

ADDENDUM B

THE UNIVERSITY OF OKLAHOMA  
STUDENT CODE  
OF RESPONSIBILITIES AND CONDUCT  
FOR THE NORMAN CAMPUS

Final Draft for  
Regents Meeting  
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THE UNIVERSITY OF OKLAHOMA  
STUDENT CODE OF RESPONSIBILITIES AND CONDUCT

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THE UNIVERSITY OF OKLAHOMA  
STUDENT CODE OF RESPONSIBILITIES AND CONDUCT  
FOR THE NORMAN CAMPUS

I. SHORT TITLE

These rules shall be known as the University of Oklahoma Student Code.

II. STUDENT RIGHTS

Students of the University of Oklahoma are guaranteed certain rights by the Constitutions of the United States, Oklahoma, the University of Oklahoma Student Association and the University. Those documents are controlling and any questions of student rights must be decided on the language contained in those documents. The following is intended as a purely informational summary of basic rights contained in those documents and is not to be construed as a definitive statement of rights.

A. Students are generally assured the:

1. Right of privacy.
2. Right to be secure in possessions and freedom from unreasonable search and seizure.
3. Right of academic freedom.
4. Right to judicial due process, including speedy trial, confrontation of plaintiff or his witness, counsel, presumption of innocence, protection against cruel punishment and appeal.
5. Right to bring suit within the regular judiciary structure for any violation of right guaranteed by the Constitutions of the University or University of Oklahoma Student Association or student regulations.
6. Right not to be twice put in jeopardy for the same offense.
7. Right to establish and/or disseminate publications free from any censorship.

8. Right to invite and hear any person of their choice on any subject of their choice subject to regulations in Article IV, Section C.
9. Right to form, join, and participate in any group or organization for any lawful purpose.
10. Right to use campus facilities, subject to uniform regulations governing the facility.
11. Right to petition the appropriate governing bodies or officials of the University for redress of grievance.
12. Right of assembly to demonstrate, inform, or protest so long as the normal workings of the University are not disrupted.
13. Right not to be denied any right, privilege, position or status by reason of discrimination on the basis of race, color, sex, national origin, creed, or political belief.

### III. DEFINITIONS

When used in this Code...

- A. The term "institution" as used in this Code means the University of Oklahoma, Norman Campus, and collectively, those responsible for its control and operation, including the University of Oklahoma Student Association.
- B. The term "student" includes all persons taking courses at the institution both full-time and part-time.
- C. The term "instructor" means any person hired by the institution to conduct classroom activities. In certain situations a person may be both "student" and "instructor." Determination of his status in a particular situation shall be controlled by the surrounding facts.
- D. The term "organization" means a number of persons who have complied with the formal requirements of Student Congress recognition as provided in Section XIII of this Code.
- E. The term "group" means a number of students who have not yet complied with the formal requirements for becoming an organization recognized by the Student Congress.

- F. The term "publication" means any printed, written, typewritten, or duplicated material published or disseminated, whether by students or non-students, which consists of other than primarily promotional or advertising content, though publications may contain some advertising.
- G. The term "shall" is used in the imperative sense.
- H. The term "may" is used in the permissive sense.
- I. The term "public place" for the purpose of restricting distribution and solicitation shall apply generally to all areas of the campus except the interiors of buildings and areas used for instructional purposes. The stadium shall be considered a building. The Oklahoma Memorial Union, a private corporation, shall designate certain areas of the Union building as public places. Housing governmental units may designate further public places within their respective housing areas at their discretion.
- J. All other terms have their natural meaning unless the context dictates otherwise.

#### IV. CAMPUS EXPRESSION

- A. Discussion and expression of all lawful views is permitted within the institution in public places subject to requirements for the maintenance of order, and to applicable state, federal, and local laws. The institution retains the right to assure the safety of individuals, the protection of property, and the continuity of the educational process.
- B. Orderly picketing and other forms of peaceful protest are permitted in public places on institution premises so long as there is no interference with ingress to or egress from institution facilities, interruption of classes, damage to property, or disruption of the operation of the institution, nor blocking of vehicular or pedestrian traffic, unless such traffic is by previous arrangement diverted by the Campus Security Department. (See Article XI, Section P.)
- C. Recognized student organizations may invite and hear any persons of their own choosing subject to requirements for use of institutional facilities and subject to the Oklahoma University speakers policy.

- D. The institution shall assume initial responsibility for maintaining order by using its internal enforcement agencies, although the institution recognizes that additional city, county, and state enforcement bodies are available.

V. DISTRIBUTION AND SOLICITATION.

- A. Distribution of free literature which does not occur in conjunction with solicitation shall be permitted on campus in public places. It is the responsibility of the individual or organization to rid the campus of debris caused by the distribution of such materials.
- B. Solicitation shall be prohibited on campus except:
  - 1. Solicitation by non-profit organizations which occurs in conjunction with regular student activities and campus events, as defined by the Student Activities Board with the concurrence of the Office of Student Activities.
  - 2. Commercial groups or individuals wishing to solicit on campus shall contact and receive approval from the Office of the Vice President for the University Community. The Student Consumer Bureau shall establish and publish criteria for finding products acceptable. The Student Consumer Bureau shall approve products for sale through the Student Cooperative Store.
- C. The Oklahoma Memorial Union, a private corporation, shall determine its own policy on distribution and solicitation within the Union building. Distribution and solicitation permitted under this Article shall not necessarily be permitted inside the Oklahoma Memorial Union unless approved in each case by the Union Management.
- D. All advertising, promotional or informational material designed for display on any surface is restricted to permanent bulletin boards inside or outside University buildings unless there is prior approval of the Director of Student Activities.
- E. Permission to operate a sound truck or a public address system at any time on the University campus or adjacent streets must be secured from the Director of Student Activities. The use of loudspeakers on the University



campus and near student residences is prohibited from 7:30 a.m. to 3:30 p.m. Mondays through Fridays and 8:00 a.m. to noon Saturdays, except as authorized by the Director of Student Activities.

- F. Any person distributing or soliciting on campus except as provided by this Article is liable to prosecution; students may be prosecuted in the student court system; other persons may be prosecuted in state courts.

## VI. PUBLICATIONS

- A. Prior to dissemination, each publication shall register with the Office of the Vice President of the University Community the name of the publication, its place of publication, name(s) of its principal agent(s) and his (their) mailing address(es) and whether the publication is to be distributed free of charge or sold and, if sold, the price per issue or other rate established; provided, however, that this section not apply to publications containing the above information in each issue for the purpose of recording.
- B. All publications disseminated on or broadcast from the campus shall conform to the applicable regulations of the Federal Communications Commission and/or to applicable laws. The institution shall not by previous restraint forbid the distribution of a publication, but the publishers will be legally responsible for the contents of their publications.
- C. All communications using, either explicitly or implicitly, the name of the institution or any of its divisions shall explicitly state on the editorial page or in the broadcast that the opinions expressed are not necessarily those of the institution or its student body.

## VII. <sup>Right of</sup> ~~MORAL BEHAVIOR~~ PRIVACY

- A. Students have the same rights of privacy as any other citizens and surrender none of these rights by becoming members of the academic community. These rights of privacy extend to residence hall living. Nothing in the institutional relationship or residence hall contract gives the institution or residence hall officials authority to consent to a search of a student's room by police or other government officials, except when such a search is duly authorized by a search warrant.

- B. When the institution seeks access to a student room in a residence hall to determine compliance with provisions of applicable multiple dwelling unit laws or for improvement or repairs, the institution shall in all cases give as early as practicable advance notice to the occupant. There may be entry without notice in emergencies where imminent danger to life, safety, health, or property is reasonably feared.
  
- C. A search may not be conducted of a student's room in a University housing unit to determine compliance with federal, state, or local criminal law or University regulations unless authorized by a valid search warrant based upon probable cause to believe that a violation has occurred or is taking place. "Probable cause" exists where the facts and circumstances within the knowledge of the body issuing the search warrant and of which it has reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that an offense has been or is being committed.

The Vice President for the University Community or his delegate may issue such search warrants as may be properly authorized by them as appropriate administrative officials. The Student Superior Court may issue such search warrants as may be properly executed by its members as appropriate student officials. Nothing in this section shall be construed as an attempt to limit the ability of police officials to seek and secure state or federal court search warrants.

#### VIII. RECRUITING ON CAMPUS

Every student has the right to be interviewed on campus by any legal agency desiring to recruit at the University.

#### IX. VIOLATION OF LAW AND UNIVERSITY DISCIPLINE

- A. If a student is charged with, or convicted of, an off-campus violation of law, the matter is of no disciplinary concern to the institution unless the student is incarcerated and unable to comply with academic requirements, except:
  - 1. The institution may impose sanctions for grave misconduct demonstrating flagrant disregard for

the rights of others. In such cases, expulsion is not permitted until the student has been adjudged guilty by final judgment in a court of law.

2. Once a student is adjudged guilty in a court of law, the institution may impose, upon proper hearing, sanctions if it considers the misconduct to be so grave as to demonstrate flagrant disregard for the rights of others.
  3. Nothing in this section shall be construed to prevent the University from implementing disciplinary proceedings pending final adjudication in a competent court of law.
- B. Under Article IX, Section A, Paragraph 1, if the student is acquitted or the charges withdrawn, the institution shall review any previous action against the student, and may, after fair hearing in the judicial system of the University, impose further sanctions if the student is considered to have so shown a flagrant disregard for the rights of others that the safety and well-being of individuals in the University Community may be threatened.
- C. The institution may institute its own proceedings against a student who violates a law which also is a violation of a published institution regulation.

#### X. SANCTIONS

- A. The following sanctions may be imposed upon students by the UOSA Courts or the proper administrative judicial officials.
1. Admonition: An oral statement to a student that he is violating or has violated institution rules.
  2. Warning: Notice, orally or in writing, that continuation or repetition of conduct found wrongful may be cause for more severe disciplinary action.
  3. Censure: A written reprimand for violation of specified regulations, including the possibility of more severe disciplinary sanctions in the event of the finding of a violation of any institution regulation within a stated period of time. This type of action does not restrict the student in any way. It has two important implications: It means he is being given a chance to show he is capable and willing to live according to the rules without being penalized too severely, but in case he errs again he knows subsequent action will be more severe. The second

implication is that it does become a matter of record. If, during the specified time of his probationary status, he requests a copy of his transcript, a letter will accompany the transcript. On the other hand, if he has successfully fulfilled his probationary status, no letter will accompany the transcript and the fact that he was on probation will not be made known voluntarily. However, if a specific question is asked whether the student has been involved in any discipline situations, there is no alternative but to give an accurate answer to the question.

4. **Disciplinary Probation.** Exclusion from participation in privileged or extracurricular institution activities set forth in the notice for a period of time specified. Other conditions of the probation may apply to any of the activities of the student in the University community except those which would affect his academic pursuits. The same procedure concerning record-keeping applies to Disciplinary Probation as is described above under the Censure category.
  5. **Restitution:** Reimbursement for damage to or misappropriation of property. This may take the form of appropriate service or other compensation.
  6. **Fines:** In addition to or in lieu of other sanctions, courts may impose fines in accordance with the following maximums: Housing Courts - \$35.00; Superior Courts - \$100.00; Administrative Courts - \$100.00; Judicial Tribunal - \$100.00. Should the court determine a fine would result in an unreasonable hardship on the defendant a work program can be imposed in lieu of a fine. The in-lieu work program shall be jointly approved by the hearing board and the Vice President for the University Community.
- B. The following sanctions may be recommended to the University President for imposition on students by the UOSA Courts or the proper Administrative judicial official:
1. **Suspension:** Exclusion from classes and other privileges or activities as set forth in the notice for a definite period of time not to exceed two years or until the conditions which may be set forth are met. The provisions related to record-keeping shall be the same as described under the Censure category above.
  2. **Expulsion:** Termination of student status for an indefinite period. The conditions of readmission, if any, shall be stated in the order of expulsion. When an offense is so severe that the University will not allow the student to re-enroll, the student will be expelled. Expulsion is not a permanent separation, but neither is a definite time set when return is expected. If a student is reinstated after an expulsion, it is only after a complete consideration of his case. When

a student has been expelled from the University for disciplinary reasons, this expulsion will be recorded on his academic record and will not be removed even if he should be reinstated. It is as permanent a part of his academic record as are the grades he has earned at the University.

- C. No sanctions may be imposed for violations of rules and regulations for which there is not actual or constructive notice. Publication in this document or publication in the Oklahoma Daily for five consecutive issues shall constitute notice under this provision; passage of rules or regulations by the University of Oklahoma Board of Regents in accordance with law also shall constitute notice under this provision.

#### XI. PROSCRIBED CONDUCT

Generally, institutional discipline shall be limited to conduct which adversely affects the institutional community's pursuit of its educational objectives, violates or shows disregard for the rights of individuals within the University community, or damages property. University officials charged with enforcement of these regulations shall have the authority in execution of such enforcement duties, to perform such acts as are required to maintain the security, well-being, safety, or tranquility of the University community or any of its members. The following misconduct is subject to disciplinary action:

- A. All forms of dishonesty including cheating, plagiarism, knowingly furnishing false information to the institution, forgery, alteration or misuse or being a part to the forgery, alternation or misuse of institution records or documents, including University identification cards. When the dishonesty is primarily related to an academic matter, the provisions of the Judiciary Section of this Code shall apply.
- B. Intentional disruption or obstruction of teaching, research, administration, disciplinary proceedings or other institution activities.
- C. Physical abuse of any person on institution premises or at institution-sponsored or -supervised functions.
- D. Failure to comply with lawful directions of institution officials acting in performance of their duties.
- E. Violation of published rules governing residence halls enacted in accordance with the residence hall, University of Oklahoma Student Association, and University constitutions.

F. Alcoholic Beverages:

1. Possession of alcoholic beverages (over 3.2% alcohol) by any person under the age of 21 is prohibited by state law and by this Code. The purchase, possession, or drinking of 3.2% beer by any person under 21 years of age is prohibited by Norman City Ordinance and by this Code.
2. Furnishing false identification for the purpose of obtaining beverages with any alcoholic content is prohibited both by state law and by this Code.
3. Transportation of open alcoholic beverages (including 3.2% alcohol content) in the passenger section of a vehicle is prohibited by state law and by this Code.
4. Misconduct in connection with drinking that occurs at any event sponsored by an organization, or for the organization by its alumni.
5. Public drunkenness or public disturbance whether it occurs at scheduled social affairs or in informal unscheduled social situations.

G. Bribery, attempted bribery, acceptance of a bribe, or failure to report a bribe on the part of any player, participant, coach, referee, umpire, official, or any other person having authority in connection with any University of Oklahoma or National Collegiate Athletic Association athletic contest.

H. Misuse of institution property to include but not be limited to fire alarms, fire equipment and elevators.

I. Destruction, unauthorized removal, theft or defacement of institution property, including trees and shrubbery, or property leased to or controlled by the University, such as telephones, whether or not it occurs in conjunction with a prank or college rivalry here or on another campus.

J. Destruction, unauthorized removal, theft, or defacement of personal property owned by or leased to a member of the University community or campus visitor.

K. Littering of University property.

- L. Possession or use of firearms, fireworks, explosives or incendiary devices of any description including air rifles and pistols, on the University campus or in University housing.
- M. Hazing, physical or mental harrassment, in any form on or off the campus.
- N. Holding or transporting another person under physical restraint or causing such to be done, even if attempted or carried out only as part of college or group rivalries.
- O. Unauthorized entry, attempted entry into, or use of a University building or room, including fraternities, sororities, and all other approved housing.
- P. Unauthorized participation in, agitation for, or instigation of an activity which interferes with ingress to or egress from institution facilities; interrupts any activity of the institution, including classes, damages property, or breaches the peace of the University community of its normal functioning.
- Q. The prohibitions contained in the State and Federal laws against the use, possession, sale and distribution of narcotics, marijuana or dangerous drugs shall apply to the campus, and any violation of such laws shall constitute a violation of this Code.
- R. Defacement by writing, drawing, or marking of any kind upon any permanent interior or exterior wall, or sign, or similar vertical surface, in any medium, including chalk, paint, felt-marker, etc., or any writing, drawing, or marking of any kind in any permanent medium, such as paint, upon any sidewalk, mall, patio, terrace, or street, except as authorized.
- S. Disturbance of the public peace.
- T. Violation of published institutional regulations including those relating to entry and use of institutional facilities, the rules in this Code of Conduct, and any other regulations which may be enacted in accordance with the University Constitution, or the Constitution of the University of Oklahoma Student Association.
- U. Alteration or defacement of current motor vehicle registration decals or parking permits.

- V. Failing or refusing to pay upon demand by any University official the amount of any dishonored check given to the University or any organization for any consideration, including, but not limited to, cash, books, tuition, fine arts tickets, athletic tickets, or given in connection with enrollment or for the purpose of being allowed to participate in any event, shall be prima facie evidence of an intent to defraud and shall be a violation of this Code.

## XII. HOUSING

### A. University Housing

1. In all institution student residence halls including fraternity and sorority houses the student courts shall have authority to adjudicate violations of stated norms of conduct as set by the house or by this Code. This provision does not deny the right of appeal to higher courts within or outside the University, nor may it be construed to limit or otherwise change the jurisdiction of the Superior Court as defined in the Judicial Act of 1969 (Cong. Sess. I, Ext.-1) or any subsequent acts of the Student Congress, nor the jurisdiction of any other student courts as duly created by the Student Congress. Neither does it preclude administrative actions being taken by the proper University official to insure the welfare of the University community.
2. The laws of Oklahoma require that the bonds on the residential halls be paid solely from the revenues received from their use. The Regents are authorized by such laws to make regulations with reference to the use of the residential halls.
3. Regents' policy requires that all single undergraduates under the age of 21 who have not completed ninety hours of college credit live in University housing. Exception from this policy is by special permission only, granted by the Office of Residential Programs. Applications for Special permission must: be made to the Office of Residential Programs prior to the beginning of each semester. Special permissions are granted for a period of one semester only and are subject to review prior to renewal.



4. Regents' policy requires that all students living in Cate Center, Cross Center, Woodrow Wilson Center, Adams, and Couch Center (Walker Tower) board at their place of residence.
  - a. Meal tickets are not transferable. The use of a meal ticket card by any person other than the one identified on the card is prohibited and may result in disciplinary action.
  - b. Students living in University housing who find it necessary to work for board may secure permission to board at their place of employment from the Office of Residential Programs.
5. Before a student moves from the place of residence for which approval was given during the enrollment period, clearance through the Residential Programs Office must be obtained to keep the student's address current with Admissions and Records. Every student must keep Admissions and Records notified of his current address. Failure to comply with this regulation may result in disciplinary action.
6. Fraternity and sorority residences are considered voluntary living organizations subject to the same health, safety, and conduct standards required for University-operated housing. Fraternity and sorority residents are subject to all provisions of this Code.
7. Pledges and members above the freshman level may live in fraternity or sorority residences with which they are affiliated.
8. A fraternity or sorority pledge who has failed to meet necessary grades for initiation as set by the University two consecutive semesters must return to University-operated housing, unless exempt under Article XII, Paragraph A., 3.

B. Special Regulations:

1. Groups or organizations using University facilities (lounges, cafeterias, etc.) are responsible for arranging furniture to their own desires. Furniture may not be moved from the premises. Upon completion of the event, students shall return all furniture to its original place, pick up all refuse, and leave the facility clean.

2. Open-flame devices or combustibles: The possession or use of any open flame device, except matches or cigarette lighters, such as candles, or any instruments of a similar nature including lamps or lanterns, using combustible chemical, or fuels, are strictly forbidden in the living space of University housing, or in any organized student residence. Any student violating this regulation may be subject to disciplinary action.
3. Animals or pets: Keeping animals or pets in University housing, including apartments and adult housing, is prohibited.

C. Private Housing

1. Regents' policies require that when vacancies exist in University housing after any enrollment period, single undergraduates under 21 years of age may be required to reside in such University housing. Recall from other housing to fill vacancies shall be by classes, freshmen first, and by grade average within the class, the lower grade averages first.
2. Students living in private housing by virtue of special permit of any type from the Residential Programs Office must secure clearance from that office before moving to a residence other than that for which approval was given during enrollment period.

D. Summer Session Housing

Students enrolled in the Spring Session who plan to attend Summer Session must secure approval from the Residential Programs Office if they desire housing arrangements for the Summer Session. Housing regulations apply to the Summer Session as well as the Fall and Spring Sessions.

E. Security Hours

The hours during which a women's housing unit shall be locked:

1. On Sunday through Thursday nights, women's houses will be locked at 12 midnight.
2. On Saturday and Sunday mornings, all women's houses will be locked at 2 a.m.

3. A house should be locked and should remain locked until 6 a.m. Only women students and authorized University personnel should be allowed to enter women's houses during these hours.
  4. Unauthorized entrance into or exit (the use of back doors, windows, fire escapes, etc.) from a student residence after established closing hours is prohibited.
- F. A freshman student whose parents have requested regulation of his closing hours shall be required to be in his housing unit from 12 midnight each night Sunday through Thursday and 2.a.m. Saturday and Sunday until 6 a.m. every day.
  - G. Each housing governmental unit may establish and publish open-house and visiting hours with the concurrence of the Office of Residential Programs.
  - H. Quiet hours for student residences will be established and published by individual houses.
  - I. The guests of Oklahoma University students are expected to observe the University regulations for students, and the rules of the residence where they are visitors.
  - J. Social events in residential units are limited to public lounge and recreation areas.
  - K. Residents of individual housing units may pass, publish and enforce additional rules through their house governments, so long as such rules do not conflict with this Code or enactments of the Student Congress.

### XIII. ACTIVITIES

- \*\*A. Campus Organizations. Organizations and groups may be established within the institution for any legal purpose. Affiliation with an extramural organization shall not, in itself, disqualify the institution branch or chapter from institution privileges.
- \*\* The committee points out that this section should perhaps be approved with the condition that the Student Congress enact legislation to furnish existing Attorney-General's policies on recognition of student organizations, i.e., student members with voting privileges, associations and honorary members without voting privileges, etc.

B. Organization Recognition

1. A student group shall become a student organization when formally recognized by the Student Congress.
2. Recognition of any organization by the Student Congress shall not imply either approval or disapproval of the aims, objectives or policies of the organization.
3. Any organization which engages in illegal activities, on or off campus, may have sanctions imposed against it, including withdrawal of institution recognition for a period set by the institution.
4. Groups of students who wish to form an organization may do so by fulfilling the following requirements:
  - a. A group of 10 or more students may apply for the recognition of a new student organization on the appropriate application form to be obtained from the Attorney General.
  - b. The completed application form, together with two copies of the by-laws, is filed with the Attorney General, who shall recommend action to the Student Congress.
  - c. All changes and amendments to the constitution or by-laws must be submitted within one week after they become effective.
  - d. Before any organization may be considered for recognition, it must obtain an advisor who is a full-time member of the faculty or staff, except in cases of Student Activities Council organizations which are sponsored by the Student Activities Board.

- C. Membership in University of Oklahoma Student Association-recognized organizations shall not be denied any person on the basis of race; creed; religion, or national origin; nor shall membership be denied on the basis of sex, unless the very purpose of the organization would be defeated if sex discrimination were not allowed; provided, however, that the purpose of the organization must be consistent with public policy as established by prevailing University community standards, and that the person be willing to subscribe to the stated aims and meet the stated obligations of the organization.

- D. Membership lists are confidential and solely for the use of the organization, except that names and addresses of current officers shall be required.
- E. No individual, group, or organization may use the institution name without the express authorization of the institution, except to identify the institutional affiliation. Institution approval or disapproval of any policy may not be stated or implied by any individual, group or organization.
- F. Regulations of the University Board of Regents make it mandatory for all student organizations to keep their accounts in the Bursar's Office of the University, which is located in Room 210, Evans Hall. All money received by the organization must be deposited in its University account, and all expenditures must be supported by written voucher and made by University check after approval of the faculty or staff advisor.
  - 1. Recognized student organizations and activities may apply for appropriations from the Student Activity fee through the Student Congress.
  - 2. The University of Oklahoma Student Association has adopted the following policy regarding organizations which receive appropriations from the Student Activity fee:
    - a. All expenditures must be approved in writing by the advisor of an organization before the debts are incurred.
    - b. The University of Oklahoma Student Association shall not be held responsible for any debt incurred by an organization without the proper written permission of the University of Oklahoma Student Association and will not be obligated to pay such debts.
    - c. Each organization which receives funds from Student Congress shall submit to the Treasurer of the University of Oklahoma Student Association an annual budget listing all income and expenditures from and to all agencies, businesses, or individuals.
- G. Charity Projects
  - 1. All projects, drives, or campaigns held on the campus to raise money for a charitable project included in

the Campus Chest Drive must be held during the week designated for such charitable activities, Campus Chest Week, unless permission otherwise is secured from the Student Activities.

2. Permission to hold such a project on the campus during the week must be secured from the Campus Chest Executive Committee. Requests may be submitted to the Director of Student Activities.

#### H. Use of University Facilities

1. The use (including rental) of University facilities for fund-raising purposes is limited to University and student organizations or civic or professional groups when the latter use the proceeds directly for charitable purposes. The Oklahoma Memorial Union is a private corporation and shall determine its own policies for use and rental of Union facilities.
2. Any group, organization or student wishing to sponsor events which are open to the campus and which occur in any University facilities or housing units must receive prior approval from the Calendar Committee. Decisions are based upon policies set by and may be appealed to the Student Activities Board. Any group, organization or student wishing to schedule such an event should contact the Director of Student Activities.
3. Private individuals or organizations may not use or rent University facilities for enterprises involving personal profit.
4. All groups or organizations wishing to apply for use of University facilities should contact the Office of the Director of Student Activities.

#### I. Decorations for Social Events

Regulations shall be published by the Student Activities Board in the Student Handbook.

#### J. Registration of Events

All social events occurring on University property or in residential units must be registered with the Director of Student Activities three days prior to the day of the event.

XIV. STUDENT RECORDS AND INFORMATION

- A. Directory Information: This is such information as routinely appears in student directories and alumni publications and may be freely released:

Student's Current Name  
Campus and Local Addresses\*\*  
Campus or Local Telephone Number \*\*  
Student's Major  
Student's Classification  
Student's College  
Student's Marital Status  
Student's Permanent Address

- B. Public Information: This is information which is not generally contained in directories but which is considered as part of the public record and may be released for appropriate purposes:

Current Enrollment (verify or deny only)  
Dates of Attendance  
Degrees and Dates of Graduation  
Data to verify Identification such as Date and  
Place of Birth  
University Honors  
Verification of Student's Participation in  
Recognized Student Activities

- C. Confidential: All other information not contained in XIV A or B above will be released only upon written consent of the student. In implementing this policy it is recognized that:

1. Parents and guardians have a legitimate interest in the progress of their sons and daughters and information contained in the student's record may be released to any parent or guardian of unmarried students under 21 years of age.
2. The information contained in the student's record is his and he may be proper authorization allow others to use it.
3. When a student requests that his transcript be sent to another educational institution the University shall have the right to supply such other academic

\*\* Upon written request by the student this information will be treated as confidential and released only with student's consent.

information as may be requested by that institution. No information concerning disciplinary action will be released unless such action is currently active at the time of inquiry, or unless specific inquiry is made about disciplinary actions.

4. The University is responsible for determining a student's athletic eligibility and in compliance with appropriate conference rules must supply certain student information to the Athletic Department, The Big Eight Conference and the National Collegiate Athletic Association.
  5. Certain college, departmental and administrative officers of the University have a legitimate interest and need for information contained in the student's records and are authorized access to this information on a "need to know" basis.
  6. The President of the University or his designated representative shall exercise sound discretion in enforcing and implementing this policy.
- D. Access to any of his records and files is guaranteed every student subject only to reasonable regulation as to time, place and supervision.
- E. No record may be made on the official transcript in relation to any of the following matters except upon the express written request of the student:
1. Race
  2. Religion
  3. Political or Social Views; and
  4. Membership in any organization other than honorary and professional organizations directly related to the educational process.
- F. Upon graduation or withdrawal from the institution the records and files of former students shall continue to be subject to the provisions of this Code.

#### XV. POLITICAL ACTIVITIES

An appointed faculty or staff member supervises the holding of political meetings on campus and cooperates with the heads of various political parties in permitting the use of University facilities under the following conditions:



- A. That all political meetings be so conducted that they avoid any interference with the routine affairs of the University and that they be scheduled with the appointed faculty or staff member.
- B. That any expense incurred by the University as a result of such meetings be defrayed by the candidate in whose interest the meeting is held.
- C. The on-campus advertising of non-student political candidates is restricted to the promotion advertising done in direct connection with a regularly scheduled meeting or rally.
- D. Groups supporting specific potential candidates not yet nominated by their party cannot be approved as University of Oklahoma Student Organizations. Nothing in this policy prevents students as private individuals from supporting any candidate at any time nor is it intended to inhibit the recognized political clubs in presenting divergent views and speakers, including potential candidates, to their membership and the local public.

THE UNIVERSITY JUDICIAL SYSTEM

XVI. COMPONENTS OF THE UNIVERSITY JUDICIAL SYSTEM

- A. University Judicial authority ultimately is vested by the Oklahoma Constitution and State Statutes in the University Board of Regents, a corporate body. This authority includes control and regulation of student problems and behavior through adjudication and disciplinary means, consistent with the educational purposes of the University.

Responsibility for proper administration of the University judicial system is vested in the University President. Generally original adjudicatory and disciplinary authority -- and the inherent judicial latitude necessary for their promulgation -- is delegated on a collateral basis to the Vice President for the University Community and to the University of Oklahoma Student Association and such courts as they and this Code shall establish.

Administrative Judicial Branch

1. The Vice President for the University Community works in a close collateral relationship with the Student Courts Administrator and the Student Attorney General to insure the efficient functioning of the judicial system.
  - a. The Director of Student Development who is responsible to the Vice President, has the day-to-day responsibility for disciplinary matters and the maintenance of records of all disciplinary actions taken, whether through administrative action or through the student judiciary. It is his responsibility to promote the progress of cases through the student judiciary; and it is the responsibility of the Courts Administrator to keep the Director of Student Development informed of all actions of the UOSA Courts.
  - b. Whenever in the opinion of the Director of Student Development the UOSA Court system is not acting with proper speed and judicial concern, he may request that the University Judicial Tribunal assume jurisdiction of a case or cases pending.

- c. Additionally, the Director of Student Development, and other appropriate persons in authority, may take immediate administrative or disciplinary action which is deemed necessary for the welfare and safety of the University community. Any student so affected must be granted due process including proper hearing within 10 days following the summary action.
- d. Any student defendant may request in writing that the Director of Student Development assume adjudicatory jurisdiction of his discipline case on condition that the student must accept administrative determination of the matter without recourse to student courts. The written request should be in form which clearly indicates that the student is aware of his rights, including the right of consultation with the Public Defender.
- e. The Director of Student Development may impose sentences of up to and including Disciplinary Probation, consistent with Article X of this Code, and may recommend suspension or expulsion to the University President. Notice of disciplinary action shall be filed with appropriate University officials, including the Courts Administrator. Appeal shall be to the University Judicial Tribunal only after review by the Vice President for the University Community.
- f. The right of a student defendant in a disciplinary action to select student or administrative adjudication shall not be abrogated. The selection, once made, is binding and cannot be altered after initial appearance except at the discretion of the hearing authority, and before judgment is announced.
- g. The Director of Student Development has responsibility for residential programs, and thus the Housing Center Courts are an integral part of his concerns. Through close coordination with the Courts Administrator, he has the responsibility to see that alleged violations of University regulations occurring in University housing are immediately referred to the proper court. In order to expedite the handling of cases involving minor infractions, the Director of Student Development, with proper notification to the Courts Administrator, may refer cases directly to the appropriate Housing Center Court.

Student Judicial Branch

2. The University of Oklahoma Student Association and this Code have provided for student courts which shall act on authority delegated by the University Regents through the President. Subject to herein-mentioned exceptions, it is University policy that all actions involving students shall be heard by the appropriate student court. Charges of violation of University policies, rules and regulations shall be filed with the UOSA Courts Office according to rules or procedure established by the Superior Court and referred to the UOSA Attorney General's Office.

a. Unless appealed within thirty (30) days to the University Judicial Tribunal, decisions of the Superior Court shall be final, except that if the Superior Court sentences a defendant to suspension or expulsion, the judgment shall be taken as recommendation to the University President or his representative, in whom authority to suspend or expel is vested.

Automatic appeal from a sentence of suspension or expulsion shall be granted by the University Judicial Tribunal, which shall affirm the Superior Court recommendation and forward it to the President or remand for imposition of new sentence by the Superior Court.

b. A student may appeal from the Superior Court to the University Judicial Tribunal. The Judgment of the Judicial Tribunal shall be the final agency decision for the purposes of appeal to state or federal courts, unless the University Board of Regents shall elect to grant appeal, upon application, in a particular case. The decision of the Regents shall be the final agency decision. Any final decision shall be carried out by the University President.

c. The choice of student or administrative court in an action not disciplinary in nature and which requests relief from a court shall rest with the plaintiff. A defendant in such action may request change to another court with jurisdiction for specified grounds, but the decision for such change shall rest with the court in which the petition is filed. The defendant may appeal this decision to the next-higher body with appeal jurisdiction on conclusion of the case, unless the petitioned court certifies the question of choice-of-court for review prior to trial.

d. In all cases, students shall have the right of appeal to the next-higher court or administrative body.

- e. The Superior Court and/or the Director of Student Development may grant immunity to a student in any cause, such immunity being limited to judiciary procedures within the University, and the witnesses involved will be so advised.
  - f. Within seven (7) days following the verdict of a lower court, any case can be appealed to the University Judicial Tribunal, by the Director of Student Development or other officer of the University if the finding of the lower court was based on improper procedures or was not consistent with the evidence. Jeopardy does not attach if such action is taken within the stipulated period.
- B. Except in Housing Center Courts, upon commencement of a disciplinary action the hearing body shall at the time of arraignment advise the defendant of his rights under the Constitutions of the United States of America, the State of Oklahoma, the University of Oklahoma and the University of Oklahoma Student Association.

Such rights shall include, but not be limited to, essentially the following statements:

--You are not required to make any statement, and anything you say may be used against you in prosecution of this or any other case.

--You may have a University of Oklahoma Public Defender aid in your defense free of charge, or you may be represented by any attorney who is a member of the Oklahoma State Bar.

--You will be given time to discuss your case with your defense counsel, but your case will be heard when it is called unless a continuance is granted.

--Your counsel may be present with you during all proceedings of this court or during any questioning by the prosecution.

--You may testify in your own behalf or choose to remain silent, and no inference may be drawn from the fact that you did not testify.

--The Court is obliged to compel attendance in court by any witness who may have testimony that will support your defense.

--The Court also is obliged to compel production of any records or papers not privileged that may support your defense so long as those papers or records are within the jurisdiction of the University.

--You may appeal the decision of this Court to the next-higher court, and you are entitled to a copy of the record forwarded to that court to aid in preparation of your appeal.

Upon advising the defendant of his rights, the hearing official shall ask directly of the defendant these questions:

--Do you understand the charges that have been brought against you, and all the surrounding incidents and circumstances?

--Do you understand the sanctions that can be applied if you are found guilty of the offense charged?

--Do you understand that the sanctions to be applied are completely in the discretion of this Court?

--Do you understand that you are entitled to have your case settled by student justices or by an administrative hearing held by an official of the University, at your election?

--I ask you to now decide whether you wish student or administrative adjudication, and to indicate in writing your choice.

Rights of defendants before, and rules of procedure to be followed by, Special Courts shall be established by the Superior Court for each Special Court when it is established.

When a case is docketed with a Housing Center Court, to maintain the informal nature of those courts, the defendant shall have the following rights and any others established by the Superior Court:

--Right of confrontation with accuser.

--Right to present witnesses in his behalf.

--Right to question hostile witnesses in the presence of the Housing Center Court judges.

--Right to subpoena witnesses and documents for his defense.

--Right to summarize argument in his favor according to rules established by the Superior Court.

--Right to consult with a public defender about his defense and to have the defender present at hearings, on election of the defender, but the defender may not actually present the defense case.

- C. Each defendant in a disciplinary action will be asked to sign a statement that he has received a copy of the rules, regulations, policies and procedures of the University Judicial System. A copy of such policy and procedure statement shall be available in the University of Oklahoma Student Association Courts Office and in the Office of the Vice President for the University Community. Whether the defendant signs the statement, the hearing official shall place the following statement in the file of the case of the student concerned:

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I hereby swear and affirm that I have been advised of my rights as prescribed by Title XVI, Section B, of the University Code and by the various Constitutions applicable to the University; that I understand these rights, and that I hereby agree to have my case tried before the Student Judicial Branch of the University Judicial System.

\_\_\_\_\_  
Signature Telephone

School Address \_\_\_\_\_

Witnessed this \_\_\_\_ day of the \_\_\_\_\_ month of the year \_\_\_\_\_,

by \_\_\_\_\_  
(Witness Signature)

=====

I hereby swear and affirm that I have been advised of my rights as prescribed by Title XVI, Section B, of the University Code and by the various Constitutions applicable to the University; that I understand these rights, and that I hereby agree to have my case tried before the Administrative Judicial Branch of the University Judicial System.

\_\_\_\_\_  
Signature Telephone

School Address \_\_\_\_\_

Witnessed this \_\_\_\_ day of the \_\_\_\_\_ month of the year \_\_\_\_\_,

by \_\_\_\_\_  
(Witness Signature)

=====

Arresting Official to Strike Out One Section Above

- D. If the defendant chooses to plead guilty to the charges levied against him, the appropriate administrative or student court official may then accept plea bids for sentence according to established procedures.
- E. The following is the existing traffic regulation enforcement procedure for the University:

Adjudication and processing of traffic violation citations shall be in the Office of the Vice President for the University Community, which shall handle faculty and staff cases; in the Office of the Vice President for Administration and Finance, which shall handle cases involving visitors to the campus; and in the Student Traffic Courts, under the supervision of the Superior Court, which shall handle all student cases.

Amendments to this procedure shall be considered and established by the existing Parking and Traffic Committee, which shall be under the direction of the Vice President for Administration and Finance or his representative and composed equally of faculty, staff, and students.

#### XVII. THE COURT SYSTEM OF THE UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION

- A. The court system of the University of Oklahoma Student Association shall consist of the Superior Court, the Traffic Courts and the Housing Center Courts. Such other Special Courts as are necessary may be established by the Student Congress consistent with the provisions of the University of Oklahoma Student Association Constitution and enactments of the Student Congress.
  - 1. The Superior Court shall consist of five members of the University of Oklahoma Student Association appointed by the UOSA President with the advice and consent of the Student Congress, three of whom shall constitute a quorum. At least three such members of the Superior Court shall be students enrolled in at least their second year in the College of Law. Each member of the Superior Court shall serve from the time of his confirmation by the University of Oklahoma Student Congress until he resigns from the court, graduates from the University, discontinues his enrollment in the University of Oklahoma, or is removed for just cause. The University of Oklahoma Student Association President may appoint to interim positions members of the Superior Court who shall serve as if confirmed until confirmed or rejected by the Congress. Upon rejection, such an interim appointee may no longer sit as a member of the Superior Court.



In all matters in which students have a substantial interest, the Superior Court shall have original jurisdiction except as herein reserved to other courts, but may delegate jurisdiction to lower courts on terms it deems proper. The Superior Court shall have appellate jurisdiction over all student courts, and is charged with supervision of all student courts of original jurisdiction.

The Superior Court shall advise the Student Association President on matters of student conduct, and to this end shall continually review University regulations and the judicial process. The Court shall establish rules of procedure followed by each student court, and shall review decisions of such courts on appeal to ensure compliance with procedural rules. The Rules of Procedure for the Superior Court were established December 14, 1970, and may be amended by the court, en banc, as stated therein.

The Members of the Superior Court shall elect during the month of August a Chief Justice, who shall serve a term at the pleasure of Superior Court. It shall be the duty of the Chief Justice to be responsible for the proper administration of the UOSA Courts and for reporting to the Superior Court on, and supervising activities of, the Courts Administrator and the Courts Office Coordinator. He also shall be responsible for the proper administration of the Superior Court in cooperation with the Administrator.

Other duties of the Chief Justice shall include but not be limited to: presiding over quorum sessions of the Court; calling and presiding over regular and special Court administrative meetings; representing the Court, with the Administrator, at committee or regular meetings of the Congress when legislation bearing on the Judiciary is to be considered; representing the Court, with the Administrator, in liason with other University officials when matters affecting the Judicial System are considered, and preparing annually for presentation to the Student Congress the budget for the Student Courts System, which shall include all items of operating, personnel and contingency expense.

2. The Traffic Courts shall consist of three University of Oklahoma Student Association members each, two of whom shall constitute a quorum, appointed by the UOSA President with the advice and consent of the Student Congress for terms of one year. Removal for cause shall be by normal removal process.

The UOSA President may appoint to interim terms Student Traffic judges who shall serve for one year unless rejected by the UOSA Congress, after which such interim appointees may no longer sit as members of the Traffic Courts to which they were named.

The Traffic Courts shall have original jurisdiction in all cases in which students are charged with violating University traffic regulations. If a student chooses to plead "not guilty" to such a charge, the case must be docketed for trial before a Traffic Court by the Courts Office. In no case shall the right of the student to plead "not guilty" be abrogated.

Rules of procedure to be followed by the Traffic Courts shall be established by the Superior Court.

The members of the Superior Court shall elect a Chief Traffic Courts Judge whose duties shall be established by the Superior Court.

3. Special Courts may be established for specific purposes by the UOSA Congress, and shall consist of three members, one of whom may be a Superior Court justice. Members of Special Courts established by the Congress shall be appointed by the UOSA President with advice and consent of Congress. Terms of Special Court judges shall be set at the time the Special Court on which they are to sit is established.

The members of each Special Court shall elect a Presiding Justice, whose duties shall be established by the Superior Court.

Rules of procedure to be followed by Special Courts shall be established by the Superior Court.

4. Housing Center Courts have been established and designated by the UOSA Congress. They shall be administered by the Superior Court, which shall establish rules of procedures. Housing Center Courts shall hear cases referred to them by the UOSA Courts Administrator and by the Director of Student Development. Each Center President shall nominate to the UOSA President six (6) students each living in separate houses within his Center, and three shall be a quorum; the UOSA President will submit the names to Student Congress, but the nominees shall serve from date of nomination.
- B. All Courts of the University of Oklahoma Student Association shall act in a manner consistent with the Constitutions of the University of Oklahoma and the University of Oklahoma Student Association, and shall observe Federal and State mandates relative to administrative agencies. All Student Association Courts shall comply with acts of the UOSA Congress and University regulations promulgated by the Board of Regents. Student Association Courts shall record dispositions of cases, and the Superior Court shall establish the form and content of records for each court.

Powers of the Student Association Courts shall include but not be limited to:

1. Adjudication in the court of proper jurisdiction all complaints filed by or against students, except those specifically reserved to other authority by this Code.
2. Issuance, on application, by the Superior Court of declaratory judgments interpreting any University policy, rule or regulation. Such judgments, if not superseded within 72 hours of notification to the University President by him or the University Regents, shall then become the official interpretation of such policies, etc., until and unless appealed to the University Judicial Tribunal by an affected party within 20 school days. The University President or the University Board of Regents may, however, issue on his or their own motion a statement clarifying and interpreting such University policies, etc., which statement shall substitute for the judgment of the Superior Court and/or the Judicial Tribunal. *accept that*
3. Power to issue orders of a directive nature in compliance with the specifications of UOSA Congressional legislation establishing such power, consistent with the inherent judicial power necessary to resolve disputes and according to the Superior Court rules or procedure.
4. Power to summon defendants and subpoena witnesses according to rules of procedure established by the Superior Court.
5. (a) Power to cite for contempt any University community member who fails to answer a summons or subpoena, and to levy sentence on students of up to and including student Disciplinary Probation and/or a money fine for contempt.  
  
(b) If testimony of an administrator, faculty member, or staff member is determined by the Superior Court to be essential to disposition of a case, the following procedure shall be followed:
  1. The Superior Court shall request appearance of such witness. If the witness appears, disposition of the case shall be made.
  2. If such witness refuses to appear, the Superior Court shall request the University President to request the witness' appearance. If the University President determines the witness' testimony is essential to disposition of the case, he shall request the witness to appear. If the witness appears, disposition of the case shall be made.

3. If the witness refuses to comply with the University President's request for appearance, the Superior Court shall certify the case to the University Judicial Tribunal, which shall have summons, subpoena, and contempt power over all University community members.
  6. Power to recommend suspension or expulsion of any student who continually is in contempt of Court or who refuses to comply with an order of the Court.
  7. Any member of the University of Oklahoma Student Association may, upon showing substantial interest in a particular statute, rule, regulation or policy, petition the Superior Court for review of such on grounds that it:
    - a. violates any Constitution under which the University and its officials are bound to operate or is in conflict with statutes approved by the Regents;
    - b. exceeds the authority of the officer or body adopting it;
    - c. violates the petitioner's rights under any Constitution under which the University or its officials are bound to operate;
    - d. was adopted by unlawful procedure; or
    - e. is inconsistent with the purposes of the University.
  8. Exercise of any jurisdiction or power conferred by legislative action.
- C. Any justice or judge of the Student Association shall remove himself from consideration of any case in which he: has such a substantial interest; is or has been such a material witness, or is so related to or connected with any party or counsel that it would be improper, in his opinion, to sit on the proceeding.

If such disqualification should result in a court being unable to maintain a quorum, the case shall be removed to a different court of competent jurisdiction, except in the case of the Superior Court, which shall retain jurisdiction. In such case, the otherwise-disqualified Superior Court Justices shall enter into the record of the case a statement of the grounds for disqualification, indicating that to have removed himself would have deprived the Court of a quorum. If a justice of the Superior Court cannot, however, in good conscience sit on a case even though to disqualify would deprive the Court of a quorum, the Justice may step down, and shall be replaced by the Chief Judge of the Housing Center Courts. If more than one replacement judge is required, the second replacement shall be the Chief Traffic Courts Judge, and the third shall be chosen by lottery from among the other Housing Center and Traffic Courts Judges.

An individual justice or judge shall determine whether to remove himself from consideration of any case. Abuse of the discretion shall be grounds for appeal. No judge may serve on more than one court, except that a Superior Court Justice, who may not later hear an appeal from a Special Court of which he is a member, also may sit as a member of any Special Court to which he is appointed by the University of Oklahoma Student Association President.

- D. The Chief Public Defender of the University of Oklahoma Student Association shall be directly responsible to the University of Oklahoma Student Association Courts and shall be under supervision of the Superior Court. He should preferably be enrolled in the College of Law, preferably be a junior and preferably have earned an undergraduate degree at the University of Oklahoma. He will be recommended to the UOSA President by a committee composed of the following: the out-going UOSA Chief Public Defender; a representative named by the Student Congress; the Courts Administrator; the Vice President of the University Community or his representative, who shall be a member of the faculty. The Selection Committee shall give preference in its deliberations to Deputy Public Defenders who have compiled at least three months' job experience. The Chief Defender shall serve a term concurrent with that of the University of Oklahoma Student Association Attorney General; shall be eligible to immediately succeed himself in office and, for cause, may be removed from office upon the recommendation of the Courts Administrator and by votes of not less than three members of the Superior Court, or by impeachment by Congress.

The functions and duties of the Chief Public Defender shall include but not be limited to the following:

--The Chief Public Defender is responsible for fulfilling a request for defense of any student charged with any violation of any University regulation, provided that no such actual defense is presented in the Housing Center Courts.

--Although the Chief Public Defender is not required to personally appear in Court in aid of a student's defense, the Chief Defender is responsible for securing the services of staff assistants who are able to conduct a viable defense if requested by a student, and responsible for ensuring that a defender appears in court with a defendant when his case is called.

--The Chief Defender also is responsible for ensuring to the courts that his office is staffed and open to the public a sufficient number of hours (no less than 15 per week) that the public can make proper use of the defender's services.

--The Chief Defender shall be responsible to the courts for ensuring that any defense conducted in behalf of any student who requests it will be to the best of the ability of the individual defender who handles the case.

--The Chief Defender also shall be responsible for a service to the members of the University of Oklahoma Student Association consisting of representation before any unit of the University agency, including representation before any administrator against whom the student believes he has a complaint; provided, however, that no such representation shall be made in a case consisting of a complaint based on academic grade status or progress, which shall be in the exclusive jurisdiction of the Academic Appeals Boards, although Defenders may appear with students at Appeals Boards hearings.

--The Defender providing such representation shall, when in the judgment of the Chief Public Defender the student's cause cannot be resolved by negotiation and the student possesses a cause of action, file an action in behalf of the student in the Superior Court for resolution of the issue.

--If a member of the Oklahoma Bar Association is hired by the University of Oklahoma Student Association to represent its individual members in legal matters outside the University agency, the Chief Public Defender and his staff shall be responsible for working in cooperation with such attorney in the defense of any student who requests the aid and who may be charged by the University in the same cause; provided, however, that the Defender may be relieved of this obligation by the attorney so hired.

--It shall be the duty of the Chief Public Defender to cooperate with the University of Oklahoma Student Association Attorney General in planning, coordinating and providing legal education seminars for the benefit of the undergraduate and other University community members of the University of Oklahoma.

--Such other duties and responsibilities as may be established by the University of Oklahoma Student Association Congress or the Superior Court.

- E. The Courts Administrator shall be selected from among students enrolled in the College of Law, and shall serve at the pleasure of the members of the Superior Court. The Courts Administrator shall be responsible to the Superior Court Chief Justice for the proper administration of the Student Association Courts system and for the smooth functioning of the Courts Office. It shall be his duty to refer to the UOSA Attorney General disciplinary complaints filed with the Student Association Courts Office and to

ensure that action in accord with the Superior Court Rules of Procedure and that the Statute of Limitations of this Code is taken on each case presented. The Administrator shall be responsible to the Chief Justice for the activities of Court personnel, including the Courts Office Coordinator. Communication from personnel to the Court shall be through the Administrator. The Administrator shall be responsible for keeping and communicating to judicial system members minutes of the Superior Court's administrative meetings. He shall, with the Chief Justice, represent the Courts at committee or regular meetings of the UOSA Congress when legislation bearing on the Judiciary is to be considered, and shall, with the Chief Justice, represent the Court to the Press and in liaison with other University officials when matters affecting the Judicial System are considered. He shall make initial determination of questions of jurisdiction arising in cases that may be assigned to Housing Center Courts unless his opinion is overridden by a signed order of a Justice of the Superior Court. Other responsibilities and duties of the Administrator shall be established by the members of the Superior Court.

- F. There shall be a Chief Courts Bailiff and such other Bailiffs as determined by the Superior Court, whose duties and responsibilities shall be established by the Superior Court and who shall be empowered to act as agents of the Courts.
- G. There shall be a Courts Office Coordinator who shall be responsible to the Chief Justice and the Courts Administrator for the smooth operation of the Courts Office and whose other responsibilities and duties shall be established by the Superior Court.
- H. There shall be such Court Clerks and/or Secretaries as determined by the Superior Court, whose duties shall be determined by the Superior Court upon consultation with the Courts Office Coordinator and the Courts Administrator.

#### XVIII. THE UNIVERSITY OF OKLAHOMA STUDENT ASSOCIATION ATTORNEY GENERAL

The UOSA Attorney General is the chief legal officer of the University of Oklahoma Student Association, and is responsible for enforcing the provisions of the Constitution of the University of Oklahoma Student Association, enactments of the UOSA Congress and University regulations governing student conduct at the direction of the University of Oklahoma Student Association President.

The Attorney General may represent the interests of the University of Oklahoma Student Association in any matter pending in any judicial tribunal of the University in which the interests of the Student Association are concerned.

The Attorney General shall be appointed by the UOSA President with advice and consent of the University of Oklahoma Student Association Congress, and shall serve at the pleasure of the appointing UOSA President or until 45 days after the inauguration of the next UOSA President in the spring of the year following his appointment. The UOSA President shall seek the counsel of the Chief Justice, the Courts Administrator, the out-going UOSA Attorney General and such other University Officials as he deems advisable in making his selection of an Attorney General.

The functions and duties of the Attorney General shall include but not be limited to the following:

--He must provide for prosecution of any complaint filed with the Courts by any member of the University community.

--Although he is not required to personally appear to prosecute such cases, it shall be his administrative responsibility to ensure prosecution is provided when the case is called.

--He must investigate any subject, body, organization, etc., on order of a committee of Congress or the UOSA President.

--He may investigate any subject, organization, body, etc., on his own motion.

--He must render an advisory opinion upon any "legal" matter affecting a student organization upon that organization's request, provided that he shall not violate Bar Association canons of ethics nor statutory provisions which prohibit practice of law without license. His opinions shall be the official interpretation of University rules, regulations, and policies until and unless overridden by an opinion of the Superior Court or other University Judicial authority.

--He shall cooperate with the Chief Public Defender to plan, coordinate, and provide legal education seminars for the benefit of the undergraduate and other University community members of the University of Oklahoma.

#### XIX. ACADEMIC APPEALS BOARDS

The responsibility for academic evaluations rests with the faculty, but the Joint Statement on Rights and Freedom of Students provides "students should have protection through orderly procedures against



prejudiced or capricious academic evaluation." Consequently, whenever a student feels he is being wrongfully and unfairly evaluated by any instructor, and if he is unable to resolve the matter in conference with the instructor or the departmental chairman, he may make an appeal to the appeals board of the college offering the course.

#### APPEALS BOARDS

In each college of the University there shall be established an academic appeals board consisting of an equal number of students and faculty. (1) Faculty members of the board will be chosen by the faculty of the college for a term determined by the faculty. (2) Student members of the board will be appointed for a term of one year by the dean of the college upon recommendations from the Student President.

Each academic appeals board will hear cases in which the issue to be resolved is that of prejudiced or capricious evaluation.

1. A board will hear a case only after an attempt has been made by the student and the instructor to resolve their differences, if necessary, in consultation with the departmental chairman. If in the judgment of the board the case has already been satisfactorily resolved in the department, it may refuse the student a further hearing.
2. To avoid a jurisdictional impasse, the appeal shall be heard by the appeals board in the undergraduate college in which both the course and the instructor are located. Any 499 (thesis) and 599 (dissertation) appeals shall be heard by the Graduate College appeals board.
3. It shall be the primary function of a board to mediate or adjudicate disputes which have not been satisfactorily resolved on the department level.
4. Each board shall be given the responsibility of establishing its own rules of procedure. Such rules as it establishes must be consistent with the full protection of the rights of all parties involved.
5. Meetings of a board may be closed to the public.
6. If a board fails to achieve a settlement mutually satisfactory to the parties involved, it will recommend a means of settling the dispute to the executive committee (or comparable body) of the college, where final disposition of the case will be made. The decision shall ultimately rest with the faculty of the degree-granting college concerned.

#### XX. APPEALS

##### A. Superior Court

The Superior Court shall have jurisdiction to decide an appeal by any student from an adverse decision of any lower court within the Student Court System. The grounds for such appeal are as follows:

- a. Invalid application of any rule or regulation.
- b. The validity under State, Federal or University Constitution of any rule or regulation applied;
- c. The procedures by which any such adverse decision was made;
- d. The evidence introduced in the lower court does not sustain the findings of that court. In the event that an individual files an appeal with Superior Court for this last specified reason, the Court Administrator will request from the lower court a statement regarding the evidence introduced at the hearing before said court and the court's opinion on why it reached its ultimate decision based upon the evidence.

#### How Appeals Taken

Any student wishing to file an appeal in the Superior Court from a lower court decision shall submit to the Court Administrator a statement specifying the lower court's decision and the grounds for appeal from that decision. The Court Administrator shall present the application for appeal to the Superior Court for review. Should the Superior Court decide to hear the appeal, the Court Administrator shall be responsible for notifying appellant or petitioner within three days subsequent to his application for review.

#### B. Director of the Administrative Judicial Branch

The Vice President for the University Community is the Director of the Administrative Judicial Branch, and shall review, on application, decisions of personnel in his office and of the Student Development Director. He may accept as his own those findings of fact and of law included in the decision of other Administrative Judicial Branch officers, but he shall not be bound by these findings. Appeal shall be to the University Judicial Tribunal.

The Director shall be responsible for the proper administration of the Administrative Judicial Branch.

#### C. University Judicial Tribunal

1. The University Judicial Tribunal is intended to be essentially an appeals body, but with limited original jurisdiction to hear controversies that properly cannot be adjudicated in the student or administrative courts.

Appeal may be had to the Tribunal from any hearing body contemplated in this Code, except the Board of Regents.

For each case it decides, the Tribunal shall be composed of not less than six nor more than seven members, including at least three members from the faculty, two student members and one administration member. Its membership shall be determined for each case before it from among a panel of ten (10) members appointed by the University President with approval of the Regents in the following categories and numbers:

- a. Four faculty members upon nomination by the Faculty Senate for three-year terms, one of whom shall be a member of the faculty of the College of Law.
- b. Four student members upon nomination by the University President for three-year terms.

Initial appointments may be for differing terms to achieve a fair rotation of terms of appointment. Each vacancy in panel membership shall be filled for each category as in the above manner of nomination and appointment. Persons appointed to fill unexpired terms shall serve the remaining balance of such terms subject to reappointment.

## 2. Appellate Jurisdiction

The University Judicial Tribunal shall have jurisdiction to decide an appeal by any member of the University community from a decision of any court adverse to that member concerning:

- a. Application of any rule or regulation of the University or any of its bodies.
- b. Validity under the Constitutions of the United States, the State of Oklahoma, the University of Oklahoma and the University of Oklahoma Student Association of any rule or regulation applied; or
- c. Procedures by which any such adverse decision was made.
- d. A decision unsupported by the evidence.

No appeal to the Tribunal may be filed until all intermediate appeals have been exhausted. ~~No appeal may be filed to the Tribunal from actions of the Academic Appeals Boards.~~

The members of the Tribunal shall be required to grant de novo review to any appeal filed in which sentence of suspension or expulsion has been recommended by a lower court, committee, board or tribunal. In all other cases, discretion to hear an

appeal rests with the members of the Tribunal, who may affirm a lower court decision without public hearing, adjust the sentence of a lower hearing body without retrial, grant limited review to particular questions of law or facts or who may grant de novo review in any particular case.

### 3. Original Jurisdiction

Any member of the University community may, upon showing substantial interest in a particular statute, rule, regulation or policy, petition the Tribunal for review of such on grounds that it:

- a. Violates any Constitution under which the University or its officials must operate or is in conflict with rules, regulations, or policies approved by the University Regents;
- b. Exceeds the authority of the officer or body adopting it;
- c. Violates the petitioner's rights under any Constitution under which the University or its officials must operate;
- d. Was adopted by unlawful procedure; or
- e. Is inconsistent with the purposes of the University.

The Tribunal also may exercise other original jurisdiction conferred by legislative action.

Notice of assumption of original jurisdiction shall be given to the petitioner and to the President of the University, the Chairman of the General Faculty and the President of the Student Association with opportunity to be fairly heard prior to decision. The Tribunal's decision in a case of original jurisdiction shall be in writing and copies shall be sent to interested parties who apply. In no case shall original jurisdiction be exercised where a lower body could hear the case, unless the lower body refuses to do so or disqualifies itself.

Upon exercise of jurisdiction in an action before the University Tribunal, the chairman shall constitute the Tribunal by a process of random or rotating selection from among members of the panel in the case before it within the following limits: In appeals cases, the Tribunal shall be composed of three faculty members, two student members and one administration member from a category named by the appellant at his request. In each case of original jurisdiction, the composition of the Tribunal shall be three faculty members, three student members and one administration member.

Court on the Judiciary

The Tribunal shall serve as the University Court on the Judiciary, and shall have original jurisdiction to hear proceedings which are intended to result in the censure or impeachment and removal of a judge of any Court or any other official of the student judiciary, including the Courts Administrator and the Attorney. Complaints against any judge of any Court may be filed with the Tribunal, which shall serve notice and accord hearings consistent with due process of law, both procedural and substantive. The Tribunal shall establish and publish upon adoption of this Code procedures by which such notice and hearings shall be had. This section shall supersede all contrary provisions for other bodies to exercise impeachment and removal jurisdiction. Any Tribunal member who in good conscience or for good cause shown cannot sit in judgment as a member of the Court on the Judiciary when it hears the cause of a fellow Tribunal member or other judge shall disqualify himself in that cause. Should the Tribunal in such a case not be able to maintain a quorum, the University President shall assume original jurisdiction of said cause, and appeal shall be then to the University Regents. Appeal from a Court on the Judiciary decision shall be first to the President and then, on grounds they shall establish, to the Regents.

4. No person simultaneously shall be a member of the University Judicial Tribunal and a member of the Faculty Senate or Student Congress or a member of any judicial body. The Tribunal shall disqualify from participating in any particular case any of its members having a conflict of interest with respect to that case.
  5. The President of the University shall convene the panel of members of the University Judicial Tribunal at the beginning of each academic year or at such other times as may be desirable or necessary. At the first meeting of each academic year, the panel of members shall select a chairman of the Tribunal.
  6. The panel of members shall establish rules of procedure for conducting the business of the Tribunal.
  7. A decision of the University Judicial Tribunal shall be final unless the Board of Regents reviews the case under procedures it establishes and publishes. The decision of the Tribunal or other bodies shall be carried out by the President of the University.
  8. The Oklahoma Administrative Procedure Act shall be followed by the Tribunal when that Act applies.
  9. Rights accorded to parties appearing before the Tribunal shall be, but not be limited to, those rights accorded parties appearing in the student and administrative courts listed in Title XVI, subsection B, of this Code.
- D. Prosecution Appeals: Decisions to dismiss disciplinary action complaints shall be final, but the prosecution may appeal questions of law to the next-higher body.

#### XXI. STATUTE OF LIMITATIONS

- A. Effect of Non-Compliance: Any cause of action not filed according to the following procedure and not filed within the following specified times shall be forever barred from prosecution.
- B. Time for Filing with the Court: Any action against a student must be filed with the University of Oklahoma Student Association Courts Office or appropriate Academic Appeals Board by the complaining party within thirty (30) school days\*of discovery of the act, occurrence or transaction from which the complaint arises.
- C. Time for Reference to Attorney General or Housing Center Court: The Courts Office shall refer proper complaints to the UOSA Attorney General or the proper Housing Center Court within ten (10) school days after the day on which the complaint is filed with the Courts Office.

\* "School days" includes all days of the week except Sunday.

- D. Time for Notice to Defendant: The UOSA Courts Office or the proper Housing Center Court shall, within five (5) school days after the ten (10) school days allotted in Section C of this Code Title, deliver into the United States Mail or into the possession of a Courts Bailiff the complaint and summons that are to be served on the Defendant.
- E. Service of process shall be according to the Rules of Procedure established by the Superior Court.
- F. Tolling the Statute: A signed, written order of a Justice of the Superior Court or by the Chairman of the Judicial Tribunal granting an exception for reasonable grounds to the times specified in this Title shall toll this statute. Such order shall specify the time at which the statute shall again begin to run.
- G. Exceptions to the Statute: This Title shall not apply to charges of traffic regulations violations or to financial obligations incurred by University community members to the University. The equitable doctrines of laches and estoppel may, however, be applied in proper cases.
- H. This statute shall apply retroactively only to those complaints in which the Superior Court deems application to be equitable and just.
- I. Grounds for Appeal: Prosecution of a complaint in violation of the terms of this Title shall constitute grounds for appeal, and a ground for an order of prohibition from a higher court to one under its supervision.
- J. Computation of Times: Each time period shall begin on the last day any of the acts, occurrences or transactions takes place; official acts are to take place, or discovery of acts, etc., is made. This last day shall count as the first day of the particular time period, unless it is not a school day, in which case the next school day shall count as the first day. The last day of any time period shall end at midnight of that day.

## XXII. THE REGENTS OF THE UNIVERSITY OF OKLAHOMA

The Regents of the University of Oklahoma are charged in the Constitution of the State of Oklahoma with the government of the University of Oklahoma, and nothing in this Code or the Judicial System thereof, shall ever be construed so as to prevent the Regents or their delegates from establishing rules or procedures separate from this Code and Judicial System in order to fulfill such responsibility.

**BOARD OF REGENTS**

**PRESIDENT**

**University Judicial Tribunal**  
3 FACULTY  
2 STUDENTS  
1 ADMINISTRATOR

**Vice President for the University Community**

**Director of the Center for Student Development**

**UOSA Superior Court**  
5 APPOINTED STUDENTS  
(3 Quorum)

**Traffic Court**

**Housing Center Courts**