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THE UNIVERSITY OF OKLAHOMA Student Rights and Responsibilities Code

The purpose of the Student Rights and Responsibilities Code (referred to as the “Code” or “this Code”) is to establish specific student rights and responsibilities while maintaining an environment conducive to the University’s educational mission.

I. Student Rights

Students of the University of Oklahoma are guaranteed certain rights by the constitutions of the United States and the State of Oklahoma and the University of Oklahoma Student Government Association. In recognition of those rights and in keeping with the values underlying them, the University of Oklahoma respects the following student rights:

1. To pursue an education as long as the University’s applicable academic standards, policies, regulations and applicable laws are followed;
2. To certain procedural due process, including notice and an opportunity to be heard;
3. To a prompt, fair, and impartial process during University investigations and proceedings, from an initial investigation to the final result;
4. In cases involving sexual misconduct, the complainant/reporting party and the respondent have the right to have the investigation and proceedings conducted by officials with annual training on issues related to dating violence, domestic violence, sexual violence, and stalking, and on how to conduct an investigation and hearing process that protects the safety of victims and promotes accountability;
5. To request appropriate action from the administration for any violation of a right guaranteed by this Code;
6. To establish or disseminate publications free from any censorship or other official action controlling editorial policy or content, in accordance with applicable regulations and University policy;
7. To invite and hear any speaker of choice on any subject, in accordance with applicable regulations and University policy;
8. To use campus facilities, in accordance with applicable regulations and University policy;
9. To peaceably assemble, to demonstrate, inform, or protest, in accordance with applicable regulations and University policy;
10. To be secure in his/her possessions, against invasion of privacy, and unreasonable search and seizure;
11. To form, join and participate in any student organization or group without regard to race, color, national origin, sex, sexual orientation, gender identity, gender expression, genetic information, age (40 or older), religion, disability, political beliefs or status as a veteran. Provided, in accordance with Oklahoma state law, a religious student association may choose to limit its membership or leadership based on the sincerely held religious beliefs, observances, or practices of the group; Provided further pursuant to Title IX, certain tax-exempt nonprofessional, social fraternities and sororities may be permitted to restrict membership based on sex; and

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12. Not to be charged more than once for one incident by the Office of Student Conduct.

II. Student Responsibilities

Students of the University of Oklahoma are responsible for complying with all local, state, and federal laws. As members of the University community, students are also responsible for familiarizing themselves with University policies and regulations when applicable.

In addition, students involved in Student Conduct proceedings initiated under this Code, whether as parties, witnesses, or panelists, have a duty to cooperate and discuss the incident with appropriate University officials, adhere to stated deadlines, attend scheduled meetings, provide documentation as requested and participate in all University proceedings. Failure to fulfill these responsibilities may result in a decision being made without the benefit of the student's participation, or may result in a student being charged with failing to comply with the direction of a University official. Nothing herein shall be interpreted as abridging one's right to be free from self-incrimination.

Students are responsible for meeting the University's minimal standards of appropriate conduct and may be subject to Student Conduct proceedings for engaging in prohibited conduct. The following prohibited conduct is inclusive, but not exhaustive:

1. Academic, Ethical, or Professional Codes
 - a. Any violation of the Academic Integrity Code. Complaints alleging prohibited academic misconduct must be directed to the Office of Academic Integrity (Norman programs) or Academic Affairs (Health Sciences Center programs).
 - b. Any violation of other college, graduate, professional, ethical, or other applicable academic codes or licensure board.
2. Alcohol
 - a. Any violation of the University's Alcohol Policy (Norman Campus).
 - b. Possessing, using, providing, manufacturing, distributing, or selling alcoholic beverages in violation of law or University policy.
 - c. Use or possession of alcoholic beverage(s) by an individual under the age of 21.
 - d. Driving while under the influence of alcohol.
 - e. Intoxication to the point of endangering oneself or another person's health or safety, regardless of age.
 - f. Possessing or presenting false identification to a University official or local, state, federal law enforcement.
 - g. Providing alcohol to individual(s) under the age of 21.
3. Complicity
 - a. Attempting to commit, knowingly permitting, or being an accessory by knowingly aiding, conspiring, or assisting others with any act prohibited by this Code.

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4. Disorderly Conduct and Unwanted Behaviors
 - a. Disorderly conduct: Unreasonable and material behavior that is disruptive, lewd, or a breach of peace, including inciting others to do so.
 - b. Disruption or obstruction of a University activity: Unreasonable and material disruption or obstruction of a University activity such as teaching, research, recreation, meetings, public events, programs, services, administrative functions, and conduct proceedings.
 - c. Harassment: Behavior that is severe, pervasive, or persistent to a degree that a reasonable person would not tolerate and effectively denies or interferes with equal access to University education, employment, benefits or privileges. This includes verbal abuse, threats, intimidation, stalking, and coercion. In addition, harassment may be conducted by a variety of mediums including physical, vocal, written, or electronic.
 - d. Physical assault: Any physical force, causing, or that could reasonably cause, bodily harm upon any person including assault, fighting, brawling, or restraining someone against their will.
 - e. Threatening behavior: A serious expression of intent to commit an act of unlawful violence against a particular individual, identifiable group, or damage to property. The threatening violence, including intimidation, causes reasonable fear of injury to the health or safety of any person, group, or property.

 5. Drug
 - a. Possessing, using, providing, manufacturing, distributing, or selling drugs or drug paraphernalia in violation of law or University policy. This includes a prohibition of any marijuana use or possession, including medical or recreational marijuana, on University premises or while participating in University sponsored activities.
 - b. Driving while under the influence of drugs.
 - c. Misuse of legal substances such as using general products as intoxicants or “means to get high” and inhaling or ingesting a substance other than in connection with its intended purpose.
 - d. Possessing, using, providing, distributing, or selling prescription drugs by persons other than the person to whom the drug is prescribed or use not in accordance with the prescription.

 6. Failure to Comply
 - a. Failure to comply or complete a University sanction in a satisfactory manner: Failure to adhere to sanctions, safety and interim measures, or engaging in other prohibited conduct while on disciplinary probation or suspension.
 - b. Failure to comply with a University official: Disobeying instructions or directions by a University official who is acting in good faith of their duties including failing to identify oneself, respond to University correspondence, or attend University scheduled meetings.
 - c. Failure to maintain records: Failure to keep the University notified of contact
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information, including phone numbers, emergency contacts, and email.

7. False and Misleading Information

- a. Acts of dishonesty.
- b. Bribery or acceptance of bribes.
- c. Forging or altering another person's signature.
- d. Forging, altering, tampering, falsifying, or misusing a University record or document, submitting false information, omitting requested information from a University record or document, or possessing any of these records or documents.
- e. Knowingly initiating a false report to the University.
- f. Manufacturing, possessing, or presenting false identification to a University official or local, state, or federal law enforcement or using the identity of another person.

8. Hazing

- a. Engaging in activity that recklessly, knowingly, or intentionally endangers the mental or physical health, safety, or welfare of an individual for the purpose of initiation, participation, admission, holding office in, or maintaining membership or affiliation, regardless of the individual's consent or lack of consent, including state and federal law, but not limited to:
- b. Physical harm such as paddling, whipping, branding, electric shocking, placing harmful substances on the body, sleep deprivation, exposure to extreme conditions, calisthenics, forced consumption of food, liquor, drug, or other substances.
- c. Degrading behavior that causes ridicule, humiliation, embarrassment, or adversely affects the dignity of an individual.
- d. Interfering with an individual's ability to participate in or benefit from the services or activities of the University, employment, or religious observances.
- e. Activity resulting in the destruction, misuse, or removal of another's property.
- f. Activity that causes an individual to engage in behavior that may violate the Code, University policy, or local, state, or federal law.

9. Misuse, Defacement, or Damage of Facilities and Property

- a. Failure to adhere to any University Information Technology policies or standards, including unauthorized use, access, or entry of an information technology resource owned or managed by the University such as computer systems, networks, databases, software, accounts, data, or facilities. Using University information technology resources for illegal or prohibited activities.
- b. University property: Intentional or reckless destruction, defacement, or damage to University equipment, property, furniture, facilities, and buildings or using in a manner inconsistent with its intended use.
- c. Property of another: Intentional or reckless destruction, defacement, or damage to another's property, or using that property in a manner inconsistent with its intended use.

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10. Retaliation

- a. Taking any adverse action against a person because of participation or non-participation in a report, investigation, claim, or grievance process.

11. Safety, Security, and Emergency Response

- a. Activities that jeopardize University-related property, building security and safety.
- b. Arson: Attempting to ignite or the action of igniting University or personal property on fire by intent, reckless behavior, or failure to exercise reasonable care that results or could result in personal injury, property damage, or damages to premises.
- c. Endangerment of others: Unlawfully endangering the health, safety, or privacy of oneself, others, or animals.
- d. Explosive materials: Unauthorized possession or use fireworks, dangerous chemicals, and explosive materials, ignition, or detonation of anything which could cause damage to persons or property, or disruption by fire, smoke, explosion, noxious odors, stain, or corrosion.
- e. False reporting or misuse of emergency response: Falsely reporting an incident or emergency of any type including setting off a false fire alarm.
- f. Flammable materials: Unauthorized possession or use of candles, torches, incense or incense burners, other open flame apparatus, extension cords, gasoline, propane tanks, or lighter fluid on University premises.
- g. Interfering with, obstructing, or disrupting emergency responses: Failing to evacuate during an emergency or drill, impairing an orderly evacuation, resisting arrest, blocking, or barring an exit; failing to abide by the directions of police, fire, emergency medical personnel, or University officials.
- h. Interfering with, obstructing, or disrupting the free flow of pedestrians or other traffic.
- i. Manipulating safety equipment: Tampering with, impairing, disabling, relocating, or misusing fire or safety protection systems such as smoke detectors, fire extinguishers, sprinklers, cameras, doors, signs, or alarms.
- j. Traffic and parking: Any violation of University traffic and parking regulations, tampering with, removal, or theft of wheel locks, barricades, traffic cones, or traffic control signs or devices.

12. Sexual Misconduct

Under the authority of the Office of Institutional Equity and the Division of Student Affairs, complaints alleging Prohibited Sexual Misconduct must be directed to the Title IX Coordinator.

- a. Any violation of the Sexual Misconduct, Discrimination, and Harassment Policy.

13. Theft

- a. Using, depriving, removing, or possessing the property or services without entitlement or authorization through engagement of theft or attempted theft.

14. Unauthorized or Attempted Entry or Exit

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- a. Unauthorized entering, exiting, occupying, or using of any University owned or managed facilities, property, or property belonging to another.
 - b. Unauthorized possession, duplication, or use of keys or access cards, lock combinations, codes, or passwords to any University owned or controlled premises or other public or private property.
 - c. Damaging or tampering with doors, locks, or lock boxes; propping open of exterior residence hall or other campus building doors.
 - d. Misuse of access privileges to University premises.
15. Law, Ordinance, Regulation, Rule, Procedure, or Policy
- a. Law Violations: Violation of local, state, or federal law.
 - b. University Policy Violations: Violations of rules, regulations, and policies.
16. Weapons
- a. Actual or constructive use, possession, or control of any weapon and munitions of all types, defined as any object used or designed to inflict or attempt to inflict harm or injury or fear of harm or injury including instruments designed to look like any weapon.
 - b. Any violation of the OU Board of Regents' Policy: Firearms Policy 3.1.12.

III. Sanctions

Students of the University of Oklahoma who engage in prohibited conduct are subject to the following sanctions:

1. Verbal Warning: A verbal notice that the behavior was inappropriate.*
 2. Written Warning: A written statement that the behavior was inappropriate, which will remain on the student's University Student Conduct record for a specified period of time or until the student meets certain conditions.*
 3. Disciplinary Probation: A written statement that the behavior was inappropriate and should subsequent violations occur, the University will take more serious conduct action up to and including suspension or expulsion. This can include exclusion from University affiliated entities, including student organization activities, for a period of time or until the student meets certain conditions. Disciplinary probation will remain on the student's Student Conduct record for a specified period of time or until the student meets specified conditions.*
 4. Educational Sanctions: A specific number of hours of community service, completion of a reflection or research paper, attending a class, program or lecture, attending counseling, or other actions.*
 5. Restitution: Repayment for damages or misappropriation of property. This may include monetary compensation or other related service(s), such as cleaning or restoration.*
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6. Administrative Fee: Administrative fees for educational programs and presentations as well as policy related administrative costs, which are assessed directly to the student's Bursar account. A financial stop may be placed on the student's record if the student fails to pay the administrative fee by the due date. This stop may prevent the student from registering for future terms or adding or dropping courses.*
7. University-Owned Housing Reassignment or Termination: Reassignment to another University-owned housing unit, exclusion from certain University-owned properties or termination of the student's housing agreement.
8. Administrative Trespass: Denial of access to all or a portion of campus, except for limited periods and specific activities with the permission of the appropriate University official, as designated by the University Vice President for Student Affairs or other appropriate administrative official vested with such authority. Should the student enter campus without written permission, the appropriate University official or the campus police may take action.
9. Suspension: Exclusion from the University and all campuses governed by the Board of Regents of the University of Oklahoma for a specific period of time or until the student meets certain conditions, following which the student may be permitted to re-enroll or apply for readmission to the University, as applicable.
10. Expulsion: Exclusion from the University and all campuses governed by the Board of Regents of the University of Oklahoma for an indefinite period of time, a record of which remains on file permanently.
11. Restriction or Denial of University Services: Restricted from use or denial of specified University services, including participation in University activities.
12. Delayed Conferral of Degree: Delay of issuance of a student's diploma for a specified period of time or until the student meets certain conditions.
13. Strike: The University's official recognition of a student's or organization's violation of the University of Oklahoma's Norman Campus Alcohol Policy.*

* Except in conjunction with other Student Conduct measures, these sanctions are not appropriate if a student is found responsible for the following violations of the Sexual Misconduct, Discrimination, and Harassment Policy: Sexual Violence, Dating Violence, and Domestic Violence.

IV. Student Conduct Proceedings

Student Conduct Proceedings are the University's means of affording procedural due process to students who may be sanctioned for engaging in prohibited conduct. The Student Rights and Responsibilities Code Procedures, attached hereto as Appendix A, provide a step-by-step explanation of those proceedings.

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V. Direct Administrative Action

A Direct Administrative Action (DAA) is an action that places immediate restrictions upon a student's rights within the University community, up to and including a removal from the University community. A DAA is not a final sanction; it is a temporary measure that may be undertaken during the pendency of appropriate due process. A DAA may be imposed only by the UVPSA or other appropriate official vested with such authority when necessary for the welfare or safety of the University community; to maintain order on the campus and preserve the orderly functioning of the University; to stop or prevent interference with the public or private rights of others on University premises; to stop or prevent actions that threaten the health or safety of any person; or to stop or prevent actions that destroy or damage property of the University, its students, faculty, staff, or guests.

When a DAA is imposed, the Office of Student Conduct shall review the facts and circumstances to determine whether Student Conduct Proceedings should be initiated, whether to recommend to the UVPSA or designee that the DAA should be lifted, or whether some other University action is appropriate.

VI. Holds, Records, Transcripts, and Registration

The University may place a Student Conduct hold on a student's records during the pendency of Student Conduct Proceedings. A Student Conduct hold prohibits a student from registering for classes until the Student Conduct Proceedings, including any review procedure, are complete. Upon conclusion of Student Conduct Proceedings, the University may continue a Student Conduct hold on a student's records until the student satisfactorily completes all sanctions.

The University may place a Student Conduct hold on a student's record if a student is suspended as part of the sanctions, prohibiting a student from being admitted to or registering for classes at any campus governed by the Board of Regents of the University of Oklahoma. A Student Conduct hold shall remain in effect until the suspension period is over, the student has complied with all conditions and/or sanctions and has reapplied and been readmitted.

Records relating to non-academic student conduct matters are a part of the student's overall education record; however, Student Conduct charges and sanctions are not noted on official student transcripts, except where academics are incidentally affected (i.e., the transcript for a student suspended during a semester after the add/drop deadline will reflect withdrawal from any courses in which the student is enrolled).

VII. Authority and Jurisdiction

The Board of Regents of the University of Oklahoma is charged in the Constitution of the State of Oklahoma with governing the University, and nothing in this Code prevents the Board of Regents from establishing or amending rules or procedures in order to fulfill its responsibility. The UVPSA shall be vested with the authority to establish and operate a Student Conduct Office. The UVPSA or designee has day-to-day responsibility for Student Conduct matters and maintenance of records of all actions taken.

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The University will initiate Student Conduct Proceedings under this Code within one year from the date that the conduct becomes known to the Student Conduct Office. Provided, however, Student Conduct Proceedings shall be initiated immediately upon receipt of findings from the Office of Institutional Equity. Student Conduct Proceedings may be carried out prior to, simultaneously with, or following civil, criminal or licensure proceedings, at the discretion of the University.

This Code applies to the on-campus conduct of all students and registered student organizations, including conduct using university computing or network resources. The code also applies to the off-campus conduct of students and registered student organizations in direct connection with: academic course requirements or any credit bearing experiences, such as internships, field trips, study abroad, or student teaching; any activity supporting pursuit of a degree, such as research at another institution or a professional practice assignment; any activity sponsored, conducted, or authorized by the university or by registered student organizations; any activity that causes substantial destruction of property belonging to the university or members of the university community, or causes or threatens serious harm to the safety or security of members of the university community; or any activity which could constitute a criminal offense as defined by local, state or federal law, regardless of the existence or outcome of any criminal proceeding.

This Code may be applied to behavior conducted online, via e-mail, text, or other electronic medium.

VIII. Review of the Student Conduct Code

The UVPSA, in collaboration with each campus Provost, will appoint at least five (5) persons, including campus Student Conduct representatives and presidents of each campus student government association to review and make recommendations for the revision of this Code every three (3) years, or sooner, if needed. The Committee will solicit input from representatives of the legislative bodies of each campus, and campus student associations as needed. The Committee shall share this input, together with any other observations or findings of the Committee, with the UVPSA. The UVPSA shall consider all input and recommend changes, if any, to the Board of Regents.

The UVPSA, in consultation with the Office of Legal Counsel, is authorized to amend this Code as may be required for compliance with applicable federal, state, local law, applicable regulations, or University policy.

This Code and the Procedures shall be effective beginning July 1, 2023.