

## OREGON TECH

### STUDENT CODE OF CONDUCT: DISCIPLINARY PROCESS

The following information is provided to inform students of the procedures in place at Oregon Tech for resolving alleged violations of University regulations. The procedures are designed to allow for fact-finding and decision-making in the context of the Oregon Tech educational community. The objective is to provide procedures that balance the rights of the individual with the legitimate interests of the University and community.

#### Reporting

- Any member of the University community (faculty, staff or student) or any person who is unaffiliated with the University who has knowledge of an alleged violation of the Code of Conduct may file a report against a student alleging that a violation of the Code of Conduct has occurred. The University may itself initiate a report.
- Such a report shall be filed with the Office of Student Affairs as soon as possible but typically within 180 calendar days (not University business days) of the alleged violation. A later report may be accepted with the approval of the Vice President for Student Affairs, the Dean of Students, or designee.
- The report must be submitted in writing and signed by the reporting party(s), or submitted via an approved online form and electronically signed by appropriate technical method, and must include the date, time, place, name(s) of person(s) involved (e.g., the accused, witnesses) and sufficient detail to make a determination of whether disciplinary action may be warranted.

#### Evidentiary Standards

Formal rules of procedure and evidence typically found in a court of law do not apply to disciplinary matters. For a student to be found responsible, the evidence must support a determination that it is “more likely true

Hearing Commission. The Vice President for Student Affairs, the Dean of Students, or designee will assign the type of hearing after reviewing the initial report.

A responding party or reporting party in a case assigned to an Administrative Hearing may request that their case be resolved at the Student Hearing Commission. Such a request must be made before the scheduled Administrative Hearing. The request must be in writing and explain the perceived benefit of the Student Hearing Commission. The Vice President for Student Affairs or Dean of Students will review such requests

### Administrative Hearing

1. Upon determining that sufficient evidence exists to believe that a violation of the Code of Conduct may have occurred, the Vice President for Student Affairs, the Dean of Students, or other hearing officer with jurisdiction will notify the student in writing of the alleged violations against them. The written notice will be delivered by one of the following methods: hand delivery to the student; sent electronically to the student's institutional email address (oit.edu email address) or; sent by U.S. mail to the student's last known address as filed in the Registrar's Office. Students are responsible for providing and maintains4-T8intgt (i)-2.3 (l)-2.2.8 (le.7 (d)-3.le.7 (d)-3.le.7 (d)-3.ll ( )T6.9 ( )M(t)-2 )M(t)5-1.9 (e.9 (s)

- The Dean of students, or their designee, will be present as a non-voting participant. Their role will be to facilitate dialogue between the hearing panel and the students involved, direct the attention of the parties to relevant points, act as an adviser to the hearing panel and answer procedural questions as needed.
- If an attorney accompanies the charged student or the reporting party at the hearing, the University may also elect to have an attorney present. The University's attorney shall serve as a non-voting observer and adviser to the hearing panel. Any adviser, including an attorney, is limited to advising the student.
- In cases of sexual harassment and sexual misconduct, the Title IX investigator will present an investigation report as part of the hearing proceedings. The investigator will present the report and answer questions. The role of the investigator is to serve as an unbiased party conducting a thorough investigation of all allegations of sexual harassment or sexual misconduct. The investigation report is a compilation of facts, not a-5.6 (S-3.6(i)10.6 (s)-5.6 (c)3e)13.8 (xua9 (ti)1.7 7 in)-Ioau (t o)11 ( not a)(-5.6 (n4.9 (0)10.9



6. The responding student will present evidence and call witnesses.
7. At the conclusion of each witness statement, the witness may be questioned by the hearing panel, the representative from the Office of Student Affairs, the accused student either directly or indirectly, and the reporting party, either directly or indirectly.
8. The reporting party may make a closing statement.
9. The responding student may make a closing statement.
10. All parties are dismissed for hearing panel deliberation.

The hearing may accommodate concerns for personal safety, well-being or fears of confronting the reporting party, accused student, or other witnesses. Procedures or the hearing environment may be modified as determined in the sole judgment of the



4. If the Vice President of Student Affairs finds there is no merit to any of the submitted grounds for appeal, that decision shall be final. The final decision will be communicated in writing by the Office of Student Affairs to the reporting party and the responding party. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances.
5. If the Vice President of Student Affairs recommends modifying the outcome or the sanction, the final decision will be communicated in writing by the Vice President of Student Affairs to the reporting party and the responding party. The decision will normally be communicated within ten University working days of receiving the written recommendation, but it may take longer during University recesses, in a complex case, or other reasonable circumstances. The decision of the University president shall be final.

### **Disciplinary Responsibility**

The responsibility for the campus discipline system is delegated from the State Board of Higher Education to the Vice President for Student Affairs through the President. The Vice President for Student Affairs further delegates authority for student conduct to the Dean of students, Assistant Dean of Students, Housing and Residence Life, and designated hearing officers. The goal is to resolve cases closest to the point of infraction for maximum educational benefit.

The University considers the disciplinary process to be an educational opportunity for the student that can promote growth in personal understanding of one's role as a member of an educational community and a better understanding of one's rights, responsibilities, and privileges therein. Refer to the Disciplinary Process for additional details.

### **Disciplinary Files and Records**

Reported misconduct will result in the development of a disciplinary file in the name of the accused student.





**Interim Suspension (Housing)** occurs when the conduct or behavior of a student residing in Oregon Tech on-campus housing is determined by the Vice P