

POLICY CONCEPT FORM

Name and UO Title/Affiliation:	OUS 571.022.0005-15
Current Title/# (if applicable):	Residence Hall Governance
Submitted on Behalf Of:	Housing
Responsible Executive Officer:	Student Services and Enrollment Management, Roger Thompson

SELECT ONE: New Policy Revision Repeal

Click the box to select

HAS THE OFFICE OF GENERAL COUNSEL REVIEWED THIS CONCEPT: Yes No

If yes, which attorney(s): Missy Matella

GENERAL SUBJECT MATTER

Include the policy name and number of any existing policies associated with this concept.

OAR 571.022.0005-15 Residence Hall Governance

RELATED STATUTES, REGULATIONS, POLICIES, ETC.

List known statutes, regulations, policies (including unit level policies), or similar related to or impacted by the concept. Include hyperlinks where possible, excerpts when practical (e.g. a short statute), or attachments if necessary. Examples: statute that negates the need for or requires updates to an existing policy; unit level policy(ies) proposed for University-wide enactment; or existing policies used in a new, merged and updated policy.

Student Conduct Code (III.01.01) supersedes this policy's conduct component.

STATEMENT OF NEED

What does this concept accomplish and why is it necessary?

This policy, as revised, reflects current practice. Campus conduct violations are handled under a separate policy (Student Conduct Code III.01.01)

AFFECTED PARTIES

Who is impacted by this change, and how?

Housing

Residence Hall Governance

Reason for Policy:

This policy outlines matters relating to residence halls and residence hall governance within the University.

Responsible Office:

For questions about this policy, please contact University Housing at 541-346-4277.

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 3, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 571 Division 22, Sections 0005-0015.

Policy:

A. Policies and Procedures

The following policies and procedures embody the recommendations of a resident student/staff task force assembled in Spring, 1971. The task force's purpose was to examine and propose alternatives to the existing University of Oregon Student Conduct System as it applies to the residence hall students. This system has been in practice since Fall, 1971.

B. Preface

1) The laws of the state and nation and the ordinances and regulations of the University and local government are applicable throughout the campus, including University residence halls. **Dormitory Residence Hall** residents as well as all other members of the student body, faculty, and staff are held accountable to these laws, ordinances, and regulations. Accordingly, law enforcement officials may be called in case of law violations involving **dormitory-residence hall** residents.

(2) The safety of individuals, protection of state property, and maintenance of standards involving public health and sanitation are the responsibility of the Director of University Housing. The Director of

University Housing reserves the right to evict students from the residence halls when violation of the above standards occurs. If interpretation of the extent of the Director of University Housing's responsibility is in question, the Vice-President for ~~Administration and Finance~~Student Life shall resolve the issue of jurisdiction:-

Judicial procedures for violations of the code of student conduct shall follow those outlined in policy 111.01.01 Code of Student Conduct.

~~(a) In the event of a summary eviction under this subsection, the Director of University Housing shall initiate, as soon as practicable but in no event later than 14 days after the eviction, procedures under the Code of Student Conduct by filing a notice of the eviction and reasons justifying it (i.e., violations of UO Policy III.01.01) with the Coordinator of Student Conduct;~~

~~(b) Such an eviction may only occur when, in the bona fide judgement of the Director of University Housing, an emergency exists, and thus this section will control notwithstanding UO Policy III.01.01;~~

~~(c) If the evicted student agrees in writing with the propriety of the eviction, the eviction will be recorded as a consent judgement retro dated to the date of the actual eviction;~~

~~(d) If the evicted student does not agree, the matter shall proceed to formal hearing under the Code of Student Conduct on the issue of violation (but not on the appropriateness of the sanction);~~

~~(e) If, after the final disposition of the dispute, the issue of violation is resolved in favor of the student, the University shall reinstate the student's eligibility to reside in University Student Housing, shall allow the student to move in at the earliest moment a vacancy similar in status (i.e., multiple or single) to the room or apartment the student previously occupied becomes available and shall expunge any entries of eviction from permanent records.~~

~~(2) The Code of Student Conduct applies to all students, including those who reside in residence halls. As with all students, violations of the Code may be referred to the Student Court system for action.~~

~~(4) Until policy changes are made pursuant to procedures outlined in this document, currently existing policies will remain; sanctions for violations of such policies will be determined by the Inter-Dormitory Standards Board.~~

~~(5) Students in each dormitory complex shall determine the method for choosing student representatives from their own complex to the committees in the governance system.~~

C. Residence Hall Governance Structure

~~There are two basic units of government relating to student conduct: the Residence Hall Association Council and the Peer Judicial Board.~~

~~(1) The Residence Hall Association Council has the responsibility for drafting, reviewing, and revising rules relating to student conduct in residence halls and the application and enforcement of this policy:~~

~~(a) The Residence Hall Association (RHA), the voice of the residents, relays ideas and~~

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feedback as a way of communication with University Housing; advocates for residence hall students; stimulates an environment of growth, learning, and development in the residence hall through programming and submits recommendations and ideas regarding policy to University Housing.

All University of Oregon students who reside in the university residence halls shall be members of RHA.

~~(a)(b)~~ The Residence Hall Association Council (RHA Council) is composed of the student chairperson, student vice-chairperson/secretary, treasurer, student advocate, National Communications Coordinator (NCC), the Assistant Director of Residence Life (RHA Advisor), one residence life professional staff member (Advisor), and a ~~student staff member~~resident assistant for each of the residence halls. In ~~Addition~~addition, each residence hall will appoint or elect two student representatives to the RHA Council.

~~(b)(c)~~ The authority of the RHA Council is delegated through the Director of Housing, and operates within the parameters as outlined in the RHA Constitution, By-Laws and Addendum. The RHA Council shall keep the Director of Housing informed regarding the progress of proposed changes relating to student conduct in the residence halls and their implementation. The Vice-President of Administration shall resolve differences of opinion between the RHA Council and the Director of Housing if the RHA Council and the Housing Director are not able to reach agreement.

~~(c)~~ The RHA Council shall hear appeals of the actions of the Peer Judicial Board, review policies and regulations, conduct a continuing evaluation of the effectiveness of residence halls governance, hear and consider complaints and suggestions from residence hall students and staff, and recommend changes in policies and procedures to the Director of Housing.

~~(d)~~ The Assistant Director of Residence Life shall serve as the RHA's first chairperson and shall remain in this position at least until the RHA Council has established its internal rules of operation.

~~(2)~~ The Peer Judicial Board shall enforce policies and regulations relating to student conduct in residence halls. It has the authority to warn and transfer students to other residence halls. It also has the authority to recommend to the Director of Housing the eviction of students from the residence halls. Its objectives shall be educational and remedial; thus its procedures will be primarily that of personal advising and counseling.

~~(a)~~ The Peer Judicial Board (J-Board) shall be composed of twenty-five students from the residence halls with representation from each of the complexes and a non-voting Judicial Board adviser employed by the Housing Department. The Office of Student Advocacy (OSA) provides free representation to students charged under the Student Conduct Code. Students may consult OSA prior to meeting with the J-Board or the J-Board Advisor.

~~(b)~~ The Complex Director may refer cases of alleged violations to the Peer Judicial Board, or a residence hall student may choose to have his/her case heard by the Board in lieu of meeting with the Complex Director.

~~(c) A student may appeal the J Board's decisions of his/her case to the Residence Hall Appeals Board (RHAB). Information regarding the structure of the RHAB, as well as the appeals process, may be found in the RHA Constitution. Such appeals shall be restricted to cases:-~~

~~(A) Where additional information becomes available which was not presented to the Board, and which could not be discovered and presented by timely action of the accused violator;~~

~~(B) Where it can be demonstrated that the sanction is unreasonable in comparison with sanctions for like violations; and-~~

~~(C) Where it can be demonstrated that a fair hearing was not accorded by the J Board.-~~

~~(d) Additional Peer Judicial Boards may be constituted if such action is necessary in order to keep up-to-date with cases and to keep the demands on the time of members within reason.-~~

~~(e) The J Board shall establish procedures which protect the individual rights of students brought before it, including, but not limited to due process. The Board shall establish procedures for timely notice and an opportunity for a hearing on any policy violation.-~~