieties of authorship
4. Misappropriation of the ideas of others
5. Violation of generally accepted research practices
6. Material failure to comply with Governmental Requirements or Contractual Agreements affecting research
7. Inappropriate behavior in relation to misconduct

B. "Inquiry" means information gathering and initial fact finding to determine whether an allegation or apparent instance of misconduct warrants an investigation

C. "Investigation" means the formal examination and evaluation of all relevant facts to determine if misconduct has occurred.

The full text of this policy is contained in the *Office of Research and Sponsored Programs: Policies, Procedures, Guidelines,* copies of which are available in the Office of Research and Sponsored Programs, Office of the Provost, the Dean of Students Office, or from The University web site (http://www.utulsa.edu/research/).

Ethics Code and Policy for Computer Use

PURPOSE

To establish policy to ensure the provision of computer and telecommunication resources and services to the faculty, staff, and students, as well as outside clients of The University of Tulsa (TU). This policy applies to the use of all institutional data regardless of the office in which it resides or the format (paper, film, electronic, etc.) in which it is used. The following policy, rules, and conditions apply to all users of TU computer and telecommunication resources and services. Violations of this policy are unethical and possibly unlawful. In accordance with established University practices, violations may result in disciplinary action that could result in expulsion from The University or dismissal from a position, and/or legal action.

POLICY

The University of Tulsa strives to provide all computer users with privacy and a fair share of technical resources. All computer users have the responsibility to use The University of Tulsa computer resources in an efficient, effective, ethical, and lawful manner consistent with the Rules and Regulations of the University. The ethical and legal standards that all users should maintain are derived directly from standards of common sense and common decency that apply to the use of any public resource within The University and are documented in the local, state, and federal statutes and The University of Tulsa codes, rules, regulations, policies, and procedures. The University of Tulsa seeks to protect computer-based information, recognized as a primary administrative, educational and research asset, from accidental or intentional unauthorized modification, misuse, destruction, disruption, or disclosure. In order to make every reasonable effort to protect the integrity of its computing systems, workstations, networks, lab facilities, etc., The University has the right to monitor its computing resources. The University of Tulsa has an obligation to respect the privacy of a user's files, electronic mail, and printer listings to the best of its ability. With reasonable cause for suspicion, The University of Tulsa has the right to monitor any and all aspects of a system, including individual login sessions to determine if a user is acting in violation of the policies set forth in this document or as stated by law. The issuance of a password or other means of access is to assure appropriate confidentiality of university files and information and does not guarantee privacy for personal or improper use of university equipment or facilities.

1. USERS MUST ABIDE BY ALL SOFTWARE LICENSES, THE UNIVERSITY OF TULSA COPYRIGHT AND INTELLECTUAL PROPERTY POLICIES AND APPLICABLE FEDERAL AND STATE LAWS. (As an example, talking points for "SELECTED OKLAHOMA STATUTES AFFECTING USE OF TELECOMMUNICATIONS" are posted at http://www.is.utulsa.edu/policies
2. Users are responsible for safeguarding his or her user identification (ID) and password. Users should not print, store on-line, or give his or her password to others. The user is responsible to make authorized usage of the ID for its intended purpose only. Each user is responsible for all transactions made under the authorization of his or her ID.
3. Computer users shall not intentionally seek, provide, or modify information in or obtain copies of files, programs, keystrokes, or passwords belonging to other computer users without the permission of those other computer users. This includes all system files and accounts.
4. Files controlled by individual users are considered private, whether or not they are accessible by other users. A user must obtain written permission from the owner of a file to alter or copy a file that does not belong to him or her. The ability to read, alter, or copy a file does not imply permission to read, alter, or copy that file.
5. Each account owner and workstation user is solely responsible for the usage incurred through her/his account or workstation. Individuals who intentionally abuse accounts and privileges, degrades system performance, misappropriate computer resources or interfere with the operation of the computer and/or telecommunication facilities are subject to disciplinary action. The removal, modification, or reconfiguration of files on The University of Tulsa computer hardware of software is prohibited.
6. The electronic communication facilities are not to be used for the transmission of commercial or personal advertisements, solicitations, promotions, destructive programs, political material, or any other unauthorized or personal use.
7. The development and/or use of self-replicating code is allowed only under the direction of the academic faculty and Computing and Information Resources.

8. Computer users will use network links solely for the purpose permitted in the network guidelines (e.g., Internet 1, Internet 2, and National Lambda Rail). Users are responsible for obtaining and adhering to all network acceptable use policies.
9. The ability to connect to other systems through the network does not imply the right to connect to these systems or to make use of these systems unless properly authorized by the owners of those systems.
10. Users share many resources, such as disk space, CPU cycles, printer queues, batch queues, login sessions, software licenses, etc. No user may monopolize these resources and should utilize these resources only to the extent necessary for purposes related to authorized used.
11. Computer users shall not intentionally develop or use programs or devices that harass other computer users or that infiltrate the system and/or damage the software or hardware components of the system. Users have the right not to be harassed whether it be by physical, verbal, electronic, or other form of abuse and may complain or bring formal grievance through appropriate channels where the abuse complained of is by a The University of Tulsa authorized use, whether on or off campus.
12. Although each user has the right to freedom of speech, harassing or defamatory material may not be sent via electronic mail or posted to electronic bulletin boards, new groups, etc.
13. Use of the electronic communication facilities (such as electronic mail, telephone mail, or systems with similar functions) to send fraudulent, harassing, obscene, indecent, profane, intimidating, or other unlawful messages is prohibited.
14. Users will not aid, abet, or act in conspiracy with another to violate any part of these policies, rules, and conditions.
15. Occasional proper personal use of computer equipment and software is permitted when personal use does not interfere with expected work performance or violate any applicable policy, rule, or law. An employee's performance appraisal may take into account personal use and a supervisor may require a change in personal use as a condition of employment where appropriate.

A notification of a first violation of the Digital Millennium copyright Act will result in the termination of all wireless access to the University network, the termination of all wired access from the identified machine location, and a $250 service fee posted to their University account. The network access ID will continue to be active and usable for academic success using wired access in our public laboratories and at other locations. Network privileges will be reactivated upon meeting with the Dean of Students and showing a payment of the $250 fee.

A notification of a second violation will result in the permanent termination of all network access, both wired and wireless, from all machines that are not directly supported by the University and a $500 service fee posted to your University account.

Intellectual Property Rights

Technical information, discoveries, inventions, and patents resulting from investigation or research conducted by employees or students of the University a) which is financed in whole or in part from funds administered by the University, or b) as a direct result of an employee's duties or a student's academic pursuits with the University, or c) made in whole or in part by the utilization of University resources or facilities, are the property of the University and shall on request be assigned to the University or its designee, unless the University relinquishes its rights therein to the inventor. In no event may the name of the University be used in connection with any invention, item, or process resulting from research without the written consent of the University.

A more detailed statement of the procedures and regulations affecting intellectual property may be found in the Research Office's *Policies, Procedures, and Guidelines*. This publication may be found in an academic dean's offices, the Provost Office, the Office of Research and Sponsored Programs, or on The University of Tulsa website (http://www.utulsa.edu/reserach/).

This handbook is not a contract. It provides information and reproduces certain significant policies of the University. Policies and interpretation by the administration are subject to change as circumstances warrant. Please check with the appropriate office for updates and current application of any policy.

Investigations (Research) Involving Human Subjects

In accordance with the principles of the Code of federal Regulations: Title 45 CFR Part 46; Protection of Human Subjects, The University of Tulsa has adopted a policy and a set of procedures to be followed in all investigations involving human subjects, whether or not the research project is federally funded. The following procedures are mandatory: 1) the research project must be reviewed and approved by a Peer Review committee in the academic department involved; and 2) the research project must be approved by the Internal Review Board (IRB) by either full membership or expedited review by the chairman of the IRB.

Detailed procedural guidelines are given in the *Office of Research and Sponsored Programs: Policies, Procedures, and Guidelines.* This publication may be found in an academic dean's offices, the Provost Office, and the Office of Research and Sponsored Programs. These guidelines, as well as 45 CFR 46, are available in the Office of Research and Sponsored Program or on The University of Tulsa website (http://www.utulsa.edu/research/).

Notification of Student Absences by the Center for Student Academic Support

All absences should be negotiated on a case by case basis with the instructor, in accordance with the policies of the department and/or division.

The staff at the Center for Student Academic Support will notify faculty members of confirmed student absences only under the following conditions:

- When a member of the staff of Alexander Health Center notifies the staff of CSAS that a student has an illness which requires him/her to be quarantined
- When the staff of CSAS is notified of a student's hospitalization for longer than a 48 hour observation period.
- In situations where confidentiality must be maintained, CSAS staff will accept documentation from off-campus health care providers (physician, psychologist, or other recognized documenting authorities for emergency situations) and notify faculty members of their recommendations.

All requests for notification must be accompanied by the following documentation:

- date of onset of illness or condition
- of expected return to school
- diagnosis
- documentation must be provided on letterhead from a licensed health care professional
- signature of the diagnosing profession

All requests for notification of faculty by CSAS staff for the funeral of an immediate family member (parent, siblings, spouse, or children) resulting in an absence must be accompanied by the following documentation:

- date of funeral
- date of your return
- name and relationship to deceased

- name of funeral home, location, and telephone number for verification purposes.

Faculty members are encouraged to determine the appropriate attendance policy for their classes and state these requirements in their syllabi.

The CSAS notification to faculty is informational and is not intended to intrude upon faculty members' policies regarding class attendance or opportunities to make-up work.

Questions should be directed to the Center for Student Academic support (CSAS) at 631-2315. CSAS is located in Lorton Hall room 210.

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RESPECT FOR RELIGIOUS DIVERSITY

PURPOSE

As an institution founded by and affiliated with the Presbyterian Church (U.S.A.), The University of Tulsa honors and respects the place of religious life in all its diversity. The University seeks to support and foster an atmosphere in which members of the University community may freely observe their religious faith traditions.

WHO IS COVERED

Regular and temporary full-time and part-time faculty, administrative/professional, hourly staff, and students.

POLICY

The University of Tulsa urges its administrators, faculty, staff, and students to be sensitive to the religious holidays of major faith traditions, so that all persons may participate in the essential practices of their faith without conflict with either academic or work requirements. Campus-wide events, such as convocations, commencements, and Homecoming, should thus not be scheduled on major holidays of the religious traditions of University constituents. Likewise, the scheduling of tests and examinations on such days should be avoided if at all possible.

Where class scheduling conflicts are unavoidable, it is the policy of the University to excuse the student absence that results from attendance at religious observances. Faculty and/or academic administrators should provide opportunity for students to make up work or examinations missed in a timely manner and without penalty. Students should give two weeks notice to the course instructor of their intention to be absent themselves when a scheduled activity conflicts with a formal observance of an organized religion or faith tradition.

Staff may also be excused, consistent with University leave policy, when the individual's work schedule conflicts with a formal observance of an organized religion or faith tradition. Staff are asked to give adequate notice to their supervisor, based on departmental requirements.

Approved: Student Association, January 21, 1999
Faculty Senate, February 18, 1999
Staff Advisory Council, April 1, 1999
President's Executive Committee, May 19, 1999

Satisfactory Academic Progress for Continued Financial Aid Eligibility

Students are expected to maintain a reasonable progression toward the successful completion of their degree requirements for continued eligibility for financial assistance. The Student Financial Services Office performs an annual review of a student's academic file, during the summer, of the number of hours successfully completed and the cumulative grade point average earned by a financial aid recipient while attending the University. The chart illustrates the minimum standards which certified, eligible students in degree programs must meet before receiving federal and state financial assistance.

I. Satisfactory Completion of Semester Hours

Each student is required to pass a minimum of 75% of their credit hours enrolled during the preceding fall and spring semesters at the University (rounded to the next higher number). Audit course-work cannot be counted. The number of hours required is based on the number of hours for which a student initially received financial assistance at the beginning of each fall and spring semester (prior to the refund period). Drops and withdrawals from classes will count toward the accumulated deficient hours for a student.

II. Grade Point Average Requirement

Each student must meet a cumulative grade point average standard to remain eligible for assistance.

	Hours Attempted	Cumulative GPA Required
Undergraduate		2.00
Graduate	Not applicable	3.00
Law	Not applicable	2.00

III. Deficient Hours Accumulated

To complete a degree plan in the specified number of hours allowed, a student cannot accumulate a significant number of I's (incomplete), F's (failing grade), or W's (withdrawal). Therefore, each student is allowed a maximum number of "deficiencies" in pursuit of a specific degree:

	Maximum Number of Deficient Hours
Undergraduate	40
Graduate	15
Law	30

IV. Maximum Number of Hours Allowed to Complete a Degree

Each student enrolled in a degree program is eligible for financial assistance for a maximum number of hours specific to the completion of the degree.

	Maximum Number of Deficient Hours
Undergraduate	160
Graduate	50
Law	120

Students who wish more information concerning these requirements should make an appointment to discuss their situation with a counselor in the Office of Student Financial Services.

Student and Instructor Responsibilities

Students

- Students have a responsibility to do their own academic work.
- Students are to acknowledge the sources of their materials and to acknowledge material that is the work of others.
- Students have the responsibility to inquire of their professor if uncertain as to what constitutes proper acknowledgment.
- Students have the responsibility to inquire, if they are unsure, as to what materials and aids are permitted in testing and research rooms.
- Students have a responsibility to know their rights and responsibilities as delineated in the *Statement on Rights, Freedoms, and Responsibilities of The University of Tulsa*.
- Students have a responsibility to be acquainted with the University's position toward academic misconduct as set forth in this document.
- Students have the responsibility to follow all University safety policies and procedures provided to them by instructors.

Instructors

- Instructors have a responsibility to support and implement the standards, policies, and procedures in relation to scholarship and academic misconduct adopted and approved by the University.
- An instructor has the responsibility to be familiar with the *Statement on Rights, Freedoms, and Responsibilities of The University of Tulsa.*

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Withdrawal from The University

Students withdraw from The University when their enrollment is terminated before completing the semester for which they are enrolled. Withdrawing students will be asked to complete a questionnaire identifying their reason(s) for withdrawing and describing their future plans. This information will help The University ensure that its programs, services, and resources are appropriate to meet students' needs, and will provide students the opportunity to make suggestions and comments about their experiences at TU.

Voluntary Withdrawals

A degree-seeking student desiring to withdraw must discuss the matter with a member of the college advising office staff. Students will be asked to complete the questionnaire during this meeting. The request for withdrawal must be approved by the College Dean.

Non-degree seeking students are strongly encouraged to meet with an advisor before withdrawing and will also be asked to complete a questionnaire identifying their reasons for withdrawing and describing their future plans.

Medical/Psychological Withdrawal

Students withdrawing from the University based on a medical psychological reason should submit a written request to the Center for Student Academic Support. A request for medical/psychological withdrawal must be supported by documentation from your physician/psychologist/psychiatrist.

Additionally, your physician/psychologist/psychiatrist must complete the Medical Verification form, which can be obtained from the Center for Student Academic Support.

The Center for Student Academic Support will maintain all documentation in confidential student files. Additionally, the Center for Student Academic Support will notify the College Advising Offices, the Business Office, Student Financial Services, and Housing and Dining that the student has provided sufficient documentation to qualify for a medical/psychological withdrawal.

A medical withdrawal does not relieve students from financial obligations incurred from the University or related organization. Students should contact the Business Office, Housing and Dining, and/or Student Financial Services. Grades of students who withdraw before the end of the drop/add period will be determined as follows:

- Students who withdraw before the end of add/drop period will not have grades shown on their transcripts.
- Students who withdraw due to documented extenuating circumstances after the end of the add/drop period will receive a grade of "W" in all their courses.
- Students who withdraw after grades are assigned will have the assigned grade on their transcript.

Re-admission to The University may be contingent upon receipt of a letter from the attending physician or mental health practitioner stating that the student is able to return to classes. The Center for Student Academic Support must receive supporting documentation for the student's return to The University at least 30 days before re-admission.

Students who fail to provide adequate documentation to the appropriate office prior to the commencement of finals may receive the grade they earned in the courses. The University of Tulsa does not permit retroactive withdrawals or grade changes.

Non-returning Students

Students who plan to complete their current semester of enrollment but do not intend to return to The University of Tulsa for the subsequent semester are strongly encouraged to meet with a member of the college advising office staff or the Associate Vice president for Enrollment and Student Services/Dean of Students to discuss their decision. Non-returning students will also be asked to complete a questionnaire identifying their reasons for not returning to The University of Tulsa and providing the opportunity for non-returning student to make suggestions and comments about their experiences at The University of Tulsa.

Involuntary Withdrawals

Students may be required to withdraw from The University for habitual absence from class, disruptive behavior, or other activities that prevent the student or others from fulfilling the purposes implied by enrollment in The University. Involuntary withdrawals will be initiated by the Vice President for Enrollment and Student Services upon the recommendation of deans, directors, or other University staff with direct knowledge of the student's disruptive behavior or activities. The Vice President will consult with appropriate University personnel and others in reaching a decision. Grades of "W" will be entered for each of the courses in which the student was registered. Students who have been required to withdraw must apply for readmission to their dean in the same manner as a suspended student.

- Students who withdraw voluntarily or for medical or psychological reasons will have the notation voluntary withdrawal (date) entered on their permanent academic record following the semester in which the action occurred.
- Students who are required to withdraw during a given term will have the notation involuntary withdrawal (date) entered on their permanent academic record following the semester in which the action occurred.

An adjustment in charges according to the published refund schedule will be calculated from the date of the official withdrawal.

Under no circumstances does non-attendance to classes constitute an official withdrawal from The University.

Exceptions to this policy may be made by the Vice President for Enrollment and Student Services.

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College of Law Honor Code

Adopted April 23, 1999

I. **Preamble**

Each student is held to have notice of the high standards of conduct demanded by The University of Tulsa College of Law. Students at the College of Law, as present and future members of the legal profession, are required to conduct themselves with the highest degree of honesty, integrity and trustworthiness. Students are to conduct themselves in a manner which avoids even the appearance of impropriety. A student should realize that his or her conduct is a direct reflection on The University of Tulsa College of Law.

II. **Jurisdiction**

The Honor Code shall apply to all students enrolled in any course offered by The University of Tulsa College of Law or any course for which credit is granted by the College of Law. It shall apply to all on-campus student conduct and to Student conduct within the public sector and community that affects or involves another student of the College of Law; provided, however, that the faculty of the College of Law shall not be precluded from proceeding summarily in appropriate cases.

III. **Organizational Structure**

A. Clear and Convincing Evidence: proof which requires more than a preponderance of the evidence but less proof than beyond a reasonable doubt. Clear and convincing evidence may be found where the truth of the facts asserted is highly probable.

B. College of Law: The University of Tulsa College of Law, Tulsa, Oklahoma

C. Complaint: The formal Complaint submitted by the Dean to an IC, and containing written information regarding the allegations against the student.

D. Days: refers to business days; does not include weekends of University holidays.

E. Dean: The Dean of The University of Tulsa College of Law, or the Dean's designee who shall be an Associate Dean of the College of Law.

F. Harassment: words, gestures, or actions which tend to annoy, alarm, or abuse another person.

G. Intimidate: commit, conspire to commit, or cause to be committed any act which causes or is likely to cause physical or mental harm or which tends to injure or actually injures, stigmatizes, frightens, demeans, degrades, or disgraces any person.

H. Knowingly: A person acts knowingly or with knowledge, with respect to the nature of his or her conduct or to the circumstances surrounding such conduct when he or she is aware of the nature of such conduct or that such circumstances exist. A person also acts knowingly, or with knowledge, with respect to a result of his or her conduct when that person is aware that the conduct is reasonably certain to cause that result.

I. Plagiarism: Any other University definition notwithstanding, for work receiving credit in the College of Law, plagiarism is the appropriation of another's words, ideas, experiences, or modes of analysis and the representation of them in writing as one's own. To avoid plagiarism, the thoughts, ideas, experiences, or analyses of another must be either directly quoted or summarized or paraphrased. Any written work submitted for academic credit, or in satisfaction of any other law school or course requirement, must include citation to any direct quotation, summary, or paraphrase of thoughts, ideas, experiences, or analyses that are neither the student's own independent thoughts, ideas, experiences, or analyses, nor common knowledge.

Direct Quotation: Direct quotation is the word for word repetition of another's written work, whether the repetition is of a phrase, sentence, or longer passage. Direct quotation requires either quotation marks or a block indent.

Summarizing: Summarizing takes the general idea or meaning from several sentences, paragraphs, or pages of another's written work, and condenses it into a summary of one or more sentences of the student's own words.

Paraphrasing: Paraphrasing takes the thoughts, ideas, or experiences of another's written work and recreates them in the student's own words and sentence structure.

J. Sexual Harassment or Intimidation: (i) Unwelcomed sexual advances; (ii) unwanted requests for sexual favors; or (iii) other behavior of a sexual nature where: a) submission to such conduct is made either explicitly or implicitly a term or condition of an individual's employment or participation in a University sponsored educational program or activity, or b) submission to or rejection of such conduct by an individual is used as the basis for academic or employment decisions affecting that individual, or c) such conduct has the purpose or effect of unreasonably interfering with an individual's academic or work performance or of creating an intimidating, hostile, or offensive working educational environment. Conduct that is not severe or pervasive enough to create an objectively hostile or abusive working or educational environment—an environment that a reasonable person would fine hostile or abusive—is not sexual harassment.

K. Student: Refers to any student enrolled in any course offered by The University of Tulsa College of Law or in any course for credit is granted by the College of Law.

IV. Offenses

A. A student shall not engage in any conduct pertaining to academic or other University or College of Law matter that evidences fraud, deceit, dishonesty, or an intent to obtain unfair advantage over other students, or that interferes with rights of others.

B. A student shall not engage in any conduct that violates University or College of Law policies and/or regulations to which students have actual or constructive knowledge that evidences fraud, deceit, or dishonesty.

C. A student shall not knowingly breach the security maintained for the preparation and storage of examinations.

D. A student who learns that the security maintained for the preparation and storage of an examination has been compromised shall notify the professor or the administration immediately. Failure to do so is a violation of the Honor Code.

E. A student shall not take an examination or prepare an academic assignment for another, nor permit another to take an examination or prepare an academic assignment for him/her.

F. While taking an in-class examination a student shall neither possess nor refer to any source not authorized by the professor.

G. In connection with an examination or an academic assignment, a student shall not give, receive, or obtain information or help in any form not authorized by the professor the person administering the examination or assignment.

H. A student who is taking or has taken an examination shall not discuss any part of the examination with another student who is taking the examination, or who will be taking the examination at any time other than the scheduled time, or with anyone else when such discussion is likely to endanger the security of the examination questions.

I. A student who is taking an examination at any time other than the scheduled time shall not discuss any part of the examination with another student, and shall not elicit information regarding such an examination from any students who have already taken the examination.

J. While taking an examination, a student shall neither converse nor otherwise communicate with any person, other than the person administering the examination, except as permitted by the administrator of the examination.

K. A student shall not submit to any professor or College of Law organization any written work (or a part thereof) prepared, submitted, or used by him or her for any other purposes (for example, work prepared for another course, law journal, clinic, law firm, governmental agency, or other organization) or prepared by another, except upon specific disclosure of the facts and receipt of permission from the professor or organization to whom the work is submitted.

L. A student shall not take or copy material belonging to or in the rightful possession of another student or faculty member without the consent of that student or faculty member.

M. A student shall not plagiarize.

N. A student shall not use any property of the University or the College of Law without authorization from an officer or employee of the University or the College of Law who has the power to authorize its use. This rule does not apply where:

a. the use of the property is made available by the University or the College of Law for use by students when such use is made in accordance with procedures and practices recognized by the University or the College of Law;

b. library materials have been properly checked out but have been retained beyond their return date. However, retention of library material beyond a reasonable time may be in violation of the Code.

O. With respect to the College of Law Library, a student shall not willfully or intentionally;

a. mark, tear, mutilate, or destroy library material;

b. hide, miss-shelve, or misfile library material;

c. remove library material from the library without complying with library regulations.

P. A student shall not appropriate, for his or her own use, property of The University, the College of Law, or any College of Law faculty, staff, administrator, other student, or member of the general public with the intent to deprive or knowing and believing that the appropriation will deprive such entity or individual of the incidents of ownership of that property.

Q. A student shall not deface, damage, or destroy any property belonging to the University, the College of Law, faculty, staff, administrator, other student, or member of the general public.

R. A student shall not, without justification or privilege, knowingly or intentionally threaten to inflict bodily harm or actually inflict bodily harm or otherwise coerce or restrain any person.

S. A student shall not, without justification or privilege, knowingly or intentionally obstruct or interfere with the orderly conduct of the University or the College of Law affairs, including teaching, research, administrative and disciplinary procedures, or any University or College of Law activity, either on or off campus.

T. In matters relating to the determination of membership in any law school organization or participating in any activity sanctioned by the law school, a student shall not discriminate on the basis of race, sex, color, religion, national origin, political affiliation, disability, age, or sexual orientation against another student who is otherwise eligible.

U. A student shall not, without justification or privilege, knowingly or intentionally commit, or cause to be committed, any act of harassment or intimidation, including sexual harassment or intimidation. This includes, but is not limited to, conduct on any of the basis of race, sex, color, religion, national origin, political affiliation, disability, age, or sexual orientation.

V. A student shall not wrongfully prevent or attempt to prevent any person from reporting conduct under this Code, nor shall a student retaliate against any person for reporting or testifying before the HCC.

W. A student shall not knowingly help or encourage another person to engage in conduct in violation of this Code.

X. A student shall not make any materially false statement to a College of Law professor, administrator, organization, or HCC.

Y. A student shall not refuse to cooperate with the HCC, except that a student who is being investigated or who is charged shall not be obligated to provide oral or written testimony.

Z. No student shall disclose information concerning the identity of the accused, the complainant, or witnesses without written permission of the HCC or the Dean. A student shall not knowingly disclose any information, however obtained, arising from or related to investigations or proceedings of the HCC.

AA. A student shall fully comply with any sanctions imposed upon him or her after final disposition of his or her matter. Failure to comply with any sanction is a violation of the Honor Code which may lead to further sanctions.

V. Rights of the Accused

A student accused of any violation under the Honor Code shall be afforded each of the following rights, except those rights specifically and knowingly waived by the student in writing:

A. The right at the hearing to hear all evidence against the student and to confront and cross-examine all witnesses against the student.

B. The right at the hearing to present relevant evidence in the student's behalf.

C. The right to remain silent at all points in the proceeding.

D. The right to retain an attorney at the student's own expense and have an attorney represent and appear with the student at any point in the proceedings, or, in lieu of an attorney, to have any other individual willing to do so at no cost to The University of Tulsa represent and appear with the student at any point in the proceedings; provided that no person, other than the members of the HCC, shall be present during any deliberations of the HCC.

E. The right to defer any statement the student wishes to make at any point until the student has consulted with the person, if any, representing the student at the HCC hearing.

F. The right to be free from a second proceeding for the same offense once a final decision has been made whether the student is guilty or not guilty of a violation of the Honor Code.

G. The right to make at the student's own expense a tape recording separate from the official tape recorded record.

VI. Procedure

A. Stage One

Any person(s) who has reasonable belief that a student has violated the Honor Code shall, within a reasonable time, report the matter to the Dean in a signed writing. Upon receipt of this report the Dean shall conduct an investigation of the alleged violation and shall have discretion to:

a. enter a plea agreement with the accused student,

b. refer the matter to a hearing before an HCC, provided he or she determines that there is probable cause to believe that an Honor Code violation has occurred, or

c. dismiss the matter without prejudice.

No person or body other than the Dean, as herein defined, may enter a plea agreement with an accused student. A plea agreement may be reached at any stage in the procedure prior to a finding of guilty or not guilty by an HCC. The Dean shall report any plea agreement to the Academic Status and Student Affairs Committee and to the College of Law Faculty.

No sooner than six months after a plea agreement is entered, or earlier in the Dean's discretion, the Dean shall prepare an edited version of the plea agreement that does not contain any personally identifiable information likely to identify the accused student. The Dean shall deliver a copy of each edited plea agreement to the Law Library to be bound into a permanent record. If the Dean refers the matter for hearing to the HCC, the Dean shall prepare a confidential Dean's Complaint to be presented to the HCC. This Dean's Complaint shall include the name(s) of the complainant(s) and the accused, the alleged offense(s), and the date of the alleged offenses(s). The Dean shall sign and date the Dean's Complaint. A copy of the Dean's Complaint and this Honor Code shall be sent to the accused student's last known address within three days of the date of the Dean's Complaint.

B. Stage Two

Upon receipt of the Dean's Complaint, the HCC Chair shall convene a hearing of the HCC within twenty days. For good cause shown, the HCC Chair may grant a continuance.

At the hearing, the Dean will present evidence and witnesses first, subject to the accused student's right to challenge the evidence and cross examine witnesses. At the close of the Dean's case, the accused student may present evidence and witnesses, subject to the Dean's right to challenge the evidence and cross examine witnesses. At the close of the accused student's case the HCC may, in its discretion, allow the parties to present rebuttal evidence and witnesses. The HCC shall tape record the hearing. The Chair shall rule on all motions and objections and may be overruled only by a majority of the HCC present. After hearing the arguments and witnesses and examining the evidence of the Dean and the accused student, the HCC will deliberate as long as needed to reach a majority vote of guilty or not guilty. Any member of the HCC who is not present during the presentation of all the evidence shall not participate in the vote.

The finding of guilty or not guilty by the HCC shall be based solely on the evidence presented at the hearing. The burden of proof rests upon the Dean. The standard of proof is clear and convincing evidence. The HCC shall present its written findings of fact, decision as to whether the accused student is guilty or not guilty, and statement of sanctions imposed, if any, (collectively referred hereafter as "the HCC Order" to the accused student and to the Dean. HCC members shall have the right to include a minority or dissenting report where the HCC decision is not unanimous. A complete record of the HCC's hearing and the HCC Order will be kept in the Dean's Office. Unless the accused student has signed a written waiver of confidentiality sufficient to meet the requirements of law and The University of Tulsa regulations, the record of the HCC's hearing shall not be released unless:

a. allowed or required by law or court order;

b. requested in writing by the accused student; or

c. required by the Dean

The HCC shall also prepare an edited version of the HCC order that does not contain any personally identifiable information likely to identify the accused student. No sooner than six months after the HCC issues its order, or earlier in the HCC's discretion, the Dean shall deliver a copy of each edited HCC Order to the Law Library to be bound into a permanent record.

VIII. Sanctions

If the HCC finds the accused student guilty, the HCC shall determine the appropriate sanction and notify the student of its decision. Consideration shall be given by HCC to all the evidence presented, the severity of the offense, and the prior conduct of the student. Sanctions may include:

A. Restitution: The affected party shall be restored to his or her original position prior to loss or injury, or placed in the position he or she would have been had the violation not occurred.

B. Oral Reprimand: The student shall be orally reprimanded, and the sanction shall not become a part of the student's permanent record.

C. Written Reprimand: The student shall be reprimanded in writing, and the written reprimand shall become a part of the student's permanent record.

D. Disciplinary Probation: The HCC may place a student on probation under such terms and conditions as the HCC shall deem appropriate. The probation shall become a part of the student's permanent record.

E. Suspension: The HCC may suspend a student and the suspension shall become a part of the student's permanent record.

F. Expulsion: The HCC may expel and dismiss a student from the College of Law, with or without the right to apply for readmission, and the expulsion shall become a part of the student's permanent record.

G. Other Appropriate Sanction: The HCC may impose any other sanction it deems appropriate under the circumstances.

IX. Report to Faculty

The Dean shall report to the Faculty of the College of Law the final disposition of every matter that is reported to her or him.

X. Appeals

The determination of guilty or not guilty and the sanction, if any, imposed by the HCC shall be final. A student found guilty of one or more violations who believes that the decision of the HCC is erroneous may appeal on that ground in writing to the College of Law Faculty within twenty days of the date of the HCC Order. The prosecuting Dean shall not vote on the appeal. If the Faculty, applying a clearly erroneous standard, finds that the decision is erroneous, a new HCC shall be constituted to rehear the case, unless the Faculty finds that the error is harmless. Otherwise no appeal may be taken within the College of Law. Any appeals beyond the College of Law shall be taken pursuant to applicable policies of The University of Tulsa.

XI. Amendments

The faculty may amend regulations and adopt new regulations as it deems appropriate. The adoption date of the Honor Code is April 26, 1999. The effective date of this document is the first day of the summer session, May 17, 1999. It is also effective substantively for any work performed or activities undertaken commencing with the first day of the summer session, May 17, 1999.

Revised November 2010