Academic Calendar

Policy Number: II.01.01

Reason for Policy: This policy expresses the need for developing an academic calendar at the institution.

Entities Affected by this Policy: All individuals affiliated with the UO.

Responsible Office: For questions about this policy, please contact the Office of the Senior Vice President and Provost at (541) 346-3186 or provost@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-1-c...

Enactment & Revision History:
Revisions approved by the University President on February 1, 2017 and policy renumbered to II.01.01.

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

Former OUS Internal Management Directive 2.025.

Policy: The regular academic calendar of the University consists of standard 11-week fall, winter, and spring terms, and a 12-week summer session. The regular academic calendar of the School of Law consists of standard 16-week fall and spring semesters, and an 8-week summer session.

A rolling five-year University academic calendar will be published annually.

Chapter/Volume:

• Volume II: Academics, Instruction and Research
• Chapter 1: Curriculum and instruction

Related Resources: Five-year academic calendar: https://registrar.uoregon.edu/calendars/academic/five-year

Original Source: Internal Management Directive
Academic Classification and Rank

Policy Number: II.02.05

Reason for Policy: This policy describes the classifications, categories, and ranks of faculty positions at the University of Oregon.

Entities Affected by this Policy: Faculty members with appointment at the University.

Responsible Office: For questions about this policy, please contact the Office of the Provost and Academic Affairs at 541-346-3081

Website Address for this Policy:
http://policies.uoregon.edu/vol-2-academics-instruction-research/ch-2-appointments-promotion-tenure/academic-classification-and

Enactment & Revision History:
Revisions approved by President Michael Schill on June 9, 2016 (revisions approved by the University Senate on May 11, 2016).

Technical revisions enacted by the University Secretary on September 2, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014 (former OAR 580.020.00050.

Policy:

(1) The University shall assign each faculty member the classification, category, and rank that most closely reflect the duties described in his or her contract and job description.

(2) The following are the classifications that apply to faculty positions. A classification identifies the type of position.

   a. TENURE-TRACK AND TENURED: A paid position wherein an individual is designated by the University in writing as eligible for tenure or has been granted tenure in writing by the Provost.

   b. ACTING: A tenure-track paid position for individuals intended by the University to become tenured-track assistant professors but who have yet to complete the terminal degree.

   c. CAREER: A non-tenure track paid position that is ongoing.
d. VISITING: A non-tenure track paid temporary appointment of limited duration (up to two years) for (1) an individual who holds a like, similar, or relevant appointment at another institution or (2) pursuant to norms of the specific discipline, an individual who has recently obtained a terminal degree and is seeking further professional experience prior to seeking a professorship.

e. PRO TEMPORE: A non-tenure track paid appointment that is intermittent or of limited duration.

f. POSTDOCTORAL SCHOLAR: A non-tenure track paid, mentored research, instructional, librarian, or combined position that is of limited duration for individuals who have earned a doctoral degree.

g. RETIRED: A non-tenure track paid appointment post-retirement. A faculty member is considered to be retired if he or she resigns or is terminated without cause from employment with the university or enters into a tenure reduction or relinquishment agreement and is:

1. Eligible for unreduced or reduced benefits under the Public Employees Retirement System (for participants in PERS) or the Oregon Public Service Retirement Program (for participants in OPSRP);
2. Eligible under Internal Revenue Service rules to withdraw funds from an account established under Optional Retirement Plan and meets the requirements for unreduced or reduced benefits under, depending on date of hire, PERS Tier 1 or 2 or the OPSRP. This classification includes post-retired or emeritus faculty.

(3) The following are the categories that apply to faculty positions. A category describes a rank or group of ranks:

a. PROFESSOR: This category can only be used in the Tenure Track or Tenured, Acting, Visiting, or Retired classifications. This category requires a paid appointment with duties in all three areas of independent research, scholarship, and/or creative inquiry; instruction; and service.

b. CLINICAL PROFESSOR: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment for individuals with primary duties in the area of clinical instruction or research.

c. PROFESSOR OF PRACTICE: This category can only be used in the Visiting, Career, Pro Tem, or Retired classifications. This category requires a non-tenure track paid appointment with primary duties in the area of research or instruction. This category is to be held by eminently qualified professionals who have had a major impact on fields and disciplines important to University of Oregon programs. A Professor of Practice will:
• have a substantial basis of experience equal to a tenured professor (normally a minimum of 12 years) and a national/international reputation for excellence reflected in a record of significant accomplishments;
• have a profile of accumulated professional accomplishments fully congruent with the rank of professor;
• have a rich and extensive background in a field and discipline relevant to the school, college, or unit of appointment at the University of Oregon; and
• serve as a liaison between the professional field and the University of Oregon.

d. INSTRUCTOR: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment with primary duties in the area of undergraduate instruction. Instructor duties may include advising and mentoring responsibilities as well as possibility of involvement in design and development of courses and the curriculum.

e. LECTURER: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment with primary duties in the area of graduate instruction and education. The duties may also include some undergraduate instruction and mentoring and advising responsibilities, as well as the possibility of involvement in design and development of courses and the curriculum. Appointments in the Lecturer category require the terminal degree (or its professional equivalent) relevant to the appointment, but holding a terminal degree does not by itself entitle a faculty member to appointment in the Lecturer category.

f. LIBRARIAN: This category can only be used in the Visiting, Career, Pro Tem, or Retired classifications. This category requires a non-tenure track paid appointment with primary duties in the university libraries. Appointments in the Librarian category require a terminal professional degree, but holding a terminal degree does not by itself entitle a faculty member to appointment in the Librarian category. The university grandparents the use of the Professor rank and category for Librarians who hold that rank as of the date of this policy.

g. RESEARCH ASSISTANT: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment for individuals who have typically earned a bachelor’s or master’s degree. Primary duties are in the area of research. Research Assistants typically work as members of a research team under the direct supervision of other faculty researchers.

h. RESEARCH ASSOCIATE: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment for individuals who have the terminal degree relevant to the appointment. Primary duties are in the area of research, which are typically undertaken as part of a research team or lab. Appointments in the Research Associate category require a terminal degree (or its professional equivalent) in a relevant field, but holding a terminal degree does not by itself
entitle a bargaining unit faculty member to appointment in the Research Associate category.

i. RESEARCH PROFESSOR: This category can only be used in the Visiting, Career, Pro Tem or Retired classifications. This category requires a non-tenure track paid appointment with duties primarily in the area of independent research, scholarship and/or creative inquiry. Appointments in the Research Professor category require a terminal degree relevant to the appointment. Primary duties are independent lines of inquiry, which can be related to the work of colleagues but not dependent on it. A Research Professor will have qualifications and research expectations equal to or exceeding those for a tenure-track/tenured professor at the same rank in related fields.

j. POSTDOCTORAL SCHOLAR: This category can only be used in the Postdoctoral Scholar classification. This category requires a non-tenure track paid appointment for a temporary and defined period of formally mentored research, instruction, librarianship, or scholarly training, for the purpose of allowing the Postdoctoral Scholar to acquire the professional skills needed to pursue a career path of his or her choosing. The appointment requires a doctoral degree. At the time of appointment, hiring documentation should include an articulated program of mentoring with an identified mentor.

(4) The following are the ranks within categories that apply to faculty members. Ranks define the level of promotion within a category.

a. PROFESSOR: Ranks in this category in ascending order are assistant professor, associate professor, and professor.

b. CLINICAL PROFESSOR: Ranks in this category in ascending order are assistant clinical professor, associate clinical professor, and clinical professor.

c. PROFESSOR OF PRACTICE: The only rank in this category is professor of practice.

d. INSTRUCTOR: Ranks in this category in ascending order are instructor, senior instructor I, senior instructor II.

e. LECTURER: Ranks in this category in ascending order are lecturer, senior lecturer I, senior lecturer II.

f. LIBRARIAN: Ranks in this category in ascending order are assistant librarian, associate librarian, and senior librarian.

g. RESEARCH ASSISTANT: Ranks in this category in ascending order are research assistant, senior research assistant I, senior research assistant II.
h. RESEARCH ASSOCIATE: Ranks in this category in ascending order are research associate, senior research associate I, senior research associate II.

i. RESEARCH PROFESSOR: Ranks in this category in ascending order are assistant research professor, associate research professor, and research professor.

j. POSTDOCTORAL SCHOLAR: The only rank in this category is Postdoctoral Scholar.

(5) At the time of hire, the University shall assign each faculty member a rank within the classification and category described in the job posting. Nothing shall preclude a faculty member from being assigned and performing other duties not described in his or her specific classification, category, or rank as long as those duties are consistent with his or her job description. Academic title can be assigned to staff members in unclassified academic service, whether the type of service is teaching, research, extension, administration or other service. Deans, vice presidents, and the President may have the academic rank of professor as determined by the University’s criteria.

(6) If the University non-renews a position in the Career classification for economic or programmatic reasons, then the position cannot be refilled in the Visiting, Pro Tem or Postdoctoral Scholar classification within the subsequent two years unless approved by the Provost or his or her designee.

(7) The duration of a position in the Pro Tem classification shall be no more than three years. If the University decides to continue a position in the Pro Tem classification for longer than three years, the position must be converted to a Career position. In rare cases, a department or unit may petition the Provost to continue a position in the Pro Tem classification for longer than three years for legitimate pedagogical or legitimate programmatic reasons. Permission to continue a position in the Pro Tem classification for longer than three years must be granted by the Provost or designee in writing.

(8) The duration of a position in the Postdoctoral Scholar classification shall be no more than three years. Postdoctoral mentors, however, may petition the Provost or designee for an extension of no more than two years. Permission to continue a position in the Postdoctoral Scholar classification for longer than three years must be granted by the Provost or designee in writing.

(9) Faculty members in the Career classification shall have the right to petition the Provost or designee to have their position recategorized if they believe that their position was categorized incorrectly at the time of first hire or their position has evolved to more closely resemble a different category. If a petition for recategorization is denied, a faculty member may petition again after completion of at least one additional year of service in the position.

(10) Faculty members in the Pro Tem or Visiting or Postdoctoral Scholar classification who believe that their positions should be positions in the Career classification may petition for
reclassification after the completion of two years of appointment. Because the defining characteristic of the Pro Tem and Visiting and Postdoctoral Scholar classifications is their limited duration, the decision of the Provost or designee should be guided by the current and anticipated duration of the position.

(11) When a position is reclassified from a non-tenure track classification into the Tenure Track and Tenured classification, a new national search is always required to fill the position. For other classifications, a national search is permissible, but not required when the original search was national in scope and when the incumbent has had successful reviews.

(12) A reclassification or recategorization shall take effect at the beginning of the next fiscal year, contract renewal, or academic year, or other date as approved by the Provost or designee.

(13) A change in rank within a category requires a promotion.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 2: Appointments, promotion and tenure

Original Source: UO Policy Statement

Academic Continuity and Emergency Grades

Policy Number: II.01.06

Reason for Policy: The purpose of this document is to provide a framework to guide planning and decision-making in the event that a significant disruption to campus operations impedes academic activity. The goal is to continue academic activities as much as possible and to mitigate the effects of a significant academic disruption, which include particularly grave academic and financial consequences for graduating students, international students, and students receiving financial aid. Students rely on the university to provide the best possible opportunities to learn and the efforts to respond to disruption should keep student learning as the central priority.

Entities Affected by this Policy: Any individuals affected during a disruption to academic matters. This could be faculty, staff, graduate employees, other employees, or others.

Responsible Office: For questions about this policy, please contact the Office of the Provost at (541) 346-3081 or otp@uoregon.edu.

Website Address for this Policy: https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-1-c...
Policy: The purpose of this document is to provide a framework to guide planning and decision-making in the event that a significant disruption to campus operations impedes academic activity. The goal is to continue academic activities as much as possible and to mitigate the effects of a significant academic disruption, which include particularly grave academic and financial consequences for graduating students, international students, and students receiving financial aid. Students rely on the university to provide the best possible opportunities to learn and the efforts to respond to disruption should keep student learning as the central priority.

I. PRINCIPLES

Academic integrity: Standards of evaluation should not be diluted due to a significant disruption, and reductions in instruction and student support should be minimized. Instructors of record shall retain primary authority over how to manage their courses, assignments, instruction and grades, subject to modifications approved by the Academic Council in the Academic Continuity Plan, as per this policy’s rules for Instructors of Record.

Transparency for students, instructors and staff: Students, instructors and staff shall be informed in a timely manner of changed requirements, changes to academic activities, and procedures during and after the conclusion of a disruption, to the greatest extent reasonable given the circumstances of the disruption.

Fairness for students: Students who are unable to participate in academic activities or complete academic requirements due to a significant academic disruption shall not be penalized for lack of participation or completion of requirements, shall have reasonable alternative access to materials covered in their absence, shall have reasonable extensions of deadlines and access to such other remedies as deemed necessary by the Academic Council consistent with the principle of academic integrity.

II. DEFINITIONS

Academic Activity: Any work subject to evaluation or necessary for a student to meet the learning objectives and requirements of a course or program of study, and the evaluation and grading of such work by instructors of record.

Academic Council: The UO Constitution and Section 6 of the Senate Bylaws establish the Academic Council and its membership (see Related Resources).

Emergency Grades: Grades issued after a significant academic disruption results in reduced instructional time, inability to complete all assignments or exams, or inability to complete grading of assignments or exams by Instructors of Record.
Instructor of Record: For the purposes of this policy:

A. The Instructor(s) of Record for a course are the instructor(s) assigned by academic units to teach a course. They must be actively engaged in teaching the course and are responsible for issuing final grades. Instructors of Record shall be listed in the Registrar’s course registration system (currently BANNER/Duckweb) by the beginning of the term. This listing shows who has the ability to assign and change final grades except as otherwise explained in this policy. Units shall assign Graduate Employees as Instructors of Record for courses for which they have primary teaching and grading responsibility. Section leaders and graders may be listed in the course registration system e.g. as section leaders, but they are not Instructors of Record for that course.

B. Replacement Instructors of Record: If an Instructor of Record leaves the university permanently or is otherwise not expected to return to duty before final grades are due, the unit head or designee may remove the original Instructor of Record, and appoint a Replacement Instructor of Record to take on the full duties and responsibilities including teaching and grading.

C. Additional Instructors of Record: If an Instructor of Record takes a temporary absence from their duties and is expected to return before final grades are due, the unit head or designee may appoint an additional Instructor of Record. The original Instructor of Record retains authority for final grades unless their absence becomes or is expected to become permanent, in which case the rule regarding replacements holds.

Significant Academic Disruption: A significant extended impediment to academic activities that limits learning and or grading.

Academic Continuity Plan: A plan for maintaining learning and assigning grades during a Significant Academic Disruption.

III. PROCEDURE FOR ACTIVATING ACADEMIC CONTINUITY PLANS DURING A SIGNIFICANT ACADEMIC DISRUPTION

As per policies established by the Office of Safety and Risk Services for the purpose of emergency management and continuity, the President of the University, or designee, can declare a “Campus State of Emergency.” Such a declaration activates the UO Emergency Operations Plan and Incident Command System, of which Academic Continuity is one part.

After such a declaration, the Academic Council will be convened to determine, in coordination with designees from the Office of the Provost, an appropriate Academic Continuity Plan, if needed, to manage any associated disruption of academic activity. Approval of any such plan will require a majority vote of the faculty members of the Academic Council.

For the purposes of this policy, after a “Campus State of Emergency” has been declared, voting faculty members of the Academic Council who are unable or unwilling to serve will be replaced by faculty designees from their relevant committees, selected by the respective committee. If an Academic Council member is unable or unwilling to select a replacement, the Senate President or designee with advice from the remaining members of the Academic Council shall make
appointments from the statutory faculty with a preference for current or past members of the relevant committees.

The Academic Continuity Plan shall include provisions for continuation of academic activities and awarding of grades. Because a Significant Academic Disruption may affect academic activities differently across campus, the Academic Continuity Plan may provide a range of options which maintain academic integrity, and transparency and fairness for students. These may include alternative instructional times and methods, use of online technology for instruction and assignments, modified assignments, extended deadlines, exceptions to prerequisites and grade requirements, etc.

The Academic Council’s Academic Continuity Plan may also authorize Emergency Grades, as explained below under “Emergency Grades”.

Academic unit heads, under the direction of their Deans, will coordinate implementation of the academic continuity plan with instructors in their units.

After the University President declares an end to a University Emergency, the Academic Council, with input from the Office of Provost, will decide when to declare an end to the Significant Academic Disruption and will provide a plan for winding down the Academic Continuity Plan.

Any Academic Continuity Plans and their implementation must comply with all existing collective bargaining agreements.

IV. CONTINUATION OF ACADEMIC ACTIVITIES

The Academic Council will consider the following factors in managing a Significant Academic Disruption:

- Duration and point in the academic term of the disruption.
- Availability of physical and instructional resources.
- Impact on attendance of students, instructors and other necessary personnel.
- Impact of timing and sequence of evaluations such as exams, practica, assignments, presentations, etc.
- The Academic Continuity Plan shall include provisions for continuation of academic activities and awarding of grades. Because a Significant Academic Disruption will affect academic activities differently across campus, the academic continuity plan shall provide a range of options which maintain academic integrity, transparency for students, and fairness for students as described above. These might include alternative instructional times and methods, use of online technology for instruction and assignments, modified assignments, extended deadlines, exceptions to prerequisites and grade requirements, etc.
- Department heads, under the direction of their Dean, will coordinate implementation of the academic continuity plan with instructors in their unit.
During a Significant Academic Disruption, unaffected Instructors of Record are expected to make reasonable efforts to continue their assigned academic activities in their courses by modifying instructional modality, assignments, exams, due dates and grading. As a matter of best instructional practice, instructors should use the official university learning management system (LMS) to post syllabi, assignments, grades, and course materials for all courses each term. In addition to advantages for student success, use of the LMS and planning course activities two to three weeks out will aid in responding to a sudden significant academic disruption. In the event of a disruption of the LMS, the Academic Council will advise on alternative methods of continuing academic activities outside the LMS if alternatives are available.

Should a significant academic disruption prevent physical access to campus for students and instructors, such as during a pandemic, every reasonable effort should be made to continue academic activity online using the university LMS. Instructors should strive to maintain contact hours, workload expectations for students and record progress and grades in the LMS for their courses. This may include:

- Online instruction using recorded lectures, slide shows with voice over, live discussions, or other interactive sessions;
- Self-paced module assignments;
- Online quizzes;
- Office hours using chat function.

V. EMERGENCY GRADES

Provisions for Emergency Grades in the Event of Significant Disruption

When a significant academic disruption is declared by the Academic Council at a time that may interfere with calculating and recording final grades in the student information system, the Academic Council may authorize the use of the emergency grades defined below. Emergency grades may be appropriate when a significant academic disruption results in reduced instructional time, inability to complete assignments or exams, or inability to complete grading of assignments or exams.

Emergency grades may be temporary or permanent depending on circumstances. Grades and academic credit are determined by the amount and quality of academic work completed. The Academic Council, in consultation with the University Registrar, the Office of Financial Aid, and the President and Provost or their designees, will make that determination at the conclusion of a Significant Academic Disruption. At that time, the Academic Council may declare one of the following regarding PE, NE and IE grades:

- All emergency grades are to remain in place permanently;
- All emergency grades are to be replaced with regular grades;
- The emergency grades are to be replaced with regular grades by the Instructors of Record, where they have enough information to award regular grades. Otherwise, the PE, NE and IE grades remain in place.
PE: Satisfactory performance under circumstance of significant academic disruption. When authorized, the grade of PE indicates performance of C- or above for undergraduate work, and B- or above for graduate work under the circumstance of a significant academic disruption. The grade of PE carries academic credit.

NE: Less than satisfactory performance under circumstance of significant academic disruption. When authorized, the grade of NE indicates performance of D+ or lower for undergraduate work, and C+ or lower for graduate work under the circumstance of a significant academic disruption. A grade of NE does not carry academic credit. A grade of NE will require recording a last date of participation.

IE: Incomplete due to significant academic disruption. When authorized, the grade of IE indicates that a portion of the requirements has not been fulfilled, due to a significant academic disruption of the University's academic activities. A letter grade may be assigned if the work is subsequently completed. To receive a letter grade, the work must be completed prior to a date set by Academic Council. If the work is not completed prior to the established completion date, the grade will remain an IE on the transcript but may be petitioned to be changed. A grade of IE does not carry academic credit and need not be resolved prior to graduation.

If the Academic Council determines that a Significant Academic Disruption is serious or prolonged enough, it may authorize the University Registrar to enter emergency grades into the course grading system. Once Emergency Grades have been authorized by the Academic Council, the default grade entered by the University Registrar will be an IE. The Academic Council may authorize Instructors of Record or their replacements to issue NE or PE grades.

Emergency grades will not be included in calculations of grade point average and students with an emergency grade are exempt from the course repeat policy for that course. When used as the final grade for a course, the PE grade is treated the same as the P* grade in determining total credits and minimum required UO credits under the university’s bachelor’s degree requirements.

Academic units will determine how they will handle grades of PE, NE and IE in courses that serve as prerequisites for other courses, required courses, and for courses that have a minimum grade requirement or contribute to an overall GPA requirement.

Student transcripts will contain a description of any Significant Academic Disruption that occurs during the student’s enrollment and is relevant to their academic progress and grades.

**Chapter/Volume:**
- Volume II: Academics, Instruction and Research
- Chapter 1: Curriculum and instruction

**Related Resources:**
- Senate Bylaws
Senate Committees (for information about the Academic Council)

Original Source: UO Policy Statement

**Academic Employment: Appointment, Promotion, Tenure & Salary Procedures**

**Policy Number:** OUS 03

**Responsible Office:** Office of the Senior Vice President and Provost: (541) 346-3186, provost@uoregon.edu

**Website Address for this Policy:** https://policies.uoregon.edu/academic-employment-appointment-promotion-tenure-salary-procedures

**Enactment & Revision History:** Became a University of Oregon Policy by operation of law on July 1, 2014 (former OUS Policy 3).

Adopted by the Oregon State Board of Higher Education February 21, 1986.

**Policy:**
The Board directed System institutions to adopt written procedures for appointment, promotion, tenure, and salary decisions. The procedures were to include, at a minimum, the following specific requirements:

1. Vacancy announcements for academic positions shall include the tenure status of the position being offered.

2. The successful applicant shall be informed of factors to be considered in determining the hiring salary above the minimum.

3. The factors actually used in fixing the salary of an employee shall be recorded and placed in the faculty member's file.

4. Each institution shall determine and publish the salary increase to accompany promotions in rank.

5. Each institution shall identify separately, and record in the faculty member's personnel record, administrative or other special stipends that are to occur only for the time during which the special circumstances occur.
6. Each institution shall advise faculty of factors to be considered in awarding merit increases.

7. Each component of a faculty member's salary adjustment shall be recorded and placed in the faculty member's file.

8. Each institution shall adopt procedures to review salaries for equity at least every two years.

**Chapter/Volume:**

**Related Resources:**

N/A

**Original Source:**

OUS Board Policy

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**Academic Freedom**

**Reason for Policy:** This policy outlines the University’s position regarding academic freedom.

**Entities Affected by this Policy:** All faculty and staff at the university.

**Responsible Office:** For questions about this policy, please contact the Office of the Provost at 541-346-3486.

**Enactment & Revision History:** Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0005.

**Policy:**

(1) All teachers in the University of Oregon (University) are entitled to freedom in the classroom in discussing subjects, but they should be careful not to introduce into their teaching controversial matter that has no relation to the subject.

(2) As a matter of policy the University neither attempts to control, sway nor limit the personal opinion or expression of that opinion of any person on the faculty or otherwise on the University’s payroll. In the exercise of this freedom of expression, faculty members should manifest appropriate restraint, should show respect for the opinions of others, and should make every effort to indicate that they do not speak on behalf of the University.
Academic Freedom

Last Updated: 05/28/2014
Effective Date: 05/28/2014
President's Office
Michael Gottfredson

Policy Statement:

The University of Oregon encourages and supports open, vigorous, and challenging debate across the full spectrum of human issues as they present themselves to the university community. The University of Oregon protects free speech through Policy No. 01.00.16. This policy on Academic Freedom builds on these existing commitments by recognizing the special contexts of scholarship, teaching, governance, and public service.

SECTION 1

a. SCHOLARSHIP. The University's research mission requires that members of the UO community have autonomous freedom to conduct research and produce creative work, and to publish and disseminate that work, limited only by the standards and methods of accountability established by their profession and their individual disciplines.

b. TEACHING. The University's responsibility to help students to think critically and independently requires that members of the university community have the right to investigate and discuss matters, including those that are controversial, inside and outside of class, without fear of institutional restraint. Matters brought up in class should be related to the subject of courses or otherwise be educationally relevant, as determined primarily by the faculty member in charge of the class.

c. POLICY AND SHARED GOVERNANCE. Members of the university community have freedom to address, question, or criticize any matter of institutional policy or practice, whether acting as individuals or as members of an agency of institutional governance.

d. PUBLIC SERVICE. Public service requires that members of the university community have freedom to participate in public debate, both within and beyond their areas of expertise, and to address both the university community and the larger society with regard to any matter of social, political, economic, cultural, or other interest. In their exercise of this freedom, university
community members have the right to identify their association or title, but should not claim to be acting or speaking on behalf of the University unless authorized to do so.

SECTION 2

These freedoms derive immediately from the university’s basic commitment to advancing knowledge and understanding. The academic freedoms enumerated in this policy shall be exercised without fear of institutional reprisal. Only serious abuses of this policy – ones that rise to the level of professional misbehavior or professional incompetence – should lead to adverse consequences. Any such determinations shall be made in accordance with established, formal procedures involving judgment by relevant peers.

Reviewed and Approved By: Michael Gottfredson, President
Date: 05/28/2014
Issued by: Michael Gottfredson, President
Date: 05/28/2014
Revision History:

Revision 1:

In January 2010, the Provost charged a work group, led by Russ Tomlin, to review and revise the current Campus Speakers policy. The work group included representatives from the faculty (Margie Paris-Law, Tim Gleason-SOJC), administration (Brian Smith-VPFA, Kathie Stanley-VPSA, and Beverlee Stilwell-Provost Office) and General Counsel (Randy Geller). The workgroup was also supported administratively by Pam Palanuk and Marilyn Skalberg. The workgroup developed a draft policy that was discussed with the Faculty Advisory Council, the Deans, and Leadership Council. The draft policy was posted for comment on both the Provost's and Senate websites.

The final version incorporating revisions based on the ensuing feedback was reviewed and adopted by the Senate with minor revisions at its last meeting of May 26, 2010. The policy was approved by the Executive Leadership Team on June 7, 2010.

12/28/2010 - Approved by President Richard Lariviere.


12/04/2013 - the University Senate passed a motion on the floor to create an Ad Hoc Committee to Evaluate Academic Freedom/Freedom of Speech Policy

11/13/2013 - On the recommendation of the Ad Hoc Committee, the University Senate repealed motion US12/13-34 with the passage of US13/14-07.
Access Control

Policy Number: IV.07.03

Reason for Policy: This policy outlines regulations pertaining to the access control to university facilities.

Entities Affected by this Policy: All individuals with access to University of Oregon buildings, facilities or offices; those employees who work with access control matters.

Responsible Office: For questions about this policy, please contact University of Oregon Police Department at 541-346-2919.

Website Address for this Policy: https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-property-facilities-planning-sustainability/access

Enactment & Revision History: Revisions approved by President Michael H. Schill on January 25, 2017.

Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 50 Section 0035.

Policy:

Introduction

To regulate access to University of Oregon Facilities, the President of the University designates the Vice-President for Finance and Administration or designee to administer the university's access control policy.
(1) Definitions. As used in this policy, the following definitions apply:

(a) "university" shall mean University of Oregon;

(b) "facility(ies)" shall mean any University building, house, room or area to which access is controlled by a key, electronic access device or by another device normally restricting access;

(c) "Grand Master Key" shall mean a key which opens all doors in two or more university buildings;

(d) "Master Key" shall mean a key which opens all doors in a university building;

(e) "Sub-Master Key" shall mean a key which opens more than one door in a portion of a University building;

(f) "Change Key" shall mean a key which opens a door within a university building;

(g) "Outside Door Key" shall mean a key which opens an exterior door of a university building;

(h) "Access Card" shall mean an ID card or similar object used in an electronic reader to permit access into a university facility;

(i) "Access Level" shall mean the software control uses to determine time and place an access card holder may enter a university facility.

(j) Access Control Devices, i.e. any system that controls access to a space, access cards, biometrics, key pad codes, etc.

(2) Regulation of Access:

(a) The issuance of all access control devices to university facilities shall be subject to the provisions of this policy;

(b) Campus Planning and Facilities Management (Lock and Door Shop) shall be the sole source for the making, duplicating, manufacturing, and cutting of all non-Housing university facility keys. The University Housing Director shall be responsible for access control devices to Housing Facilities. The University ID card services shall be the sole source for making and duplicating "Access Cards" for academic buildings. These departments or the departments' designees shall be subject to this policy and are responsible for maintaining accurate access control device issuance records, return records, access information, and access records;
(c) Persons to whom access control devices are issued for university facilities are issued are prohibited from duplicating such access control devices;

(d) Persons violating the university access control policy are subject to disciplinary sanctions;

(e) A three- or four-member Access Control Advisory Committee shall be appointed by the Vice-President for Finance and Administration each year. It shall be advisory to the Vice-President for Finance and Administration;

(f) Access to university facilities may be issued to departments, university faculty, staff, graduate assistants and students, and to non-university persons authorized in writing by the appropriate dean, director or department head to have access to university facilities;

(g) Departments shall designate a department designee to maintain accurate records of all keys issued to the department. An annual accounting of keys shall be filed with the University of Oregon Police Department Chief by June 30 of each year;

(3) Conditions of Issuance:

(a) A Grand Master Key or Master Key or equivalent access control device shall be issued to departments only upon the written authorization of the Vice-President for Finance and Administration or designee;

(b) A Sub-Master Key shall be issued only upon the written authorization of department head, director, or dean;

(c) A Change Key or equivalent access control device shall be issued only upon receipt of the standard key request authorization form issued by the university department to which key applicant is assigned;

(d) An Outside Door Key or equivalent access control device shall be issued only upon receipt of the standard key request authorization form issued by a department head, director, dean, or designated representative.

(4) Conditions of Access and Key Use:

(a) Any person or department issued university access control devices accepts the responsibility for immediately notifying the University of Oregon Police Department – Communications and Emergency Response Center and the person's immediate supervisor in the event the access control devices disappears, is lost, stolen, or otherwise misplaced;
(b) If the loss, theft, disappearance or misplacement of an access control devices requires the changing of a lock or locks, the cost of changing the lock(s) shall be borne by the responsible university department. Appeals for exception to this requirement may be made to the Access Control Advisory Committee;

(c) Grand Master and Master Keys are issued to departments not individuals and must be stored in secured locations when not in use.

(d) Authorized non-university persons, requiring short-term access to university facilities shall obtain needed at the direction of the Lock and Door shop and by providing appropriate payment. Keys for such short-term access shall be issued for a specified time period and must be returned to the issuing office as specified;

(5) Fees:

A fee structure for the issuance of access control devices will be maintained and reviewed annually.

Add link to fee book: http://pages.uoregon.edu/baoforms/bao_drupal_6/sites/brp.uoregon.edu/files/brp/fees/FY17_NonCourse%20Fees_final.pdf

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

Original Source: Oregon Administrative Rule

Admission Policy, Second Language

Effective Date: 02/26/2001
Office of the Senior Vice President and Provost
provost@uoregon.edu

Policy Statement:

1. OUS institutions will require second language proficiency for students seeking admission to its colleges and universities for the academic year 1997-98. All students who are entering directly from high school will be required to meet the proficiency requirement. This policy will pertain to all campuses except Oregon Health Sciences University.
2. Students who graduated from high school prior to 1997-98 and students who have been out of high school for a period of eight or more years at the time of admission may apply for an exemption of the second language requirement. In such cases, students will be required to meet an OUS graduation requirement, which will be a requirement of satisfactory attainment of the proficiency standard (corresponding to completion of one year of college foreign language).

3. All students entering from community colleges or other colleges and universities will be required to meet the proficiency requirement of a second language.

4. Students seeking admission from non-English speaking countries will be required to meet an English proficiency requirement using TOEFL scores and other appropriate measures.

5. Proficiency standards will be set for each language taught in an Oregon high school using the ACTFL (American Council of Teachers of Foreign Language) Guidelines. American Sign Language will also be acceptable as a language, with standards to be set in consultation with appropriate national associations. Proficiency standards will be set to account for variation in difficulty of these foreign languages.

6. Student proficiency may be established by ACTFL testing that is completed by an ACTFL-certified K-12, community college faculty member, or the higher education foreign language department. An ODE/OUS-developed test may be acceptable in future years.

7. In general, two Carnegie Units (two years of the same high school foreign language) may be used to meet the proficiency level for an interim period, until the second language requirements are fully established and implemented within the CIM and CAM under development by the Oregon Department of Education (ODE) in response to House Bill 3565.

8. OUS institutions will accept certification of proficiency at the required level established by the CIM at any stage in a student's development, even if such proficiency is established in the elementary or middle school grades. However, since a student's understanding of the foreign culture is likely to be different and greater in later years of high school, it is recommended that proficiency at the level of the CAM be established.

9. Students may be admitted to OUS institutions under a special exception basis if their high school is unable to offer a two-year sequence of any foreign language. In such cases, students entering an OUS institution will be required to meet a graduation requirement of satisfactory attainment of the proficiency standard (corresponding to completion of one year of college foreign language).

10. Introductory college foreign language, beginning in academic year 1997-98, will be considered remedial instruction for high school and transfer students who meet the OUS admissions requirement using Carnegie Units but who cannot place in an OUS second year foreign language course. Students will be required to enroll in first-year foreign language via continuing education enrollment (self-support course), paying additional fees for this course. First-year language courses in a language other than the one studied in high school (or used to meet the admissions requirement) will not be considered remedial.

Cross Reference to Related Policies:
Policy Document

Original Source: OUS Board Policy
Admission Requirements

**Reason for Policy:** This policy contains matters pertaining to standards for admission and other admission requirements.

**Entities Affected by this Policy:** All students and employees who interact with the above mentioned matters

**Responsible Office:** For questions about this policy, please contact the Office of Admissions at 541-346-3201.

**Enactment & Revision History:** Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 10, Sections 0001 through 0005.

**Policy:**

**A. Standards for Admission**

(1) The University sets standards for admission to freshman and advanced undergraduate standing at the University. Standards may include but need not be limited to high school graduation, subject requirements, prior college-level coursework, standardized test scores and grades.

(2) Standards may vary by residency classification.

(3) The University may establish alternatives and exceptions to the standards.

(4) The Board may delegate authority to establish enrollment limitations and to set higher and additional standards for admission to academic courses and programs.

(5) The University shall periodically review admission standards and provide at least one year's notice of any change in standards used in determining admissibility.

**B. Affirmative Action Goals: Enrollment**
(1) The University President shall establish affirmative action goals and procedures for the purpose of increasing the proportion of minorities and women enrolled in programs where minorities or women are underrepresented. The University shall be sensitive to the need for effective support for such students.

(2) For purposes of this policy, "minority" refers to Black African Americans, Hispanic Americans, Asian/Pacific-Island Americans and American Indians/Alaskan Natives.

(3) The goals and procedures established under this policy shall be reviewed by the President for adequacy and effectiveness at the end of each biennium and modified accordingly. A report of this biennial review shall be submitted to the Board.

C. Compulsory Pre-Entrance Physical Examination and Immunizations

(1) For the protection of the public health and benefit of the student, the University requires a physical examination of all students or, at the discretion of the University, a completed health history questionnaire on a form supplied by the institution, as a condition of enrollment.

(2) A report from a private physician may be required in certain instances by the University using a health history questionnaire. Cases justifying use of a private physician's report include students participating in varsity athletics and students requiring clearance for participation in physical education.

(3) All students must present appropriate proof of immunizations and tests required by policies established by the University. These requirements shall be set forth in University catalogs. The University shall notify the Board whenever these requirements change.

(4) Students declining immunization on medical grounds may be enrolled, but students declining immunization on the basis of religious conviction may be enrolled only if:

(a) They provide a statement from their church or religious organization attesting to their membership and to the fact that immunization is contrary to the religious beliefs of the church or religious organization to which they belong;

(b) They, and in the case of minor or dependent students, their parents or guardians with them, agree in writing to assume all expenses in connection with their care and isolation should they acquire, while students at the University, a disease for which immunization is required of other students.

Chapter/Volume:  
Original Source: Oregon Administrative Rule
Allegations of Research Misconduct

**Policy Number:** II.06.02

**Reason for Policy:** To describe the University's expectations for the integrity of the Research conducted at the University as well as the policies and procedures to be followed in investigating Allegations of Misconduct in Research (Fabrication, Falsification, or Plagiarism in proposing, performing or reviewing Research, or in reporting Research results).

**Entities Affected by this Policy:** All Institutional Members (faculty, staff and students) proposing, reviewing, conducting, or reporting Research results for basic or applied Research under the auspices of the University.

**Responsible Office:** For questions about this policy, please contact the Office of the Vice President for Research and Innovation at (541) 346-2090 or vpri@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-6-research-general/allegations-research-misconduct

**Enactment & Revision History:**

8/3/17: Policy number revised from 09.00.02 to II.06.02 and technical changes enacted by the University Secretary

3/26/12: Reviewed and Approved By Interim President Robert Berdahl

02/08/2010 Policy number revised from 2.000 to 09.00.02

10/05/2009 Emergency Revisions Approved by the President

10/23/1996 Revised and Approval Recommended by President's Staff

05/04/1990 Effective Date

**Policy:**

I. **DEFINITIONS**
A. **Allegation** means a disclosure of possible Research Misconduct through any means of communication. The disclosure may be by written or oral statement or other communication to the RIO. (42 CFR 93.201)

B. **Bad Faith** means a material and demonstrable failure to meet the standards for Good Faith set forth herein as a Complainant, a witness, an Inquiry Panel member, an Investigation Panel member, or the RIO. The context in which actions have occurred is a relevant and important factor to be taken into account in determining whether an individual has acted in Bad Faith.

C. **Complainant** means a Person who in Good Faith makes an Allegation of Research Misconduct. A Complainant need not be a member of the University community. (42 CFR 93.203)

D. **Conflict of Interest** means any personal, professional, or financial relationship that influences or reasonably would be perceived to influence the impartial performance of a duty assigned under this Policy by any of the following: a member of an Inquiry Panel, Investigation Panel, the RIO, the DO, the Provost or the President.

E. **Counsel** means lay or legal counsel secured by a Respondent to serve as an advisor to the Respondent in Misconduct Proceedings against the Respondent.

F. **Evidence** means any document, tangible item, or testimony offered or obtained during a Research Misconduct Proceeding that tends to prove or disprove the existence of an alleged fact relevant to the Allegation at issue in that Misconduct Proceeding. This could include, depending on the Allegation, materials such as:
   i. Proposals, grant applications and comments thereon;
   ii. Relevant Research data and related records;
   iii. Laboratory notebooks and computer files;
   iv. Telephone logs and memos of calls;
   v. Correspondence; or,
   vi. Manuscripts, posters, publications, and tapes of oral presentations. (42 CFR 93.208)

G. **Fabrication** is making up data or results and recording or reporting them. (42 CFR 93.103(a))

H. **Falsification** is manipulating Research materials, equipment, or processes, or changing or omitting data or results such that the Research is not accurately represented in the Research Record. (42 CFR 93.103(b))

I. **Good Faith** as applied to a Complainant or witness, means having a belief in the truth of one's Allegation or testimony that a reasonable person in the Complainant's or witness's position could have based on the information known to the Complainant or witness at the time. An Allegation or cooperation with a Research Misconduct Proceeding is not in Good Faith if made with knowing or reckless disregard for information that would negate the Allegation or testimony. Good Faith as applied to an Inquiry Panel member, an Investigation Panel Member, the RIO or the DO, means cooperating with the Research Misconduct Proceeding by impartially carrying out the duties assigned under this Policy for the purpose of helping the University meet its responsibilities for research integrity. An Inquiry Panel member, an Investigation Panel member, or the RIO does not act in Good Faith if his or her acts or omissions in carrying out any such duty are dishonest or influenced by a Conflict of Interest. (42 CFR 93.210)

J. **Intentionally** means contemplating any result from a deliberate act as not unlikely to follow.

K. **Inquiry** means information gathering and initial fact finding to determine whether an Allegation warrants an Investigation.

L. **Inquiry Panel** means a group of at least three persons appointed to conduct an Inquiry.
M. Institutional Member means all University of Oregon faculty, staff or students.

N. **Investigation** means the formal, thorough examination and evaluation of all facts relevant to an Allegation to determine if Misconduct occurred and to assess its extent, gravity, and actual and potential consequences.

O. **Investigation Panel** means a group of at least three persons appointed to conduct an Investigation.

P. **Knowingly** means deliberately or consciously.

Q. **Misconduct** means Fabrication, Falsification, Plagiarism, or any other practice that seriously deviates from practices commonly accepted in the discipline or in the academic and Research communities generally in proposing, performing, reviewing, or reporting Research. Misconduct does not include appropriative practices insofar as they accord with accepted standards in the relevant discipline. Misconduct does not include honest error or honest differences in the interpretation or judgment of Research data. In order for a finding of Misconduct to be made, the following three criteria must be met:

i. There must be a significant departure from accepted practices of the relevant Research community; and,

ii. The Misconduct must be committed Intentionally, Knowingly or Recklessly: and,

iii. The Allegation must be proven by a Preponderance of the Evidence. (42 CFR 93.103, 104; 45 CFR 689.1, 2(c), DoD Instruction 3210.7 E2.1.4, 10)

R. **Misconduct Proceeding Record** means (1) Evidence secured for any Misconduct Proceeding; (2) a record of the RIO's review of other documents, tangible items, and testimony received or secured by the RIO in connection with that Misconduct Proceeding but determined by the RIO to be irrelevant to the Allegation at issue in the Misconduct Proceeding or to duplicate Evidence that has been retained; (3) the Preliminary Assessment report or referral and final (not draft) documents produced in the course of preparing that report or referral, including any other documentation of a decision that an Inquiry is not warranted; (4) the Inquiry report, determination regarding Investigation, and final (not draft) documents produced in the course of preparing those documents, including any other documentation of a decision that an Investigation is not warranted; (5) the Investigation report, determination regarding Misconduct, and all records (other than drafts of the Investigation report and determination) in support of those documents, including the transcripts of each interview conducted during an Investigation; (6) the complete record of an internal appeal from a finding of Misconduct; and (7) the complete record of any challenge or review.

S. **Person** means any individual, corporation, partnership, institution, association, unit of government, or legal entity, however organized. (42 CFR 93.218)

T. **Plagiarism** is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. (42 CFR 93.103(c))

U. **Preliminary Assessment** means initial information gathering to determine whether there is credible Evidence to support further review of an Allegation and whether the Respondent's alleged conduct could constitute Misconduct or Unacceptable Research Practices.

V. **Preponderance of the Evidence** means proof by Evidence that, compared with that opposing it, leads to the conclusion that the fact at issue is more probably true than not. (42 CFR 93.219)

W. **Policy** means this policy concerning Allegations of Misconduct in Research.
X. **Questionable Research Practices** means practices that do not constitute Misconduct or Unacceptable Research Practices but that require attention because they could erode confidence in the integrity of Research.

Y. **Recklessly** means disregard for or indifference to the consequences or risks of one's acts.

Z. **Research** encompasses the scholarly production of knowledge. This includes a systematic experiment, study, evaluation, demonstration or survey designed to develop, interpret or contribute to general knowledge (basic research) or specific knowledge (applied research). Research may be conducted by: (1) a faculty member or other employee of the University as part of his or her non-instructional scholarly activities, or (2) a student in fulfillment of any independent study requirement at the University whose product is intended to be an original scholarly or creative work of potentially publishable quality (including, without being limited to, a master's project or thesis, or doctoral dissertation).

AA. **RIO** means the University's Research Integrity Officer.

BB. **Research Record** means the record of data or results from scholarly inquiry, including, without being limited to, Research proposals, laboratory records, both physical and electronic, progress reports, abstracts, theses, oral presentations, internal reports, journal articles, books and other publications of any kind in any media and any material in any media necessary to support the content of any such document, presentation, or publication.

CC. **Respondent** means the person against whom an Allegation of Research Misconduct is directed or who is the subject of a Research Misconduct Proceeding. A Respondent must be an employee of the University or a student at the University, or must have been an employee or a student at the time the Misconduct allegedly occurred. (42 CFR 93.225)

DD. **Retaliation** means an adverse action taken against an individual who has, in Good Faith, participated in a Misconduct Proceeding (as Complainant, witness, Inquiry Panel member, Investigation Panel member, Counsel, Advisor, or RIO) or otherwise cooperated in the review of an Allegation under this Policy, where there is a clear and causal link between the participation or cooperation and the adverse action. The context in which an adverse action has occurred, including its materiality, is a relevant and important factor to be taken into account in determining whether it constitutes Retaliation.

EE. **Sequestration** means the process of securing Evidence.

FF. **Significant Departure** means a marked divergence from standard practices.

GG. **Unacceptable Research Practices** means practices that do not constitute Misconduct but that violate applicable laws, regulations, or other governmental requirements, or University rules or policies, of which the Respondent had received notice or of which the Respondent reasonably should have been aware, for proposing, performing, reviewing, or reporting Research.
II. PREAMBLE

The University of Oregon is committed to supporting a research community that operates at the highest level of integrity. This commitment extends not only to supporting research that is conducted with high, technical quality but with the collegial, professional and ethical processes with which research is performed. As part of this commitment it is necessary to clarify actions that are not acceptable (e.g. constitute research misconduct) and the procedures that will allow both the unveiling of research misconduct and adequate safeguards against the potential damage caused by inappropriate accusations. With the goal of promoting research integrity, this policy defines (a) "research misconduct," (b) the steps for making an allegation of research misconduct, and (c) the steps for examining and acting on such allegations.

Professional misconduct is unacceptable in all forms. Research Misconduct is a specific type of professional misconduct that involves "fabrication, falsification, or plagiarism." The need for formal processes for defining and acting on allegations of research misconduct include the following:

1. Public trust is generated on the faith that conclusions are accurate to the best of our knowledge and ability. Academic honesty is critical to the reliability of the knowledge yet to be discovered.

2. Defining a high expectation for research integrity establishes a community of scholarship that minimizes research misconduct.

3. Universities receiving federal funds must comply with requirements promulgated by the federal agencies to ensure high integrity in the research process, and formal procedures for addressing instances of research misconduct.

4. The right of the University to self-govern and self-regulate brings a responsibility to create clear procedures for defining and responding to research misconduct.

Members at all levels of the academic community (students, postdoctoral fellows, faculty, and staff) have a responsibility to encourage high research integrity and report instances of what they, in good faith, believe to be a lack of integrity in scholarship and research. Examination of such a concern is a continuation of the search for intellectual truth, not a breach of collegiality. The University of Oregon seeks to emphasize education about ethical issues, to achieve consensus regarding good ethics, and to promote ethical research practices.

NOTE: Portions of the Preamble text are adapted with permission from the Colorado State University Administrative Procedures for Research Misconduct. Portions of the Policy are
adapted from the federal Office for Research Integrity sample policy, and Michigan State University's policy.

III. POLICY STATEMENT
A. This Policy applies to Allegations of Research Misconduct and Research Misconduct involving:
   i. Applications or proposals for support for Research, research training or activities related to that Research or research training, such as the operation of tissue and data banks and the dissemination of Research information;
   ii. all Research, whether funded or not;
   iii. all research training programs, whether funded or not;
   iv. all activities that are related to Research or research training, such as the operation of tissue and data banks or the dissemination of Research information, whether funded or not; and
   v. Plagiarism of Research Records produced in the course of Research, research training or activities related to that Research or research training. This includes any Research proposed, performed, reviewed or reported, or any Research Record generated from that Research, regardless of whether an application or proposal for extramural funds resulted in a grant, contract, cooperative agreement, or other form of extramural support.
B. This Policy does not apply to authorship or collaboration disputes.
C. This Policy applies only to Allegations of Research Misconduct that occurred within the timeframes set forth by the applicable agency regulations.
D. The University accepts the following definition established by the U.S. Public Health Service: "Misconduct means Fabrication, Falsification, or Plagiarism in proposing, performing, or reviewing Research, or in reporting Research results. Fabrication is making up data or results and recording or reporting them. Falsification is manipulating Research materials, equipment, or processes, or changing or omitting data or results such that the Research is not accurately represented in the Research Record. Plagiarism is the appropriation of another person's ideas, processes, results, or words without giving appropriate credit. Research Misconduct does not include honest error or differences of opinion.

   In order for a finding of Misconduct to be made, the following three criteria must be met:

   6. There must be a significant departure from accepted practices of the relevant Research community; and,

   vii. The Misconduct must be committed Intentionally, Knowingly or Recklessly; and,

   viii. The Allegation must be proven by a Preponderance of the Evidence." (42 CFR 93.103, 104; 45 CFR 689.1, 2(c), DoDI 3210.7 E2.1.4, 10)

E. Confidentiality: Disclosure of the identity of Respondents and Complainants in Research Misconduct Proceedings is limited, to the extent possible, to those who need to know, consistent with a thorough, competent, objective and fair Research Misconduct Proceeding.
Except as may otherwise be prescribed by applicable law, confidentiality must be maintained for any records or Evidence from which Research subjects might be identified. Disclosure is limited to those who have a need to know to carry out a Research Misconduct Proceeding.

IV. ROLES RIGHTS AND RESPONSIBILITIES

The Vice President for Research and Innovation (VPRI) or designee is responsible for the University's compliance with applicable federal regulations, including but not limited to notifying sponsoring agencies at the appropriate time and keeping the University's Inquiry Panels and Investigation Panels well informed with respect to the compliance requirements placed upon them. In the event the VPRI or designee has a potential Conflict of Interest with respect to a particular Allegation of Misconduct, the President or designee shall determine who shall be responsible for review of the particular Allegation.

For purposes of this Policy, the current designee of the VPRI for all Research Integrity Officer (RIO) responsibilities may be found on the website of the VPRI.

A. Deciding Official (DO) means the institutional official who makes final determinations on Allegations of Research Misconduct and any institutional administrative actions; the Vice President for Research and Innovation serves as the Deciding Official. The Deciding Official will not be the same individual as the Research Integrity Officer and should have no direct prior involvement in the institution's Inquiry, Investigation, or allegation assessment. A DO's appointment of an individual to assess Allegations of Research Misconduct, or to serve on an Inquiry Panel or Investigation Panel, is not considered to be direct prior involvement. The DO appoints the chair and members of the Inquiry Panel and Investigation Panel, ensures that those panels are properly staffed and ensures that there is expertise appropriate to carry out a thorough and authoritative evaluation of the Evidence. The DO also determines whether each person involved in handling an Allegation of Research Misconduct has an unresolved personal, professional, or financial Conflict of Interest and shall take appropriate action, including recusal, to ensure that no person with such conflict is involved in the Research Misconduct Proceeding. In cooperation with other institutional officials, the DO will take all reasonable and practical steps to protect or restore the positions and reputations of Good Faith Complainants, witnesses, and panel members and counter potential or actual retaliation against them by Respondents or other Institutional Members. In the event the Vice President for Research and Innovation or designee has a potential Conflict of Interest with respect to a particular Allegation of Misconduct, the President or designee shall determine who shall be responsible as DO for review of the particular Allegation.
The DO will receive the Inquiry report and after consulting with the RIO and/or other institutional officials, decide whether an Investigation is warranted under the criteria in 42 CFR § 93.307(d), 7 CFR § 3022.3 or other applicable regulation. Any finding that an Investigation is warranted must be made in writing by the DO and must be provided to the relevant federal agency, together with a copy of the Inquiry report meeting the requirements of 42 CFR § 93.309, 45 CFR § 689.4(b)(2)(d), 7 CFR § 3022.6, DoDI 3210.7 E4.1.5 or other applicable regulation within 30 days of the finding. If it is found that an Investigation is not warranted, the DO and the RIO will ensure that detailed documentation of the Inquiry is retained for at least 7 years after termination of the Inquiry, so that the federal agencies may assess the reasons why the institution decided not to conduct an Investigation.

The DO will receive the Investigation report and, after consulting with the RIO and/or other institutional officials, decide whether Research Misconduct occurred and, if so, decide what, if any, institutional administrative actions are appropriate. The DO shall ensure that the final Investigation report, the findings of the DO and a description of any pending or completed administrative actions are provided to the correct federal agency, as required by regulation (42 CFR 93.315, 45 CFR 689.4(b)(5), 7 CFR 3022.10, DoDI 3210.7 E4.1.7).

B. Research Integrity Officer (RIO) means the institutional official responsible for: (1) assessing Allegations of Research Misconduct to determine if they fall within the definition of Research Misconduct, are covered by 42 CFR § 93, 45 CFR § 689, 7 CFR § 3022, DoDI 3210.7 and other applicable regulations, and warrant an Inquiry on the basis that the Allegation is sufficiently credible and specific so that potential Evidence of Research Misconduct may be identified; and (2) overseeing Inquires and Investigations. These responsibilities include the following duties related to Research Misconduct Proceedings:

   i. Consult confidentially with persons uncertain about whether to submit an Allegation of Research Misconduct;

   ii. Receive Allegations of Research Misconduct;

   iii. Assess each Allegation of Research Misconduct in accordance with Section VII(B) of this Policy to determine whether it falls within the definition of Research Misconduct and warrants an Inquiry;

   iv. As necessary, take interim action and notify federal agencies of special circumstances, in accordance with Section V(F) of this Policy;

   v. Sequester Research data and Evidence pertinent to the Allegation of Research Misconduct in accordance with Section V(E) of this Policy and maintain it securely in accordance with this Policy and applicable law and regulation;

   vi. Provide confidentiality to those involved in the Research Misconduct Proceeding as required by 42 CFR § 93.108, other applicable law, and institutional policy;

   vii. Notify the Respondent and provide opportunities for him/her to review/ comment/respond to Allegations, Evidence, and panel reports in accordance with Section V(D) of this Policy;
viii. Inform Respondents, Complainants, and witnesses of the procedural steps in the Research Misconduct Proceeding;

ix. Assist the DO in determining whether each person involved in handling an Allegation of Research Misconduct has an unresolved personal, professional, or financial Conflict of Interest and take appropriate action, including recusal, to ensure that no person with such conflict is involved in the Research Misconduct Proceeding;

x. In cooperation with other institutional officials, take all reasonable and practical steps to protect or restore the positions and reputations of Good Faith Complainants, witnesses, and panel members and counter potential or actual retaliation against them by Respondents or other Institutional Members;

xi. Keep the DO and all relevant parties apprised of the progress of the review of the Allegation of Research Misconduct;

xii. Notify and make reports to federal agencies as required by law;

xiii. Ensure that administrative actions taken by the institution and federal agencies are enforced and take appropriate action to notify other involved parties, such as sponsors, funding agencies, law enforcement agencies, professional societies, and licensing boards of those actions; and

xiv. Maintain records of the Research Misconduct Proceeding and make them available to federal agencies in accordance with Section V(G) of this Policy.

C. Complainant: The Complainant is responsible for making Allegations in Good Faith, maintaining confidentiality, and cooperating with the Inquiry and Investigation. As a matter of good practice, the Complainant should be interviewed at the Inquiry stage, given the transcript or recording of the interview, and have the opportunity to correct and resubmit the transcription. The Complainant must be interviewed during an Investigation, be given the transcript or recording of the interview, and be able to correct and resubmit the transcription. The Complainant is entitled to:

i. reasonable and practical efforts by the institution to maintain the Complainant's identity in confidence, upon request.

D. Respondent: The Respondent is responsible for maintaining confidentiality and cooperating with the conduct of an Inquiry and Investigation. The Respondent is entitled to:

i. A Good Faith effort from the RIO to notify the Respondent in writing at the time of or before beginning an Inquiry;

ii. An opportunity to comment on the Inquiry report and have his/her comments attached to the report;

iii. Be notified of the outcome of the Inquiry, and receive a copy of the Inquiry report that includes a copy of, or refers to applicable regulations and the institution's policies and procedures on Research Misconduct;

iv. Be notified in writing of the Allegations to be investigated within a reasonable time after the determination that an Investigation is warranted, but before the Investigation begins (within 30 days after the institution decides to begin an Investigation), and be notified in writing of any new Allegations not addressed in the Inquiry or in the initial notice of Investigation within a reasonable time after the determination to pursue those Allegations;
v. Be interviewed during the Investigation, have the opportunity to have the recording or transcript, to correct the transcript, and have the corrected transcript included in the record of the Investigation;

vi. Have interviewed during the Investigation any witness who has been reasonably identified by the Respondent as having information on relevant aspects of the Investigation, have the recording or transcript provided to the witness, the opportunity for the witness to correct the transcript, and have the corrected transcript included in the record of Investigation; and

vii. Receive a copy of the draft Investigation report and, concurrently, a copy of, or supervised access to the Evidence on which the report is based, and be notified that any comments must be submitted within 30 days of the date on which the copy was received and that the comments will be considered by the institution and addressed in the final report.

The Respondent should be given the opportunity to admit that Research Misconduct occurred and that he/she committed the Research Misconduct. With the advice of the RIO and/or other institutional officials, the DO may terminate the institution's review of an Allegation that has been admitted, if the institution's acceptance of the admission and any proposed settlement is approved by the appropriate federal agency.

As provided by regulation and this Policy, the Respondent will have the opportunity to request an institutional appeal.

V. OTHER POLICY PRINCIPLES

A. Responsibility to Report Misconduct. All Institutional Members will report observed, suspected, or apparent Research Misconduct to the RIO. If an individual is unsure whether a suspected incident falls within the definition of Research Misconduct, he or she may meet with or contact the RIO to discuss the suspected Research Misconduct informally, which may include discussing it anonymously and/or hypothetically. If the circumstances described by the individual do not meet the definition of Research Misconduct, the RIO will refer the individual or Allegation to other officials with responsibility for resolving the problem.

At any time, an Institutional Member may have confidential discussions and consultations about concerns of possible Misconduct with the RIO and will be counseled about appropriate procedures for reporting Allegations.

B. Cooperation with Research Misconduct Proceedings. Institutional Members will cooperate with the RIO and other institutional officials in the review of Allegations and the conduct of inquiries and Investigations. Institutional Members, including Respondents, have an obligation to provide Evidence relevant to Research Misconduct Allegations to the RIO and other institutional officials.

C. Protecting Complainants, Witnesses, and Panel Members. Institutional Members may not retaliate in any way against Complainants, witnesses, or panel members. Institutional Members
should immediately report any alleged or apparent retaliation against Complainants, witnesses or panel members to the RIO. The RIO will review the Allegation of retaliation and, if necessary, work with other institutional officials to make all reasonable and practical efforts to counter any potential or actual retaliation and protect and restore the position and reputation of the person against whom the retaliation is directed.

D. **Protecting the Respondent.** As requested and as appropriate, the RIO and other institutional officials shall make all reasonable and practical efforts to protect or restore the reputation of persons alleged to have engaged in Research Misconduct, but against whom no finding of Research Misconduct is made.

During the Research Misconduct Proceeding, the RIO is responsible for ensuring that Respondents receive all the notices and opportunities provided for in 42 CFR Part 93 and the policies and procedures of the University. Respondents may consult with legal Counsel or a personal advisor (who is not a principal or witness in the case) to seek advice and may bring the Counsel or the personal adviser to interviews or meetings on the case. However, Respondent’s Counsel or personal advisor presence at interviews or meetings is restricted to advising (as opposed to representing or responding on behalf of) the Respondent.

E. **Sequestering the Evidence.** At the time of or before beginning an Inquiry, the RIO must make a Good Faith effort to notify the Respondent(s) in writing, if the Respondent is known. If the Inquiry subsequently identifies additional Respondents, they must be notified in writing. On or before the date on which the Respondent is notified, or the Inquiry begins, whichever is earlier, the RIO must take all reasonable and practical steps to obtain custody of all the Research Records and Evidence needed to conduct the Research Misconduct Proceeding, inventory the records and Evidence and sequester them in a secure manner, except that where the Research Records or Evidence encompass scientific instruments shared by a number of users, custody may be limited to copies of the data or Evidence on such instruments, so long as those copies are substantially equivalent to the evidentiary value of the instruments. The RIO may consult with federal agencies for advice and assistance in this regard.

The manner in which sequestration shall occur will to the maximum extent possible, while complying with 42 CFR 93.307, 7 CFR § 3022.11(b),(c) and other applicable federal regulations, protect the confidentiality of the Respondent and his or her ability to continue his or her program of Research

F. **Interim Administrative Actions and Notification to Agencies of Special Circumstances.** Throughout the Research Misconduct Proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the Public Health Service (PHS) or other federally supported Research process. In the event of such a threat, the RIO will, in consultation with other institutional officials and appropriate federal agencies, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the
Research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of Research data and results or delaying publication. The RIO shall, at any time during a Research Misconduct Proceeding, notify the appropriate federal agency immediately if he/she has reason to believe that any of the following conditions exist:

i. Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;

ii. Federal agency resources or interests are threatened;

iii. Research activities should be suspended;

iv. There is a reasonable indication of possible violations of civil or criminal law;

v. The Research Misconduct Proceeding at any point reveals behavior that may be criminal in nature;

vi. Federal action is required to protect the interests of those involved in the Research Misconduct Proceeding;

vii. The Research Misconduct Proceeding may be made public prematurely and appropriate federal agency action may be necessary to safeguard Evidence and protect the rights of those involved; or,

viii. The Research community or public should be informed.

G. Maintaining Records for Federal Agency Review. The RIO must maintain and provide to appropriate federal agencies upon request "records of Research Misconduct Proceedings." Unless custody has been transferred to a federal agency or a federal agency has advised in writing that the records no longer need to be retained, records of Research Misconduct Proceedings must be securely maintained for 7 years after completion of the proceeding or the completion of any federal agency proceeding involving the Research Misconduct Allegation. The RIO is also responsible for providing any information, documentation, Research Records, Evidence or clarification requested by a federal agency to carry out its review of an Allegation of Research Misconduct or of the institution's handling of such an Allegation.

H. Completion of Cases; Reporting Premature Closures to Federal Agencies. Generally, all Inquiries and Investigations will be carried through to completion and all significant issues will be pursued diligently. The RIO must notify the appropriate federal agency in advance if there are plans to close a case at the Inquiry, Investigation, or appeal stage on the basis that Respondent has admitted guilt, a settlement with the Respondent has been reached, or for any other reason, except: (1) closing of a case at the Inquiry stage on the basis that an Investigation is not warranted; or (2) a finding of no Misconduct at the Investigation stage, which must be reported to the appropriate federal agency, as prescribed in this Policy.

I. Respondent Termination or Resignation Prior to Completing Inquiry or Investigation. The termination of the Respondent's institutional employment, by resignation or otherwise, before or after an Allegation of possible Research Misconduct has been reported, will not preclude or terminate the Research Misconduct Proceeding or otherwise limit any of the institution's responsibilities.
If the Respondent, without admitting to the Misconduct, elects to resign his or her position after the institution receives an Allegation of Research Misconduct, the assessment of the Allegation will proceed, as well as the Inquiry and Investigation phases, as appropriate based on the outcome of the preceding steps. If the Respondent refuses to participate in the process after resignation, the RIO, DO and any Inquiry or Investigation Panel will use their best efforts to reach a conclusion concerning the Allegations, noting in the report the Respondent’s failure to cooperate and its effect on the Evidence.

VI. EXCLUSIONS AND SPECIAL SITUATIONS
A. Interim Administrative Actions and Notifying Federal Agencies of Special Circumstances: Throughout the Research Misconduct Proceeding, the RIO will review the situation to determine if there is any threat of harm to public health, federal funds and equipment, or the integrity of the PHS supported Research process. In the event of such a threat, the RIO will, in consultation with other institutional officials and federal agencies, take appropriate interim action to protect against any such threat. Interim action might include additional monitoring of the Research process and the handling of federal funds and equipment, reassignment of personnel or of the responsibility for the handling of federal funds and equipment, additional review of Research data and results or delaying publication. The RIO shall, at any time during a Research Misconduct Proceeding, notify federal agencies immediately if he/she has reason to believe that any of the following conditions exist:
   i. Health or safety of the public is at risk, including an immediate need to protect human or animal subjects;
   ii. Federal Agency resources or interests are threatened;
   iii. Research activities should be suspended;
   iv. There is a reasonable indication of possible violations of civil or criminal law;
   v. The Research Misconduct Proceeding at any point reveals behavior that may be criminal in nature;
   vi. Federal action is required to protect the interests of those involved in the Research Misconduct Proceeding;
   vii. The Research Misconduct Proceeding may be made public prematurely and Federal Agency action may be necessary to safeguard Evidence and protect the rights of those involved; or
   viii. The Research community or public should be informed.

VII. PROCEDURES
A. Allegation
   i. Allegation. Any member of the University or other person who chooses to make an Allegation shall contact the RIO (see Appendix A, for additional information on submitting an Allegation).
   ii. Evidence. Allegations must be supported by Evidence.
   iii. Misconduct vs. Unacceptable or Questionable Research Practices. Concerns expressed as part of an Allegation may not rise to the level of Research Misconduct.
B. Preliminary Assessment

i. Consultation. The RIO shall advise the DO and Office of the General Counsel of all Allegations.

ii. Preliminary Assessment. In the event of an Allegation, the RIO shall promptly conduct a Preliminary Assessment to determine whether an Inquiry is warranted. Preliminary Assessments generally will be finalized within 15 business days.

iii. Nature and Purpose of the Preliminary Assessment. The Preliminary Assessment is a preliminary process whose purpose is to cull out a clearly erroneous, unsubstantiated, or Bad Faith Allegation before the Respondent is subjected to an Inquiry or an Investigation. Hence, in conducting the Preliminary Assessment, the RIO is not obligated to do any interviews on the Allegation or to engage in an exhaustive review of all Evidence relevant to such Allegation. However, should testimony be obtained during a Preliminary Assessment, it shall be obtained from Complainants, Respondents, witnesses or other involved parties through private interviews rather than through a formal Inquiry process.

iv. Sequestration of Evidence. Any Evidence brought forward by Complainants, Respondents, Witnesses or others or solicited by the RIO during the Preliminary Assessment will be appropriately sequestered.

v. Preliminary Assessment - Standard of Determination. The RIO, in consultation with the DO and the Office of the General Counsel shall determine that an Inquiry is warranted if, in his or her judgment, (1) the Respondent's alleged conduct could constitute Misconduct or Unacceptable Research Practices, and (2) there is credible Evidence to support further review of the Allegation.

vi. Inquiry Warranted. If the RIO determines that an Inquiry is warranted, the RIO shall prepare a written Preliminary Assessment which explains the basis for his or her determination. The RIO shall transmit copies of the written Preliminary Assessment to the Respondent and the DO. The RIO shall also notify the Complainant of the outcome of the Preliminary Assessment and provide the Complainant with a brief summary of the Preliminary Assessment.

vii. Inquiry Not Warranted - End of Review. If the RIO determines that an Inquiry is not warranted, the RIO shall prepare a Preliminary Assessment report that states the basis and rationale for his or her determination. The RIO shall provide a copy of the Preliminary Assessment report to the Respondent, the Complainant, and the DO. The determination that an Inquiry is not warranted shall conclude the University's review of that Allegation.

viii. Bad Faith. If the RIO concludes that the Complainant acted in Bad Faith in making the Allegation, or that the Complainant or any witness acted in Bad Faith during the Preliminary Assessment, the RIO shall refer the matter for administrative review and appropriate action as set forth in Section VII(L) below.

C. Inquiry

i. Appointment. If it is determined that an Inquiry is warranted, the DO shall promptly appoint an Inquiry Panel of at least three members, chosen for their pertinent expertise. While Inquiry Panels will usually be composed of University faculty, they may also include persons other than University faculty when the DO determines that such persons have experience or expertise useful to the Inquiry. The DO shall select one of its panel members to act as the Inquiry Panel chairperson.

ii. Charge. The DO, with the assistance of the RIO, shall draft a Charge to the Inquiry Panel based upon the written Preliminary Assessment. The DO shall submit that Charge and a copy of the
written Preliminary Assessment to the Inquiry Panel and the Respondent at the beginning of the Inquiry.

iii. **Briefing.** Before the Inquiry begins, the RIO and an attorney from the Office of the General Counsel shall brief the Inquiry Panel on this Policy, other relevant University regulations, and legal and procedural issues that the Inquiry Panel is likely to encounter in conducting the Inquiry.

iv. **Standard for Determination.** The Inquiry Panel and the DO shall conduct the Inquiry to determine whether an Investigation is warranted. Based on the Inquiry Panel's report, the DO shall determine that an Investigation is warranted if, in her or his judgment, an Investigation could reasonably result in a finding that Misconduct occurred. To so determine, the DO must find that the Respondent's alleged conduct could constitute Misconduct and that there is credible Evidence to support further review of the Allegation. Furthermore, the DO must also find that there is sufficient credible Evidence that an Investigation could reasonably conclude with a finding that Misconduct occurred, in accordance with the criteria in Procedure Section F(5) below. The Inquiry is completed when the DO makes this determination.

v. **Purpose and Nature of Inquiry.** Like the Preliminary Assessment, the Inquiry is a preliminary process. Its purpose is to cull out an insufficiently substantiated, erroneous, or Bad Faith Allegation before the Respondent is subjected to an Investigation. Although it is expected that the Inquiry will be more comprehensive than the Preliminary Assessment, the members of the Inquiry Panel, like the RIO, are not obligated to conduct any interviews on the Allegation or to engage in an exhaustive review of all Evidence relevant to the Allegation.

vi. **Assistance for Inquiry Panel.** The RIO shall secure for the Inquiry Panel such special scientific or technical assistance as it requests to evaluate an Allegation.

vii. **Evidence.** All Inquiry Panel requests for review of Evidence shall be made to and managed by the RIO.

viii. **Communication with Involved Parties.** All Inquiry Panel communication with Complainants, Respondents, witnesses and other involved persons will be made through and managed by the RIO.

ix. **Other RIO Participation.** The RIO shall provide training with respect to regulatory requirements, and administrative support to the Inquiry Panel. The RIO will not participate in the deliberations of the Inquiry Panel. The Inquiry Panel may request the assistance of the RIO during its deliberations and in the preparation of the Inquiry report.

x. **Timing.** The work of the Inquiry Panel shall be completed within 60 days of its inception unless circumstances warrant a longer period, in which event the Inquiry Panel Chair person or the RIO shall notify the DO and the Respondent of the reason for the delay and the date on which the Inquiry is expected to be completed. The DO shall decide whether the delay is warranted. If the DO determines that it is, the RIO shall so notify the Respondent. If the DO finds the delay unwarranted, the RIO shall work with the Respondent, the Inquiry Panel to expedite completion of the Inquiry, but the Inquiry shall continue until its completion if, despite their diligent efforts, it cannot be finished in 60 days. The RIO shall make the report about the delay part of the Misconduct Proceeding Records and notify the appropriate federal agencies.

D. **Inquiry Report**

i. **Content.** The Inquiry Panel shall prepare an Inquiry report that reflects the perspectives of all members of the panel, with the following information:
1. the name and position of the Respondent if the Respondent is an employee of the University, or the name and degree program of the Respondent if the Respondent is a student at the University;
2. the nature of the alleged Misconduct and how it does or does not fit within the definition of Misconduct;
3. a description of the Evidence it reviewed and the sufficiency, credibility, and merit of that Evidence; and,
4. summaries of any interviews it conducted.

ii. Deviation from Practice. If the alleged Misconduct involves a serious deviation from commonly accepted practices, Evidence of such practices and an analysis of the Allegation in light of such practices shall be included in the Inquiry report.

iii. Draft Report; Comments. The RIO shall send the Respondent a copy of the draft Inquiry report. The Respondent may return comments on the draft Inquiry report to the RIO within seven days of receipt of the draft Inquiry report. If the Respondent comments on the draft Inquiry report, the Inquiry Panel shall consider such comments and make any changes in the Inquiry report it deems appropriate in light of such comments. The Respondent's comments shall be included as an appendix to the final Inquiry report.

iv. DO Opinion on Final Draft Report. After making any changes it deems appropriate in the draft Inquiry report in light of the Respondent's comments, the Inquiry Panel shall prepare a final draft of the Inquiry report. The RIO shall send the DO a copy of the final draft of the Inquiry report, attaching any RIO comments regarding procedural questions and concerns. If the DO, with advice from the Office of the General Counsel, finds that the final draft Inquiry report reflects procedural error by the Inquiry Panel in conducting the Inquiry, the DO shall so inform the RIO and shall submit an opinion to the RIO and the Inquiry Panel, within 14 days after delivery of the final draft Inquiry report to the DO, to identify and explain the Inquiry Panel's procedural error. The Inquiry Panel shall either correct the error before completing the Inquiry report, or shall notify the DO in the final Inquiry report or concurrently with its issuance that it does not believe a material procedural error occurred. The opinion by the DO, if one was issued, shall be included as an appendix to the final Inquiry report.

E. Determination Regarding Investigation
i. DO Determination on Investigation. Following delivery of the final Inquiry report to the DO, the DO shall prepare a written determination as to whether an Investigation is warranted. The DO may request the assistance of the RIO in the preparation of the determination, but shall not seek the RIO's opinion as to whether an Investigation is warranted.

ii. Investigation Warranted. If the DO determines that an Investigation is warranted, the written determination may be summary in nature, provided that the DO sets forth the Evidence that supports his or her determination in sufficient detail for the Respondent and an Investigation Panel to understand the basis for the DO’s decision.

iii. Investigation Not Warranted. If the DO determines that an Investigation is not warranted, the written determination shall be more comprehensive and shall include a detailed statement of why the Respondent’s alleged conduct would not, under the definition in these Procedures, constitute Misconduct, or why the available Evidence is insufficient, or lacks sufficient credibility or merit, to warrant an Investigation.
iv. **Distribution of Final Report and DO Determination.** The RIO shall send the Respondent a copy of the final Inquiry report and the determination of the DO.

v. **Initiation of Investigation.** If the DO determines that an Allegation warrants an Investigation, he or she shall initiate an Investigation.

vi. **No Investigation.** If the DO determines that an Investigation is not warranted, this determination will conclude the University's review of that Allegation, except as provided in Section VII(J) below.

vii. **Bad Faith.** If the DO concludes that the Complainant acted in Bad Faith in making the Allegation, or that the Complainant or any witness acted in Bad Faith during the Inquiry, the DO shall refer the matter for administrative review and appropriate action, as set forth in Procedure Section L below.

viii. **Notification.** Promptly after completion of the Inquiry, the RIO shall notify the Complainant of its outcome and provide the Complainant with a brief summary of the Inquiry report and the determination of the DO.

F. **Investigation**

i. **Investigation Panel.** The DO shall initiate an Investigation within 30 days of his or her determination that an Investigation is warranted. The DO shall appoint an Investigation Panel of not less than three members, chosen for their pertinent expertise. While Investigation Panels will usually be composed of University faculty, they may also include persons other than University faculty when the DO determines that such persons have experience or expertise useful to the Investigation. The DO shall select one of the Investigation Panel members to act as its chairperson.

ii. **Notifications.**

1. **Notification - Internal.** The RIO shall notify the Provost and the General Counsel's Office of the initiation of the Investigation.

2. **Notification - Funding Source.** When the alleged Misconduct involves Research supported by an external (non-University) funder, the RIO shall work with the Office of Research Services and Administration to also notify the source of the funding of the Investigation before the start of the Investigation. Such notification shall include the name of the Respondent, the general nature of the Allegation, and the relevant grant application, grant number, or other identification for the support.

iii. **Charge.** The DO, with the assistance of the RIO, shall draft a Charge to the Investigation Panel based on the Inquiry report and the determination of the DO. The RIO shall submit a copy of that Charge, the Preliminary Assessment referral, the Inquiry report, and the determination of the DO to the Investigation Panel and the Respondent at the beginning of the Investigation.

iv. **Briefing.** Before the Investigation begins, an attorney from the Office of the General Counsel and the RIO shall brief the Investigation Panel on this Policy, other relevant University regulations, and legal and procedural issues that the Investigation Panel is likely to encounter in conducting the Investigation.

v. **Standard for Determination.** Based on the Investigation Panel's report, the DO shall determine if Misconduct occurred, if the Respondent was responsible for it, and the extent, gravity, and actual and potential consequences of the Misconduct. To conclude that Misconduct occurred, the DO must find:

1. a significant departure from accepted practices of the relevant Research community; and
2. that the Misconduct was committed Intentionally, Knowingly, or Recklessly; and,
3. that the Allegation was proven by a Preponderance of the Evidence.

vi. Evidence Review. The Investigation Panel shall examine all Evidence that it deems pertinent to the Allegation. All Investigation Panel requests to review Evidence shall be made to and managed by the RIO. At its discretion, the Investigation Panel may also inspect laboratories and examine laboratory specimens, materials, procedures, and methods. The Respondent will be provided copies of, or supervised access to, all Evidence made available to the Investigation Panel.

vii. Testimony.
1. Interviews. When possible, the Investigation Panel shall conduct interviews with the Complainant, the Respondent, and other persons, if any, who have material information regarding the Allegation.
2. Transcript. The RIO shall arrange for the preparation of a transcript of each witness's interview testimony and shall send the transcript to the witness for comment or correction. The witness shall have seven days after his or her receipt of the transcript to deliver comments on, and corrections of any errors in, the transcript to the RIO. Both the transcript and any such comments and corrections shall be made part of the Misconduct Proceeding Records. The RIO shall give the Respondent a copy of the corrected transcript of any interview testimony.

viii. Communication with Involved Parties. All Investigation Panel communication with Complainants, Respondents, witnesses and other involved persons will be made through and managed by the RIO.

ix. Assistance for Investigation Panel. If the Investigation Panel decides that it needs special scientific or technical expertise to evaluate an Allegation, it shall so advise the RIO, who shall secure for the Investigation Panel the assistance that it requests.

x. Other RIO Participation. The RIO shall provide training with respect to regulatory requirements, and administrative support to the Investigation Panel. The RIO will not participate in the deliberations of the Investigation Panel. The Investigation Panel may request the assistance of the RIO during its deliberations and in the preparation of the Investigation report.

xi. Timing. The work of the Investigation Panel shall be completed within 120 days of its inception, or a request for extension shall be made.
1. Extension. If the work of the Investigation Panel cannot be completed in that period, the Investigation Panel chair or the RIO may request an extension from the DO, in which event the RIO shall notify the Respondent of the reason for the delay and the date on which the Investigation is expected to be completed. The report about the delay shall be included in the Misconduct Proceeding Records. If the alleged Misconduct involves Research supported by a federal funding source, the RIO shall notify it of the delay; request an extension; explain why the extension is necessary; and provide a progress report of the Investigation Panel's and the DO's activities to date and an estimate of the completion date of the Investigation.
2. Notice of Stay. If the Investigation is stayed and the alleged Misconduct involves Research supported by a federal funding source, the RIO shall promptly inform it of the date and expected duration of the stay, and of the reason for staying the Investigation.

G. Investigation Report
i. Content. The Investigation Panel shall prepare a written Investigation report that reflects the perspectives of all members of the panel. It shall include:
1. the name, degree(s) and position(s) of the Respondent;
2. the relevant application or grant number, if the alleged Misconduct involves sponsored Research;
3. a description of the Allegation and the name, if known and not held in confidence, of the Complainant;
4. a summary of the Evidence reviewed, including, without being limited to, an account of how and from whom it was obtained;
5. a transcript of each interview conducted during the Investigation;
6. for each separate Allegation, an analysis of any explanation offered by the Respondent and the Evidence in support thereof;
7. an analysis of each separate Allegation pursuant to the standards set forth in Section VII(F)(5) above;
8. in an Allegation of serious deviation from accepted practices, a description of the Evidence regarding the accepted practices in the discipline and an analysis of the Allegation in light of such practices;
9. a copy of this Policy and any other University policies and procedures relevant to the Investigation.

ii. Draft Report; Comments. The RIO shall send the Respondent a copy of the draft Investigation report. The Respondent may return comments on the draft Investigation report to the RIO within 30 days of receipt of the draft Investigation report. If the Respondent comments on the draft Investigation report, the Investigation Panel shall consider such comments and make any changes in the Investigation report it deems appropriate in light of such comments. The Respondent's comments shall be included as an appendix to the final Investigation report.

iii. DO Opinion on Final Draft Report. After making any changes it deems appropriate in the draft Investigation report in light of the Respondent's comments, the Investigation Panel shall prepare a final draft of the Investigation report. The RIO shall send the DO a copy of the final draft of the Investigation report, attaching any RIO comments regarding procedural questions and concerns. If the DO, with advice from the Office of the General Counsel, finds that the final draft Investigation report reflects procedural error by the Investigation Panel in conducting the Investigation, the DO shall so inform the RIO and shall submit an opinion to the RIO and the Investigation Panel, within 14 days after delivery of the final draft Investigation report to the DO, to identify and explain the procedural error. The Investigation Panel shall either correct the error before completing the Investigation report or shall notify the DO in, or concurrently with, the issuance of, the final Investigation report that it does not believe a material procedural error occurred. The opinion by the DO, if one was issued, shall be included as an appendix to the final Investigation report.

H. Determination Regarding Misconduct
i. DO Determination on Misconduct. Following delivery of the final Investigation report to the DO, the DO shall prepare a written determination as to whether Misconduct occurred. The DO may request the assistance of the RIO in the preparation of the determination, but shall not seek the RIO's opinion as to whether Misconduct occurred.

ii. Misconduct Finding. If the DO finds that Misconduct occurred, the written determination must include:
1. the DO’s determination that:
a. there was a significant departure from accepted practices of the relevant research community; and
b. the Misconduct was committed Intentionally, Knowingly, or Recklessly; and
c. the Allegation was proven by a Preponderance of the Evidence; and

2. a determination whether any part of the Research Record needs correction or retraction as a result of the finding of Misconduct, and, if so, an explanation of that correction or retraction.

iii. **No Misconduct Found.** If the DO does not find that Misconduct occurred, he/she shall explain the reasons for his or her decision in the written determination, with specific reference to the pertinent criteria set forth in Procedure Section F(5) above.

iv. **Bad Faith.** If the DO concludes that the Complainant acted in Bad Faith in making the Allegation, or that the Complainant or any witness acted in Bad Faith during any Misconduct Proceeding, the DO shall refer the matter for administrative review and appropriate action as set forth in Procedure Section L.

v. **Distribution of Final Report and Determination; Comments.** The RIO shall send a copy of the final Investigation report and the DO's determination regarding Misconduct to the Respondent. The Respondent may deliver comments on the Investigation report and the DO's determination to the RIO within 14 days of the delivery of the final Investigation report and DO's determination to the Respondent. The RIO shall include any such comments in the Misconduct Proceeding Records.

vi. **Notifications.**

1. **Complainant.** Promptly after completion of the Investigation, the RIO shall notify the Complainant of its outcome and provide the Complainant with a brief summary of the Investigation report and the DO's determination regarding Misconduct, including those portions of the Investigation report and the DO's determination that address the Complainant's role and testimony, if any, in the Investigation.

2. **Federal Support.** When the alleged Misconduct involves Research supported by a federal funding source, the RIO shall submit the Investigation report, the DO's determination regarding Misconduct, and comments from the Respondent on the Investigation report and determination, if submitted, to the federal funding source. It may accept the Investigation outcome, ask for clarification or additional information, which shall be provided by the RIO, or commence its own independent investigation.

3. **Other Funding Source.** When the Alleged Misconduct involves Research supported by a non-federal funding source, the RIO shall notify it of the outcome of the Investigation promptly after the completion of the Investigation and provide it with a brief summary of the Investigation report, the DO's determination regarding Misconduct, and such other information, if any, as it may request in response to the RIO's notification.

1. **Appeal**

   i. **Right.** A Respondent who has applied for or received support from a federal funding source for the Research in relation to which the Misconduct occurred may have the right under federal funding source regulations to appeal a finding of Misconduct by the DO as part of an Investigation to that federal funding source. In addition, all Respondents who are found to have committed Misconduct have the right to an internal University appeal. During appellate
proceedings no sanction will be imposed and no disciplinary proceeding will be commenced as a consequence of the finding of Misconduct.

ii. **External Appeal Record.** If the Respondent appeals a finding of Misconduct by the DO as part of an Investigation to a federal funding source, the RIO shall attempt to obtain copies of all documents filed in that appeal.

iii. **Procedure.**
1. **Internal Appeal.** The Respondent may appeal a finding of Misconduct to the RIO within 30 days of the date of the finding. The appeal must be in writing and must set forth the reasons (whether substantive or procedural) the Respondent believes the finding of Misconduct is wrong. The RIO will submit the appeal to the President for decision.

2. **Review and Recommendation.** The President may appoint a University faculty member or administrator who does not have a Conflict of Interest and who has not previously been involved in the review of the Allegation under this Policy to review the Misconduct Proceeding Records and the appeal and make recommendations to the President.

3. **Request for Additional Information.** The President, or the President's designee, may request further information about the Misconduct Proceedings in writing from the RIO. A copy of such information shall be provided to the Respondent.

4. **Basis for Decision.** The President's decision on the appeal shall be based on the Misconduct Proceeding Records, as clarified or supplemented by the RIO in response to any request for further information about the Misconduct Proceedings, and the Respondent's appeal.

iv. **New Evidence.** If the RIO learns of previously unavailable material Evidence relevant to the finding of Misconduct during the appeal, the RIO shall inform the President and the Respondent of the new Evidence. If the President concurs that the new Evidence could materially affect the finding of Misconduct, the President shall remand the finding of Misconduct to the DO for his or her consideration of the new Evidence. The DO may consult as necessary members of the Investigation Panel. The DO shall notify the President within 14 days that he/she finds the new Evidence immaterial to his or her prior finding or that he/she wishes to reopen the matter. The President may extend this period for good cause by notice to the Respondent and the RIO.

v. **Decision.** The President shall issue a decision and rationale affirming or reversing the finding of Misconduct within 30 days after the submission of the appeal to the RIO. The President may extend this period for good cause by notice to the Respondent and the RIO.

10. **Final Resolution and Outcome**
   i. **Exoneration.** If the Preliminary Assessment results in a determination that an Inquiry is not warranted, or if the DO decides, as part of an Inquiry, that an Investigation is not warranted, or if the DO does not find, as part of an Investigation, that Misconduct has occurred, or if a finding of Misconduct is reversed on appeal, the RIO and the administration shall make diligent efforts to restore the Respondent's reputation. These efforts shall be undertaken in consultation with the Respondent, provided that they shall:
      1. be reasonable and practicable under the circumstances and proportionate to the damage to the Respondent's reputation as a result of the Allegation;
      2. be consistent with applicable federal funding source expectations, if the Research which was the subject of the Allegation was supported by that federal funding source; and
3. not affect the University's ability to take action against the Respondent for Unacceptable Research Practices which come to the University's attention as a result of the review of the Allegation under this Policy.

ii. **Misconduct Found.**

1. Actions. When there is a final decision that Misconduct has occurred:
   a. the DO, after consultation with the Provost, shall take appropriate actions in response to the finding of Misconduct. Such actions may include:
      i. the imposition of sanctions within the authority of the DO or Provost and initiating University disciplinary proceedings appropriate to the finding of Misconduct pursuant to applicable University policies, procedures, and contracts, or
      ii. referring the finding of Misconduct to another administrator who has authority to impose sanctions and initiate disciplinary proceedings; and
   b. the RIO, after consultation with the Office of the General Counsel and the DO, shall attempt to correct, and/or seek retraction of, any part of the Research Record materially affected by the Misconduct. The Respondent will not interfere with the RIO's efforts in these regards.

2. Disciplinary Action. The University views Misconduct as grounds for disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.

3. Degree Revocation. Misconduct which materially affects the original scholarly or creative work included in a master's or doctoral thesis submitted in fulfillment of degree requirements at the University constitutes grounds for the revocation of that degree.

4. Government Sanctions. In addition to sanctions imposed by the University, certain federal funding sources may impose sanctions of their own, if the Misconduct involved Research which they supported.

5. Serious Deviation. The University may take action, including disciplinary action, in response to a finding of Misconduct based on a serious deviation from accepted practices even if an Allegation against the same Respondent based on Fabrication, Falsification, or Plagiarism has not been sustained and the University has an obligation under Section VII(J)(1)(2) above with respect to the unsustained Allegation.

iii. **New Evidence.** If, following a final nonappealable decision that Misconduct has occurred, the Respondent learns of previously unavailable material Evidence relevant to the determination of Misconduct, the Respondent shall send that Evidence to the RIO with an explanation of its origin and importance. The RIO shall submit the new Evidence to the DO. The DO shall promptly consider the new Evidence and notify the President of its impact on the Investigation report and on the finding of Misconduct. The DO may consult with the Investigation Panel as needed. Based on the new Evidence and the information from the DO, the President may reverse or affirm the previous finding of Misconduct, or remand the matter to the DO to conduct a new Investigation in light of the new Evidence. The President shall issue that decision with stated rationale within 30 days of receiving the notice from the DO, but may extend this period for good cause by notice to the Respondent and the RIO.

iv. **Termination.** If the DO terminates the review of any Allegation, an explanation for such termination shall be included in the Misconduct Proceeding Records.

K. **Unacceptable or Questionable Research Practices**
i. **Referral from Proceedings.** During an Inquiry, the DO may find that, while a Respondent's conduct does not warrant an Investigation, it nevertheless constitutes an Unacceptable or Questionable Research Practice. Similarly, during an Investigation, the DO may find that, while a Respondent's conduct does not constitute Misconduct, it nevertheless constitutes an Unacceptable or a Questionable Research Practice. Any such finding shall be referred to the appropriate administrator for review. The administrator may deem further action appropriate, including, in the case of Unacceptable Research Practices, disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.

ii. **Discovery and Report.** Unacceptable or Questionable Research Practices may also be discovered in circumstances other than a review of an Allegation under this Policy. When that happens, the alleged Unacceptable or Questionable Research Practice should be referred to the appropriate administrator for review and such further action, if any, as the administrator may deem appropriate, including, in the case of Unacceptable Research Practices, disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.

L. **Bad Faith**

i. **Complainant or Witness.**

1. **Referral for Action.** If the RIO or the DO concludes that a Complainant or witness who is a University employee or student acted in Bad Faith in a Misconduct Proceeding, the matter shall be referred to the appropriate administrator for review. The administrator may deem further action appropriate, including disciplinary action.

2. **Discipline.** The University views Bad Faith by a Complainant or witness who is a University employee or student as grounds for disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.

ii. **Inquiry and Investigation Panel Members, RIO.**

1. **Investigation.** If the DO receives a complaint or report that an Inquiry Panel member, an Investigation Panel member, or the RIO did not act in Good Faith in carrying out any of his or her duties under these Procedures, the DO will investigate the complaint or report, with advice from the Office of the General Counsel, and in cooperation with the RIO, if the complaint or report is not against or about the RIO.

2. **DO Action.** If the DO concludes that the individual about whom the complaint is made did not act in Good Faith in carrying out any of his or her duties under this Policy, and that the failure to act in Good Faith had a materially adverse impact on any Misconduct Proceeding, the DO shall:
   a. take such action as may be necessary to preserve the integrity of the review of the Allegation, including, without being limited to, replacing the affected individual, abrogating the Misconduct Proceeding so affected and any subsequent Misconduct Proceedings in which the same Allegation was reviewed, and initiating new Misconduct Proceedings to substitute for those abrogated; and
   b. refer the matter to the appropriate administrator for review and such action, if any, as the administrator may deem appropriate, including disciplinary action in instances of Bad Faith.
3. Discipline. The University views Bad Faith by a member of an Inquiry Panel, a member of an Investigation Panel, or the RIO as grounds for disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.

M. Protecting Participants in Misconduct Proceedings

i. Protection of Position and Reputation. The University shall make diligent efforts to protect the position and reputation of each individual who has, in Good Faith, participated in a Misconduct Proceeding as a Complainant, witness, Inquiry Panel member, Investigation Panel member, Counsel, or RIO, or who has otherwise cooperated in the review of an Allegation under these Procedures. These efforts shall be:

1. reasonable and practical under the circumstances;
2. proportionate to the risk to the individual's position and reputation; and
3. consistent with applicable funder expectations, if the Research which was the subject of the Allegation was supported by a federal funding source.

ii. Retaliation.

1. Prohibition. University employees and students shall not engage in or threaten Retaliation.
2. Referral for Action. If the RIO receives a complaint or report of Retaliation or threatened Retaliation by a University employee or student, the RIO shall refer the matter to the appropriate administrator for review and such action, if any, as the administrator may deem appropriate, including disciplinary action.
3. Discipline. The University views Retaliation by a University employee or student as grounds for disciplinary action pursuant to applicable University policies, procedures, and contracts, including procedures for challenging or grieving disciplinary action.
4. Protection against Retaliation. The University shall make diligent efforts to provide protection against Retaliation by individuals who are not University employees or students. These efforts shall be reasonable and practical under the circumstances and, if the Research which was the subject of the Allegation whose review led to the Retaliation was supported by a federal funding source, shall be consistent with applicable funder expectations.

VIII. APPENDIX A: Information on Submitting an Allegation of Research Misconduct

Upholding the integrity of research is essential to the mission of research, and to the public investment and trust that supports it. The University of Oregon takes seriously its obligation to maintain an environment of scholarly integrity and to respond promptly to allegations of research misconduct. This information sheet is intended to provide helpful information to individuals who are considering making an allegation of research misconduct.

What is Research Misconduct?

For the purposes of this policy research misconduct is defined as:
• Plagiarism, the use of another person’s words, results, processes or ideas without giving appropriate credit,
• Fabrication, the making up of data or results and recording or reporting them,
• Falsification, the manipulating of research materials, equipment, or processes, or changing or omitting data or results such that the research is not accurately represented in the research record, or,
• Any other practice that seriously deviates from practices commonly accepted in the discipline or in the academic and research communities.

Research misconduct can occur at all stages of engaging in research, including proposing, performing, reviewing or reporting research.

What is not Research Misconduct?

• Honest errors or differences of opinion do not constitute research misconduct.
• Authorship disputes concerning whether one is first, second, or third author does not constitute research misconduct. Research misconduct may have occurred if you feel your name has been left off the paper altogether, and your ideas, processes, results or words have been used without appropriate credit.
• Unacceptable research practices may not rise to the level of research misconduct but do violate applicable laws, regulations, or other governmental requirements, or University rules or policies.
• Questionable research practices do not rise to the level of research misconduct or unacceptable research practices, but do require university attention because they could erode the confidence in the integrity of university research.
• Harassment or relational issues do not constitute research misconduct, but are taken seriously by the university. You can discuss these types of concerns with the Title IX Coordinator.

Who can I ask for help on what is or is not research misconduct?

The university Research Integrity Officer (RIO).

Who can make an allegation of research misconduct?

Any person has the right to bring forward an allegation of research misconduct. That includes any member of the University (faculty, student or staff) as well as anyone from outside the university.

Who do I tell about an allegation of research misconduct?

All allegations of research misconduct need to be communicated to the Research Integrity Officer (RIO), whose contact information is at the end of this document. You can discuss an
allegation in person, by phone, in writing, or by any other means of communication. You can also contact the RIO to have a general discussion without having to make an allegation.

Why is it important that an allegation is made in good faith?

An allegation of research misconduct is made in good faith when the person making the allegation sincerely believes in the truth of the information on which the allegation is based and at the time the allegation is made. An allegation of research misconduct can have a serious impact on the career of the person against whom the allegation is made, so it is important that a person choosing to make an allegation give the matter careful thought before proceeding.

What is an allegation made in bad faith and what are the consequences?

An allegation of research misconduct is made in bad faith if the person making the allegation knows about or recklessly disregards information that would negate the allegation. Knowingly bringing forward an allegation in bad faith could result in any of the disciplinary actions and procedures listed in the student code of conduct.

What happens when I make an allegation of research misconduct?

When the Research Integrity Officer (RIO) receives an allegation of research misconduct, the RIO will ask you to come in and discuss the allegation. The RIO will ask you questions about information that supports the allegation, your relation (student, employee, etc) to the individual against whom the allegation is being made, and if there are others who may know about information related to the allegation. The RIO will tell you about your rights and responsibilities, including that if you ask; the RIO must take all reasonable steps to keep your identity confidential. Once you have made an allegation, you are also obligated to keep the process confidential, and to not discuss it with anyone other than the RIO. The RIO, not you, is responsible for looking into the allegation you have made. In most cases the RIO’s initial, informal review should be completed within 15 business days. The RIO will then let you know whether the allegation will be reviewed formally.

What kind of evidentiary support must there be to determine research misconduct?

At a minimum, there must be documents, records, lab notebooks, manuscripts or drafts, etc. (for details please reference the definition of Evidence on page two of policy) that show the alleged misconduct. You may or may not have all the records that would be reviewed; however, there must be sufficient documentation or compelling reasons for an allegation to move from a discussion with the Research Integrity Officer to a more formal review process. A formal review process must find sufficient documentation supporting the allegation in order for a determination of misconduct to be made.

What could happen to me if I make an allegation of research misconduct?
When a person makes an allegation of research misconduct in good faith, they are entitled to have the university take all reasonable and practical steps to protect them from adverse actions (e.g., retaliatory actions) that can be directly linked to anyone involved in the informal or formal review of an allegation of research misconduct.

**Chapter/Volume:**
- Volume II: Academics, Instruction and Research
- Chapter 6: Research, general

**Related Resources:** NA

**Original Source:** UO Policy Statement

## Animal Control

**Policy Number:** IV.05.02

**Reason for Policy:** This policy outlines the University of Oregon’s approach to animals on University-owned or controlled property.

**Entities Affected by this Policy:** This policy applies to all faculty, staff, students, volunteers, visitors, guests, and University contractors at all University-owned or controlled property.

**Responsible Office:** For questions about this policy, please contact the Department of Environmental Health and Safety at 541-346-3192.

**Website Address for this Policy:**

[https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/animal-control](https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/animal-control)

**Enactment & Revision History:** Revisions approved by the President and policy renumbered on September 20, 2017.

Technical revisions enacted by the University Secretary on September 4, 2015.

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

To protect public health and safety:

(A) The University does not permit animals in its buildings, except as provided for in the Exceptions Section of this policy.

(B) No person shall bring an animal onto campus unless the animal is leashed, caged, or under direct physical control of its owner or other responsible person. An exception to this requirement will be made when an individual with a disability is unable to use a harness, leash or tether to restrain a service animal or if such restraint would interfere with their service animal’s work. Under these limited circumstances, the individual must still maintain control of the animal through voice, signal or other effective controls.

(C) Feeding of wildlife on University of Oregon owned and leased locations is prohibited.

Definitions:

For purposes of this policy, the following definitions apply:

(A) “Leashed” is defined as being restrained on a cord, chain, or other similar restraint, not to exceed 8 feet in length, controlled by the owner of the animal or other responsible person.

(B) “Caged” is defined as being restrained in an enclosed pen, box, or other similar container controlled by the owner or other responsible person who prevents the animal from escaping.

(C) “Direct physical control” means that the owner or other responsible person is physically holding the animal in such a way that it is not likely to escape.

(D) “Wildlife” means animals that live independently of people, usually in natural conditions.

Responsibility and Restrictions:

(A) The owner or other responsible person who brings an animal on to campus must ensure that the animal is vaccinated and licensed as required by federal, state and local laws.

(B) The owner and/or other responsible person are required to exercise reasonable control over the animal at all times in order to minimize risk to others and property. The owner and other responsible person is responsible and liable for all damage or injury caused by the animal, whether to persons or property.
(C) The owner or person responsible for an animal’s presence on campus shall be responsible for the immediate removal and sanitary disposal of any excrement deposited by the animal. The owner or responsible person shall have on their person appropriate means for removal of such excrement when bringing the animal on campus.

(D) Except as provided for in Exceptions Section below, animals may not be brought into any campus building or controlled facility. Each administrator, chair, dean and employee is responsible for the administration of this policy and is expected to comply with its provisions. To help ensure compliance with applicable federal and state law, including limiting inquiries about the permissibility of a service or assistance animal’s presence on campus, the aforementioned are encouraged to periodically review the Guidelines for Service Animals and Assistance Animals at the University of Oregon which is maintained and updated as necessary, by the Office of Affirmative Action and Equal Opportunity.

(E) No animal shall be left unattended in any motor vehicle parked on university property.

(F) Except as provided for in Exceptions Section below, no animal shall be brought onto or permitted on any athletic field.

(G) Any animal discovered on university property in violation of these regulations may be impounded and turned over to the appropriate animal control/animal services authority.

(H) The University of Oregon Police Department will call an appropriate control agency/animal services authority to remove and impound unattended or at-large animals.

(I) The University retains the right to take action to remove any animal from campus if the safety of others, destruction of property, or disturbance warrants such removal. Such removal and any necessary cleaning, repairs, and/or pest control will be done at the expense of the owner and/or other responsible person. The owner and/or other responsible person may also be subject to corrective action, as described below.

Exceptions:

(A) The University’s Vice President for Finance and Administration and/or their designee can make exceptions to this policy for special circumstances and/or events including, but not limited to, pet shows, circus performances, etc.

(B) This policy does not apply to animals the University may be required to allow under state and/or federal law, such as service animals.
(C) This policy does not apply to assistance animals (also known as, emotional support, therapy and companion animals) authorized to be in limited, specifically identified campus locations as a disability-related housing or employment accommodation approved by the Accessible Education Center or Office of Affirmative Action and Equal opportunity.

(D) This policy does not apply to animals used by law enforcement or emergency personnel in the exercise of their official duties.

(E) This policy does not apply to animals used in authorized academic programs, teaching or research at the University.

(F) Residents of the University's East Campus Housing and University Housing full-time live-in staff and Faculty In Residence only may keep authorized pets within their residence hall apartment or rented property.

Corrective Action:

If the university finds that an employee, contractor, volunteer, student, guests, or member of the public has violated this policy, the University will take immediate and appropriate corrective action. This means that employees will be subject to corrective action up to and including termination pursuant to applicable UO policies and CBAs, students will be subject to the Student Conduct Code and may face sanctions up to and including suspension or expulsion. Campus community members (including but not limited to guests, volunteers, and other members of the public) who violate this policy may be trespassed from campus and may otherwise lose their right to use university property and/or to participate in university-sponsored programs and activities. All individuals are subject to the consequences resulting from the violation of federal, state, and local laws, which may include civil or criminal liability.

Appeals:

Anyone aggrieved by the application of this policy may appeal in writing within 10 days of a denial to the Vice President for Finance and Administration or their designee. If the Vice President for Finance and Administration or their designee does not respond to the appeal in writing within 10 days of receiving the appeal, the appeal is deemed denied.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources: NA

Original Source: Oregon Administrative Rule
Articles and Activities Prohibited at Athletic Facilities

Policy Number:
IV.07.04

Reason for Policy:

This policy outlines the regulation of certain articles and activities at University of Oregon athletic facilities.

Entities Affected by this Policy:

Any individual at a University athletic facility.

Responsible Office:

For questions about this policy, please contact Intercollegiate Athletics at 541-346-4481.

Website Address for this Policy:

http://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-real-property-facilities-planning/articles-and

Enactment & Revision History:

Revisions approved by University President Michael Schill on July 23, 2018.
Revisions approved by University President Michael Schill on March 3, 2017.
Technical revisions enacted by the University Secretary on September 4, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.
Former Oregon Administrative Rule Chapter 571 Division 50 Section 0011.

Policy:

Articles and Activities Prohibited at Athletic Facilities
(1) The following items are not allowed inside (or on the rampways, stairways, or tunnels leading into) any University of Oregon (“University”) facility which serves as a site for intercollegiate athletic competition whether or not such competition is actually occurring:

(a) Purse larger than a clutch (4.5” x 6.5”) or bag including but not limited to briefcases, backpacks, fanny packs, diaper bags, cinch bags, cooler bags, computer bags, camera bags, binocular case or luggage of any kind;

(b) Seat cushions with pockets, zippers, compartments or covers;

(c) Glass containers of any kind;

(d) Metal cans or bottles;

(e) Weapons;

(f) Fireworks, explosives, or munitions;

(g) Alcohol or alcoholic beverages or freezes;

(h) Vacuum bottles and other similar insulated containers (thermos-type containers);

(i) Open plastic beverage containers, unless empty;

(j) Poles or sticks including flag poles, monopods, and selfie sticks;

(l) Other items determined by a promoter, tour group, or University personnel based on show and/or audience, including but not limited to: cameras, iPads/tablets, plastic bottles, spiked jewelry, lighters, etc.

(2) The following items are not allowed in the specific venues listed:

(a) Matthew Knight Arena

   (i) Outside food unless medically required.

(b) Jane Sanders Stadium

   (i) Large coolers;

   (ii) Pop-up tents;
(iii) Chairs.

(3) Exceptions to the above prohibition are limited to:

(a) Alcoholic beverages and alcoholic beverage containers belonging to the University of Oregon, or to licensed concessionaires or catering services contracting with the University for its officially sponsored social functions, e.g., receptions, meetings, promotional activities, etc.;

(b) Weapons of on duty law enforcement officials;

(c) Fireworks in the custody of any group or person operating or presenting a fireworks display as expressly authorized by the University.

(4) University employees, contractors, or agents may request, as a condition of the license to enter the University’s athletic facilities, that persons about to enter allow inspections of all backpacks, briefcases, suitcases, athletic bags, packages, duffle bags, coolers, ice chests, picnic baskets, and other containers capable of concealing prohibited articles:

(a) Inspections under this section shall occur outside the facility's ticket gate or entrance. Persons possessing containers subject to inspection shall be informed that they are free to decline the inspection and may receive a refund of the price of the ticket upon surrender of their ticket, if any. In the alternative, the person may discard the container or prohibited items in the container or return them to a vehicle without inspection and then enter the facility without such items;

(b) Personnel making inspection requests are not obliged to cause entering spectators to wait in line while other inspections are occurring. Such personnel must, however, request to inspect the containers of the next person who appears to possess containers subject to inspection as soon as they have completed any given inspection;

(c) Signs shall be prominently displayed at each entrance to University facilities that serves as a site for intercollegiate athletic competition. The signs shall generally describe prohibited articles, explain the potential request for inspection and the right-to-decline options, including refund, if there is a cost for admission. Similar explanations shall be printed on season ticket order forms and shall be included on the venue website.

(5) A person discovered during an inspection to possess a prohibited article(s) shall be offered the choice of discarding the article(s) in a public trash receptacle or of returning the prohibited article(s) to a vehicle or otherwise legally disposing of it.

(6) If a person already inside the facility possesses a prohibited article, that person shall be considered to have violated the license to enter and view the event. The person’s license is
automatically revoked and the person shall be requested to leave immediately. A person who does not leave following such a request may be treated as a trespasser.

(7) If a person requests a refund under the provisions of Section (3)(a) of this policy, University officials shall sign a bearer coupon and shall deliver it within a reasonable time to the person requesting the refund. Such a coupon shall not name the person possessing the prohibited articles, but it shall specify the location, price and date. This bearer coupon along with the unused ticket must be turned in at (or mailed to) the University Athletic Department's ticket office for a refund within 30 days. Service and other charges in excess of the admission price are non-refundable.

(8) Persons entering a facility, as a condition of the license to enter, may be subject to search by electronic wand or walk through metal detector regardless of whether they are carrying any of the above-mentioned containers.

(9) At the request of the event promoter management, and when deemed a reasonably necessary precaution by the University’s Chief of Police, persons may be subject to searches using pat downs.

(10) A person entering the facility who is observed possessing a prohibited article shall be treated as specified in prior sections of this policy.

(11) Open umbrellas are prohibited in all Autzen Stadium, Hayward Field, Pape Field, and Jane Sanders Stadium seating areas, seating area aisles, and standing room only locations. Complaints about violations of this section shall be made to Athletic Department officials or their designated agents. Violators failing to respond to a request to close their umbrellas by Athletic Department officials or their agents may be required to leave the event.

(12) Signs cannot be affixed to the facility nor displayed in a manner that obstructs the view of other patrons.

(13) Stadium seats, stadium chairs, or seat cushions brought by any person into any University facility which serves as a site for intercollegiate athletic competition may not exceed the following dimensions: 17.5 inches wide by 13.5 inches deep, with a seat back height that does not exceed 19 inches. The seat cushion may not exceed 4 inches in height. The seat back cushion may not exceed 4 inches in depth. The seat may not have pockets, zippers, compartments or covers.

(14) Patrons can bring in one clear plastic, vinyl or PVC bag that does not exceed 12” x 6” x 12” or a single one (1) gallon plastic freezer bag.

(15) The University of Oregon is a Smoke & Tobacco Free University. Smoking, vaping and tobacco chewing is not allowed in any athletic venue or University property.
Athletic Department Substance Use and Drug Testing

Policy Number:
III.07.01

Reason for Policy:
This policy outlines various requirements and protocols for student-athletes to help ensure a safe, fair, and drug-free environment for student-athletes.

Entities Affected by this Policy:
All student-athletes; Department of Intercollegiate Athletics; all UO employees who deal with these matters.

Responsible Office:
For questions about this policy, please contact Intercollegiate Athletics at 541-346-4481.

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-7-i...
Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 4 Sections 0020 through 0055.

Policy:

(1) The University of Oregon has a compelling interest in prohibiting and deterring drug use by student-athletes. The University educates its student-athletes about the detrimental effects of drug use on health, safety, academic work, and careers. The University must abide by National Collegiate Athletic Association (NCAA) rules. Because student-athletes are viewed as University representatives, the University has an interest in promoting drug-free and healthful lifestyles to the community through its athletic program. The University must minimize the risk of injury caused by student-athlete drug use in intercollegiate athletics. The University must be able to identify present or potential substance use and provide treatment and rehabilitation for its student-athletes. The University seeks to maintain a fair and drug-free sport, in which no student-athlete uses or feels pressured to use performance enhancing drugs or any other illegal substance.

(2) The University and its Department of Intercollegiate Athletics (Department) condemn and prohibit illegal drug and illegal alcohol use; the abuse of alcohol, drugs and other substances; and the use of performance-enhancing drugs by student-athletes.

(3) The program set forth in this policy includes random testing and testing based on reasonable suspicion, educational programs, substance abuse evaluation, treatment and disciplinary measures.

(4) Illicit Substances and Performance Enhancing Drugs are prohibited under this policy.

(a) An Illicit Substance is one that is illegal for the individual student-athlete to ingest, including but not limited to narcotic pain medications that have not been prescribed and street drugs like heroin, methamphetamines, cocaine, marijuana, T.H.C., or “ecstasy.”

(b) A Performance Enhancing Drug is one that gives a student-athlete an unfair advantage. The use of a Performance Enhancing Drug is a form of cheating. The use of such a drug also poses significant health and safety risks for the student-athlete and those in competition with the student-athlete. A current list of Performance Enhancing Drugs will be provided to each student-athlete before the start of the playing season or when the name of the student-athlete is first entered upon the team roster, whichever is later. The term "related compounds" means substances that are included in the class by their pharmacological action or chemical structure. No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed.
(5) The Department has instituted a program of administrative drug testing by urinalysis or the analysis of a saliva sample for student-athletes engaged in intercollegiate athletics. The testing process may be initiated on the basis of individualized reasonable suspicion, pursuant to the random administrative testing protocols outlined in this policy, or on the basis of failing a laboratory-generated specimen-integrity test in the course of a previous test under this policy. A coach or administrator should communicate to the director of athletic medicine circumstances that give rise to an individualized reasonable suspicion. The circumstances giving rise to reasonable suspicion and the source thereof shall be recorded in writing by the director of athletic medicine who shall be the only person to authorize and initiate the drug testing process. This record shall be deemed a confidential record to the extent permitted by law and shall be kept in a secure place separate from and not a part of the student-athlete’s educational or medical records.

(6) "Reasonable suspicion" shall not mean a mere "hunch" or "intuition." It shall instead be based upon a specific event or occurrence which has led to the belief that a student-athlete has used any drugs which are specified in Section A(4) and which could have or could have had an effect during a period of organized practice, conditioning, or competition or during a period of counseling for substance abuse or, in the case of steroids, during any period of pre-season conditioning or weight training.

(a) Such belief may be engendered by, among other things, direct observation by coaches, trainers, the director of athletic medicine, or other appropriate personnel of physical or mental deficiency, medically indicated symptomology of tested-for drug use, aberrant or otherwise patently suspicious conduct, or of unexplained absenteeism.

(b) Such belief may also be engendered by, among other things, information supplied by reliable third parties, including but not limited to law enforcement officials, if the information is corroborated by objective facts, including but not limited to equivocal, contradictory, or unlikely and unsubstantiated explanation by the individual about whom the report is made or information which under the circumstances is credible based on specific articulable facts. Should information be proffered by law enforcement, prosecutorial or probation department officials, the University will use and act upon such information only if it obtains a written agreement that results of a potential test will not be used to prosecute or revoke parole for the use or ingestion of the drug disclosed by the test.

(c) Such belief may also be engendered by reasonable conclusions about observed or reliably described human behavior upon which practical people ordinarily rely.

(d) Such belief may also be engendered by a previous positive test under these procedures within the preceding twelve months.

(7) Random drug testing. Each student-athlete is subject to unannounced random drug testing throughout the entire calendar year. A student-athlete will be selected for testing using a random number system. Little or no notice may be given for a forthcoming test.
B. Testing Method

(1) The standard method adopted by the Department for testing for drug use shall be through independent laboratory analysis of urine or saliva samples provided by the student-athlete. Urine specimens shall be collected in the proximity of a trained monitor of the same sex who is assigned for that purpose by the Department. Each sample will be collected as a split specimen, such that each tested student will have a sample A bottle and a sample B bottle of the specimen for testing.

(2) Results of the test shall be available only to the student-athlete, the head coach in the athlete's sport, the athletic director, the director of athletic medicine and to others who have a legitimate educational, health or medical reason. This record shall be deemed a confidential record to the extent permitted by law and shall be kept in a secure place separate from and not a part of the student-athlete's educational or medical records. Should any challenge to the test results, consequences of the test, or the test procedures be raised in relation to a particular student-athlete, other appropriate University officials may have access to the information in order to carry out their responsibilities in relation to the challenge. A record indicating that a student-athlete was tested and the basis for the decision to conduct the test shall be retained in the student-athlete’s medical file.

(3) Each student-athlete shall be provided with a copy of this policy describing the Athletic Department Substance Use and Drug Testing program before the start of the playing season or when the name of the student-athlete is first entered upon the team roster, whichever is later.

(4) The substances for which the student-athlete will be tested are any Illicit Substances or Performance Enhancing Drugs and their related compounds and derivative compounds.

(5) The student-athlete need not be given prior notice that a urine or saliva sample will be collected. A student-athlete who refuses to provide, including by failure to appear for a test, or impermissibly alters a sample during the testing process shall be deemed to be in violation of this policy and shall be subject to sanction under this policy as if the test was positive. If a legitimate medical condition prevents the production of a urine sample, a saliva sample may be taken with a urine test performed the following day.

(6) Sample B Testing

(a) Any student-athlete whose sample A results in a positive test may request testing of sample B.

(b) The student-athlete must request the sample B testing within 72 hours of being notified that sample A test was positive. The request must be submitted in writing by the student-athlete to the director of athletic medicine. If requested, the director of athletic medicine will authorize the provision of the sample B bottle to an approved laboratory for testing. The Department may initiate temporary sanctions and corrective measures while awaiting results of the sample B test.
C. Testing Protocol

The Department shall follow protocols required by the testing laboratory and the National Collegiate Athletic Association for testing student-athletes that respect the student-athlete’s reasonable expectation of privacy, minimize the chances of accidental error or cheating, and preserve the appropriate chain of custody and integrity of urine or saliva samples. A copy of the protocol shall be provided to each student-athlete along with a copy of this policy describing the Athletic Department Substance Use and Drug Testing program.

D. Safe Harbor and Self-Reporting

(1) Any student-athlete may seek evaluation or counseling by contacting a coach, athletic trainer, director of athletic medicine or psychologist for the Department. The University will share this information only with persons who have a need to know, except to the extent that further disclosure is required by law. No Department sanctions will be imposed upon a student-athlete who has sought evaluation or counseling under this section. The student-athlete will receive counseling and education about substance abuse and undergo a mandatory assessment by a clinical psychologist to discern the severity of the student-athlete’s substance use and other factors that may influence the student-athlete’s recovery as required by UO Policy 571.004.0020-55(F)(3)(a). The student-athlete may be required to attend additional sessions of counseling.

(2) A student-athlete may seek evaluation or counseling under this section one time without the student-athlete being deemed to have a positive test result if the student-athlete completes the program required by UO Policy 571.004.0020-55(F)(3)(a) or (F)(4)(a). Accordingly, if the student-athlete tests positive for an Illicit Substance or Performance Enhancing Drug after taking advantage of the remedies in this safe harbor provision, the student-athlete will start at the sanction level outlined in UO Policy 571.004.0020-55(F)(3)(a) or (F)(4)(a).

(3) This Policy may not be invoked after a student-athlete is notified of an impending drug test.

(4) A student-athlete invoking this policy may be temporarily medically ineligible during any period that he or she is deemed by the team physician unfit to continue participation safely.

(5) This policy does not prevent the NCAA from testing a student-athlete. A student-athlete remains subject to sanctions imposed by the NCAA in the event of a positive drug test.

E. Drug Education and Counseling Services

The Athletic Department shall provide a program of drug information and counseling referral for student-athletes.

F. Positive Test Results Sanctions
(1) The director of athletic medicine, the athletic director, the head coach, and other appropriate personnel shall review a positive test result and shall, bearing in mind the type of drugs identified, the recency of use, and the medical, safety and performance-enhancing effects of the use, formulate an appropriate program for the student-athlete. Such program shall include abstention from further use and periodic retesting and may include counseling, reduced playing time, and withdrawal from drills, scrimmages, or competitions. The program shall also describe potential sanctions for repeated use or abuse of substances for which tests are conducted. However, a student-athlete may be dismissed from the team and lose all athletic financial aid, beginning with the next academic term after a single positive test result.

(2) Repeated positive tests, admissions, or other information that disclose continued use of Illicit Substances or Performance Enhancing Drugs may cause a student-athlete to be dismissed from the team and lose all athletic financial aid beginning with the next academic term. A student-athlete who refuses to provide a urine or saliva sample as part of the testing process, by failing to appear for a test or otherwise, shall be deemed to have provided information that discloses use of Illicit Substances or Performance Enhancing Drugs.

(3) Illicit Substances. If the student-athlete tests positive for the use of an Illicit Substance, the sanctions will be consistent with the sanctions listed in this subsection. These sanctions define the least severe sanctions that may be taken after each positive test. Notwithstanding the sanctions outlined in this subsection, if concluded to be appropriate, a student-athlete may be dismissed from the team and lose all athletic financial aid after a single positive test.

(a) First positive test. The student-athlete will receive counseling and education about substance abuse. The student-athlete will undergo a mandatory assessment by a clinical psychologist to discern the severity of the student-athlete’s substance use and other factors that may influence the student-athlete’s recovery. If concluded to be necessary, the student-athlete may be referred for additional sessions of counseling.

(b) Second positive test for the same or a different Illicit Substance. A formal behavior modification contract will be produced by the director of athletic medicine. The athletic director shall have discretion to approve the behavior modification contract or require that terms be added. Upon approval by the athletic director, the behavior modification contract shall be reviewed and signed by the head coach and the student-athlete. A copy of the behavior modification contract will be kept on file with the director of athletic medicine. The behavior modification contract will define the behaviors expected from the student-athlete and the consequences for noncompliance.

(c) Third positive test for the same or a different Illicit Substance. The student-athlete will be immediately ineligible for competition. The student-athlete will remain ineligible until he or she has missed the equivalent of 50% of a season.

(d) Forth positive test for the same or a different Illicit Substance. The student-athlete will be dismissed from the team and lose all athletic financial aid, beginning with the next academic term, to the extent permitted under NCAA rules.
(4) Performance Enhancing Drugs. If a student-athlete tests positive for the use of a Performance Enhancing Drug, the sanctions will be consistent with the sanctions listed in this subsection. These sanctions define the least severe sanctions that may be taken after each positive test. Notwithstanding the sanctions outlined in this subsection, if concluded to be appropriate, a student-athlete may be dismissed from the team and lose all athletic financial aid after a single positive test.

(a) First positive test. A student-athlete who tests positive for the use of a Performance Enhancing Drug is ineligible to represent the University in intercollegiate competition during the time period starting with the date of the positive drug test and ending one calendar year later. In addition, the director of athletic medicine will determine a management plan for the student-athlete which will include education or counseling. A first positive test result for a Performance Enhancing Drug is also deemed to be a first positive test for an Illicit Substance.

(b) Second positive test for the same or a different Performance Enhancing Drug. A student-athlete who tests positive for the use of the same or a different Performance Enhancing Drug shall be declared permanently ineligible for intercollegiate competition. The student shall be immediately and permanently dismissed from the team and all athletic financial aid shall be terminated beginning with the next academic term, to the extent permitted under NCAA rules.

(5) Failure of a student-athlete to comply with a treatment plan, management plan or behavior modification contract mandated under this policy may result in immediate suspension from all practices, games and Department functions until the director of athletic medicine determines sustained compliance with the treatment plan, management plan or behavior modification contract. If the director of athletic medicine determines that the student-athlete is not in compliance after one competitive season for the sport, the student-athlete will be immediately dismissed from the team and all athletic financial aid shall be terminated beginning with the next academic term, to the extent permitted under NCAA rules.

(6) Selling or Providing Illegal Drugs. Any student-athlete convicted of or otherwise found responsible for selling or providing an illegal drug to another person is subject to immediate and permanent dismissal from any team on which the student-athlete participates and, to the extent permitted under NCAA rules, the termination of any athletic financial aid.

(7) A student-athlete who loses athletic financial aid under this policy may appeal that decision under the established procedures regarding non-renewal of financial aid.

G. Records Security

(1) The purpose of the administrative testing program established by this policy does not include enforcement of the criminal laws or the Student Conduct Code.

(2) The University in conducting the testing program is not acting in aid of, or as an agent for, law enforcement officials, nor are those administering the tests acting as, for, or on behalf of the
Division of Student Affairs. The Student Conduct Code applies to drug or substance use by a student-athlete only under the same circumstances as other students.

(3) Test results are part of a student's educational and medical records protected from disclosure under state and federal law. However, records may be subject to disclosure pursuant to a lawfully issued subpoena or court order. In such an instance, the University will take reasonable steps to notify the record-subject in advance of compliance with any such subpoena or order. The University or the record-subject may move the court or agency to quash any portion of the subpoena which pertains to drug testing records or to withdraw or narrow any such court order.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 7: Intercollegiate athletics

Availability to Faculty Members of Objective Information

Reason for Policy:

This policy outlines the University’s position regarding the ability for faculty members to access objective information regarding personnel actions when such information is relevant to a case.

Entities Affected by this Policy:

All employees and candidates for employment

Responsible Office:

For questions about this policy, please contact Academic Affairs at 541-346-3081.

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0115.
Policy:

Availability to Faculty Members of Objective Information Concerning Categories of Staff

Institutional rules shall establish procedures through which the faculty member who feels adversely affected by the institutional, school, divisional or departmental personnel action or lack thereof may request from designated institutional officials objective or quantitative information contained in limited access files concerning personnel actions affecting categories of faculty members, where such actions appear to have relevance to the case of the faculty member requesting the information. Information may include but need not be limited to: assignment, load, list of publications. It shall not include any evaluative statements concerning faculty members.

Chapter/Volume:
Original Source:
Oregon Administrative Rule

Bicycles and Other Personal Transportation Devices

Policy Number:
IV.08.01
Reason for Policy:
This policy establishes responsibilities and procedures to ensure safety, proper operation and storage, and enforcement of personal transportation devices on campus.

Entities Affected by this Policy:
All employees, students and visitors, and any individual who wishes to operate a third party-owned personal transportation device on university owned or controlled property.

This policy does not apply to licensed motorized vehicles, pocket bikes and mini motorcycles, and personal assistive mobility devices.

Responsible Office:
For questions about this policy, please contact UO Transportation Services: 541-346-5444

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:
Enacted by President Schill effective June 10, 2019.

Policy:
The University of Oregon promotes the use of personal transportation devices as forms of transportation which enhances the university’s goals for a more sustainable campus.

A. Definitions:
(1) “Personal Transportation Device”: Any device upon which any person may ride and is propelled by motor and/or by human power, but which is not a licensed motor vehicle as defined by the State of Oregon. This includes bicycles; motorized bicycles; skateboards; electronic skateboards including hover boards, electronic scooters; self-balancing boards/scooters; roller/in-line skates; and other similar devices.

(2) “Licensed motorized vehicle”: A motor vehicle that is required by the State of Oregon to have a vehicle registration or title and/or a license plate. This includes: cars, vans, motorcycles, mopeds, trucks, golf carts, utility vehicles, buses. This includes motor vehicles licensed by other states.

(3) “Pocket bike and mini motorcycle”: A two-wheeled vehicle having an engine with more than 35 cc and capable of a top speed in excess of 24 miles per hour on level ground.

(4) “Personal assistive mobility device”: A device being used or ridden by a person with a temporary or permanent medical condition that limits their mobility and necessitates the device’s use.

(5) “Third Party-Owned Personal Transportation Device”: Any Personal Transportation Device that is not personally-owned by an individual. An electric scooter that is part of a rental fleet is an example of a Third Party-Owned Personal Transportation Device.

(6) Impound: To take and store a Personal Transportation Device in legal custody.

(7) Impound fee: Sum paid to release an impounded Personal Transportation Device.

B. Operation
(1) All persons operating a Personal Transportation Device on university owned or controlled property are to comply with all applicable State of Oregon statutes, university policies and procedures, and traffic control devices.

(2) Operators of Personal Transportation Device must obey all the laws of vehicular traffic when on the roadway; and shall not engage in acrobatic riding or other acts or maneuvers which may endanger the safety of the device operator or others or damage property.

(3) Operation of Personal Transportation Device is permitted in bike lanes, roadways, and campus shared paths designated as bicycle routes. Operators must yield to pedestrians.

(4) Operation of Personal Transportation Devices is prohibited on sidewalks and paths not designated as bicycle routes; stairs, ramps and railings; vegetation, lawns, benches, tables, planters, and other surfaces not intended for vehicular travel; or inside and at the entrance to university owned or controlled facilities and parking structures, including but not limited to such facilities’ loading docks, driveways, and access ramps.
(5) During visibility-limiting conditions, such as between sunset and sunrise, bicycles must be equipped with a front white light visible from 500 feet and a rear red light or reflector visible from 600 feet, consistent with Oregon state law.

C. Parking, Storage and Impound
(1) Personal Transportation Devices shall be parked only in areas specifically designated for storage of such devices and in accordance with facility-specific policies and procedures. Indoor storage of motorized or electronic Personal Transportation Devices is prohibited in university owned or controlled property.

(2) Personal Transportation Devices may not be left unattended on or at ramps, entrances, or other facilities designated for persons with physical disabilities or in such a manner as to impede the free and clear use of such facilities.

(3) Personal Transportation Devices are prohibited from remaining parked and unmoved in designated spaces for 30 days. Personal Transportation Devices parked or stored in an area not specifically designated are subject to immediate removal.

(4) Charging of electronic Personal Transportation Devices is prohibited in university owned or controlled property except at designated charging stations.

(5) Transportation Services and the Police Department may move, assess fees, or impound any Personal Transportation Device operated or stored in a manner that violates university policy.

(6) Transportation Services and the Police Department shall not be liable for any damage, repair, or replacement associated with moving or impounding of any Personal Transportation Device operated or stored in a manner that violates university policy.

(7) Any impounded Personal Transportation Device not claimed within 60 calendar days by the owner will be disposed of by the university in accordance with university procedures outlined by Transportation Services.

D. Third Party Owned Personal Transportation Devices
(1) Only Third Party-Owned Personal Transportation Devices belonging to a vendor that has been approved by Transportation Services are permitted on campus.

(2) Third Party-Owned Personal Transportation Devices belonging to a vendor that has not been approved by Transportation Services are subject to immediate impound.

(3) Third Party-Owned Personal Transportation Devices left unattended on campus or not parked in an area specifically designated for them may be considered abandoned and subject to immediate impound.

E. Responsibility and Corrective Action
(1) The owner and operator of a Personal Transportation Device are responsible and liable for all damage or injury caused by device, whether to persons or property. The owner and operator assume the risk of personal injury and death and will be held responsible for any injuries to themselves or others
as a result of any violation of this policy or the improper operation of any Personal Transportation Device on university property.

(2) Any person who violates this policy may be subject to university fine or citation. Employees will be subject to corrective action pursuant to applicable UO policies and CBAs, and students will be subject to the Student Conduct Code proceedings and sanctions. Visitors (including but not limited to guests, volunteers, and other members of the public) who violate this policy may be trespassed from campus and may otherwise lose their right to use university property and/or to participate in university-sponsored programs and activities.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 8: Parking and vehicles

Related Resources:
UO Campus Map with “Bicycling” tab to show designated bike routes, [https://map.uoregon.edu/](https://map.uoregon.edu/)

Transportation Services, [https://transportation.uoregon.edu](https://transportation.uoregon.edu)

Original Source:
UO Policy Statement

Campus Planning

Policy Number:
IV.07.07

Reason for Policy: To define the university's requirements with respect to physical development of university properties.

Entities Affected by this Policy: All entities engaged in activities related to the physical development of university properties.

Responsible Office: Campus Planning Office in Campus Planning at 541-346-5562

Website Address for this Policy:
[https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...](https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...)

Enactment & Revision History: Revisions approved by President Schill on April 19, 2017. Policy renumbered to IV.07.07.

Campus Plan Policy approved by President Lariviere on November 14, 2011. The current campus plan was approved by the president May 31, 20015 (as an update to the original 1991 version). Refer to the Campus Plan for an amendment history.
Policy:

A. Definitions:

Campus Plan - UO document (including all related and approved subject plans) that defines the university's requirements with respect to physical development of university properties.

B. Requirements:

The University will maintain a long-range campus development plan (the Campus Plan) covering all real property under its control and management.

All physical development of university properties shall comply with the Campus Plan.

The Campus Plan contains a framework that describe the type and extent of campus development. The Campus Plan must be consistent with other applicable law.

The President or designee will approve revisions to the campus boundaries.

The Campus Plan is available online at: http://cpfm.uoregon.edu/campus-plan

Proposed amendments shall be made in accordance with the process set forth in the Campus Plan. The amendment process set forth in the Campus Plan requires the President's approval following a recommendation from the Campus Planning Committee.

C. Exclusions and Special Situations:

Deviations from or changes to the Campus Plan may be directed by the President.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

Related Resources:

Campus Plan: http://cpfm.uoregon.edu/campus-plan

Original Source:
UO Policy Statement
Campus Violence Prevention

Policy Number: IV.05.08

Reason for Policy: The University of Oregon (“UO” and “University”) is committed to maintaining a safe campus and workplace.

As an institution of higher learning, the University of Oregon aims to create and maintain a safe, welcoming learning and working environment for all of its community members. This policy seeks to signal the University’s commitment to safety and to help ensure that community members understand what is expected of them in their interactions with others.

Entities Affected by this Policy: All members of the UO community, and visitors to University-owned or controlled property or attendees at UO-sponsored events.

Responsible Office: For questions about this policy, please contact the Vice President for Finance and Administration at (541) 346-3003.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History: Enacted by President Schill on 02/06/2019.

Policy:

UO is committed to maintaining a safe campus and workplace.

As a part of this commitment, the University prohibits campus violence which include, [but are not limited to], acts of threats, stalking and violent behavior or violence against students, employees, visitors, or any other person(s) who is on property owned or controlled by UO or at any University-sponsored event and will take appropriate action in response to campus violence. Note that this policy does not cover behaviors governed by UO’s prohibited discrimination policies.

Definitions:

For the purposes of this Policy, campus violence includes:

- Stalking is behavior in which a person repeatedly engages in unwanted conduct directed at another specific person [or persons], which places that person or persons in reasonable fear of their safety or the safety of others. Stalking encompasses the use of technology to commit this behavior.
• **Threat** is any physical, written, or verbal conduct, whether direct, indirect or conditional, that conveys intent or is reasonably perceived to convey intent to cause physical harm to property or someone or to place someone in fear of his or her safety or the safety of others. Threat encompasses the use of technology to commit this behavior.

• **Violent Behavior** involves physically aggressive acts against a person or persons or a physical action intended to damage property.

• **Reasonable**: In determining whether something is reasonable for purposes of this policy, the university will review the behavior on an objective and subjective basis, meaning, for example, that it will review whether the person that is being subjected to the behavior is experiencing a certain fear or threat and whether a reasonable, similarly situated person would also be experiencing fear or a threat.

**REPORTING:**

Any UO employee who is the subject of, or a witness to, a suspected violation of this policy, including retaliation for making a good faith report, is strongly urged to report the violation. Reports may be made pursuant to the below chart. Offices that review reports can help determine whether immediate action is necessary and will consult with the university’s Behavioral Evaluation Threat Assessment (BETA) team as necessary. These offices include the Office of the Provost, Office of the Dean of Students and Employee and Labor Relations. BETA will track incidents to ensure that patterns of behaviors are included in its assessment of threats across campus. BETA does not impose sanctions or disciplinary actions. The appropriate university office or unit will impose any sanctions or disciplinary actions in accordance with university policies, procedures, and CBAs.

**ASSESSMENT:**

Generally, BETA assesses whether a person is deemed to be a threat or to have engaged in threatening behavior for purposes of this policy. In making this assessment, BETA uses a professionally accepted criteria and consults with individuals trained to understand the difference between a threat and behavior that is non-threatening but may impact others. Disciplinary action imposed under this policy will occur in accordance with applicable policies and procedures and collective bargaining agreements.

**SUPPORT SERVICES:**

Regardless of whether behavior reported to the university is deemed to be in violation of this policy, individuals impacted by the behavior will be offered or referred to available support resources. The lead response unit[1] on campus will coordinate with appropriate campus and community partners to provide support services to those who have been the target of threats, stalking or threats or acts of violence.

**CONSEQUENCES:**
UO will take appropriate remedial action to protect employees, students, and ensure public safety from campus violence. Employees who engage in campus violence may be subject to disciplinary and/or corrective action, up to and including termination. Students who violate this policy may be subject to discipline, up to and including expulsion, under the Student Conduct Code. Campus visitors who violate this policy may be trespassed from campus.

Certain acts of campus violence violate the law and could result in criminal prosecution by the public authorities.

**TRAINING, RESPONSE and COMMUNICATION:**

The University will provide campus violence prevention training opportunities and assistance, where appropriate.

The University of Oregon Police Department and Safety and Risk Services are responsible for maintaining and updating the protocol for responding to acts of violence on campus.

BETA is responsible for maintaining, updating and communicating to the campus community the threat of violence reporting protocol.

If an individual has a medical condition that may make compliance with this policy difficult then they are encouraged to contact the university’s ADA Coordinator (541.346.3159 or hrinfo@uoregon.edu) at their earliest convenience in order to discuss their concerns, and to brainstorm possible accommodations that may proactively reduce the likelihood of such behavior occurring. Generally, a person’s medical condition will not excuse behavior that violates this policy.

**RETAIATION:**

No person shall be retaliated against in their employment or student status for reporting in good faith perceived campus violence. If a person believes that they have been retaliated against for making a good faith report under this policy or if they witness retaliation against a person who has made a good faith report, they can contact the employee and labor relations team to report the incident: [https://hr.uoregon.edu/employee-labor-relations/contact-employee-and-labor...](https://hr.uoregon.edu/employee-labor-relations/contact-employee-and-labor...)

**APPEALS:**

Employees subject to discipline for violating this policy may appeal the discipline through applicable grievance procedures. Students found in violation of this policy may appeal the discipline through the Student Conduct Code. Campus visitors found in violation of this policy may appeal the resulting trespass order to the Vice President Finance and Administration’s office, as provided for in UOPD’s trespass policy.
IMPLEMENTATION:

The university will implement this policy in accordance with UO policy and state and federal law, including but not limited to the First Amendment and academic freedom rights. The policy does not limit the university’s right to address disruptive behavior or behavior that violates expectations set forth in other policies or procedures.

CONTACT/REPORTING INFORMATION

Incidents/Reporting Process

Campus: Call 911 immediately

Threats of Campus Violence – not imminent or immediate danger: Promptly report to one of the following:

Primary Contact:


Offices that Review Reports:

- Students: Office of the Dean of Students, [dos.uoregon.edu](http://dos.uoregon.edu)
- Faculty: Office of the Provost, [provost.uoregon.edu](http://provost.uoregon.edu)
- All Employees and all incidents of retaliation: Employee and Labor Relations, Human Resources, [hr.uoregon.edu/er](http://hr.uoregon.edu/er)
- All Campus Community Members and Visitors: UOPD – 541-346-2919, [police.uoregon.edu](http://police.uoregon.edu)

[1] This may include, but is not limited to: BETA, Student Care Team, Dean of Students staff, UO Police Department, Human Resources, etc

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources:

- Additional information about BETA can be found at [betateam.uoregon.edu](http://betateam.uoregon.edu).
• Can use online report form as part of that: https://cm.maxient.com/reportingform.php?UnivofOregon&layout_id=1
• Campus Visitors Policy: https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/campus-visitors
• Student Conduct Code: https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code
• UO employment policies and collective bargaining agreements: https://hr.uoregon.edu/employee-labor-relations/employee-groups-cbas

Original Source:
UO Policy Statement

Campus Visitors

Policy Number:
IV.05.04
Reason for Policy: To describe conduct expected of campus visitors.
Entities Affected by this Policy: Anyone visiting campus.
Responsible Office: For questions about this policy, please contact the Vice President of Finance and Administration at 541-346-3003, vpfa@uoregon.edu.

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-5-public-safety-risk-services/campus-visitors

Enactment & Revision History:

2/14/17 – Renumbered (formerly UO Policy 01.00.04)
3/22/16 – Technical amendments (titles) made by University Secretary
6/7/85 – Reviewed and approved for reissuance by VP for Administration and President’s Staff
5/1/77 – Promulgated as AM 16.090

Policy:
Visitors to the University of Oregon are welcome, but are expected to abide by University rules and the ordinances, laws, and regulations of the city, county, and state. A visitor who fails or refuses to obey University of Oregon rules, or an ordinance, law, or regulation of the city, county or state, may be requested or ordered by a University official, designated by the President, to leave any part or all of institutionally-owned or controlled premises and to remain away therefrom until specifically authorized to return. Any visitor not complying promptly with such requests or orders will be liable to the legal consequences of such non-compliance including arrest and punishment for trespass and disorderly conduct.

University officials authorized to declare trespass are: the President.

In the event the President is unavailable to act personally or to appoint a deputy, and no written, standing delegation of authority covering the specifics of the situation exists, authority to act is delegated in the order listed to: the Senior Vice President and Provost; the Vice President for Finance and Administration; the Vice President for Research and Innovation.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources:

UOPD Policy Manual

Original Source: UO Policy Statement

Cancellation of Classes

Policy Number: II.01.05
Reason for Policy: To establish the University of Oregon policy on cancellation of classes.
Entities Affected by this Policy: Students, faculty and staff
Responsible Office: Office of the Senior Vice President and Provost: 541-346-3186, provost@uoregon.edu OR

Office of Enrollment Management: 541-346-9386, vpem@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-1-curriculum-instruction/instruction/cancellation-classes
Enactment & Revision History: 04/13/17: Technical changes enacted by the University Secretary and policy number changed to II.01.05

02/08/10: Policy number revised from 2.000 to 02.99.01

11/8/85: Approved By President's Staff

Policy:

Any decision regarding a proposal for campus-wide cancellation of classes rests with the President or the President's designee. In view of the fundamental importance of the University's educational programs, the President's decision to cancel classes will be made only under extraordinary circumstances. The President has delegated to the Vice President for Finance and Administration authority to close the University in the event of severe weather conditions.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 1: Curriculum and instruction

Original Source: UO Policy Statement

Candidates for Public Office

Reason for Policy: To articulate key parameters around running for and serving in elected office, including the overarching right to do so.

Entities Affected by this Policy: All UO employees interested in running for political office.

Responsible Office: Human Resources: 541-346-3159, hrinfo@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/candidates-public-office

Enactment & Revision History: Senate-proposed revisions approved by Interim President Scott Coltrane on March 17, 2015.

Policy:

(1) In accordance with the Oregon Constitution, it is Board policy to allow employees to seek political office and to serve in the event of election. Before an employee shall become a candidate for any public office, whether for a salaried or non-salaried position, the employee is expected to consult with the president.

(2) Political activity shall in no way interfere with the performance of the major duties prescribed by the university.

(3) Because circumstances under which a campaign is conducted will vary widely depending on the nature of the elective office and the extent of opposition, the determination of whether an employee may continue full-time duties while conducting or engaged in a campaign rests with the employee's president. In the event of election to the State Legislature, an employee normally will be placed on leave of absence without pay during the period of full-time responsibility. If elected or appointed to a full-time salaried office, the employee may be placed on leave of absence without pay during the term of office or may be required to resign.

Chapter/Volume:
Original Source: OUS Board Policy

Catering Services on Campus

Policy Number: IV.09.01
Reason for Policy: To clarify the rules related to caterers and other groups providing food service on campus. This policy does not pertain to the sale of food or beverages through vending machines or by businesses that occupy leased retail spaces in University owned or leased facilities.
Entities Affected by this Policy: Those using and working in UO catering and dining services; those hosting events with food service on campus.
Responsible Office: University Housing – (541) 346-4277, housing@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastracture/ch-9-purchasing-contracting/catering-services-campus

Enactment & Revision History: 08/02/2018: Revisions approved by the President; policy renumbered 04.00.01 to IV.09.01
02/08/2010: Policy number revised from 4.000 to 04.00.01

10/11/2000: Revisions approved by President's Staff

03/01/1985: Approved by President's Staff

**Policy:**

Food and beverage served or catered on University of Oregon (UO or University) owned or leased property must be provided by University Catering. University Catering is the authorized caterer for events scheduled in University campus facilities. University Catering is authorized to establish additional procedures regarding operational details such as delivery, bookings, cancellations, set-up, and disposition of unused food.

Beyond the exceptions listed below, individuals or organizations desiring to have food or beverage catered to approved campus locations by other food providers must receive prior written approval from the Vice President for Student Services and Enrollment Management or his designee.

All off-campus caterers must operate in compliance with local health department regulations and be able to provide proof of a valid business license for the specific operation and a certificate of liability insurance.

Service of alcoholic beverages at public events scheduled in University facilities must comply with UO Alcohol Service Standards and Guidelines. Copies of the guidelines are available in the Office of Risk Management. A “Request for Permission to Serve Alcohol Beverages” form must be completed and approved prior to any event.

**Exceptions and Exclusions:**

1. Department of Intercollegiate Athletics food service operations.

2. Approved food vendors during the ASUO Street Faire and similar festivals.

3. Food and beverages for the consumption of department affiliated individuals only and not intended to be served or sold to the general public or greater campus community.

4. Organized student groups may prepare and serve food within University Dining (kitchen use subject to availability), under the supervision of a UO Dining provided and certified food handler and with the approval of University Housing.
Charging Administrative Overhead Costs

**Policy Number:** IV.04.03  
**Reason for Policy:** The university, in support of its operations, has a long-standing and transparent practice and process for determining, evaluating and assessing fees for overhead costs (such as administrative costs, utilities, etc.) to auxiliaries, continuing education and designated operations funds.  
**Entities Affected by this Policy:** University units with auxiliary funds and other non-General and education funds.  
**Responsible Office:** For questions about this policy, please contact the office of the Vice President for Finance and Administration at 541-346-3003 or vpfa@uoregon.edu.  
**Enactment & Revision History:** Approved by University President Michael Schill on June 6, 2017.

**Policy:**

The university will assess auxiliary operations, designated operations, service centers, and continuing education funds administrative overhead in order to recover the cost of central services provided to these entities. Rates charged to units will be based on a methodology that uses cost pools to allocate expenses. Detailed procedures, calculations for rates, and exemption processes will be posted on the Business Affairs website.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure  
- Chapter 4: Business affairs

**Related Resources:** NA  
**Original Source:** UO Policy Statement
Class Size

Policy Number: OUS 13
Responsible Office: Office of the Senior Vice President and Provost: (541) 346-3186, provost@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/content/class-size

Enactment & Revision History:

Enactment & Revision History

Became a UO policy by operation of law on July 1, 2014.

Adopted by the SBHE April 25, 1962.

Policy:

Enactment & Revision History

Became a UO policy by operation of law on July 1, 2014.

Adopted by the SBHE April 25, 1962.

Chapter/Volume:
Related Resources:

Policy Document

Original Source: OUS Board Policy

Code of Ethics

Policy Number: IV.02.01
**Reason for Policy:** This policy provides an overarching code of ethics by which university employees, officers, students and volunteers are expected to abide.

**Entities Affected by this Policy:** All University of Oregon employees, officers, students and volunteers.

**Responsible Office:** For questions about this policy, please contact the Office of the Secretary at 541-346-3166 or trustees@uoregon.edu.

**Website Address for this Policy:**

http://policies.uoregon.edu/vol-4-finance-administration-infrastructure/...

**Enactment & Revision History:** Technical revisions enacted by the University Secretary on August 3, 2015.

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

Former Oregon State board of Higher Education Policy.

**Policy:**

The University of Oregon has a duty to educate students to be responsible citizens and provide instruction, research, and public service programs that contribute to the maintenance and growth of a healthy state, national, and world economy. All employees, officers, students, and volunteers acting on behalf of the university have a responsibility to work towards the fulfillment of our mission and conduct themselves ethically, with the highest integrity, and in compliance with all applicable laws, regulations, and policies.

The UO is committed to conducting its affairs in ways that promote mutual trust and public confidence. We strive for excellence in our pursuit of knowledge and maintain high standards in all activities and duties. The UO upholds the following standards as the foundation for a civil, respectful, and nurturing environment when engaging in teaching, research, public service, and administrative activities:

- **Honesty and Integrity** – We demonstrate honesty in our communication and conduct while managing ourselves with integrity. We uphold the values of this code and make decisions based upon the greater good, conducting ourselves free of personal conflicts, self-dealing, using resources for personal benefit or gain, or appearances of impropriety.

- **Respect** – We demonstrate respect towards the rights and dignity of others; show concern for the welfare of others; expect equality, impartiality, openness, and due process by demonstrating equity and fairness without reference to individual bias; and refrain from discriminating against, harassing, or threatening others.
Stewardship and Compliance – We utilize resources and information entrusted to our care in a wise, ethical, and prudent manner in order to achieve our educational mission and strategic objectives. We uphold civic virtues and duties by obeying laws and policies.

Accountability and Responsibility – We take responsibility for our choices and actions by showing accountability and not assigning or shifting blame or taking improper credit. We act with responsibility by reporting unethical and illegal conduct to the appropriate authorities, including supervisors, management, or responsible university offices, including the Office of Internal Audit, and, when appropriate, external authorities including law enforcement.

The UO expects incidences of report fraud, waste, and/or abuse to be reported. Hotlines are available to make reports of fraud, waste, and abuse: 855-388-2710. The Office of Internal Audit will review and investigate as appropriate all reports and, when warranted by the facts, require corrective action and discipline in accordance with policy and law. Employees who make a good faith report of suspected fraud, waste, or abuse are protected from retaliation, in accordance with the Oregon Revised Statute 659.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 2: Audits

Related Resources: None

Commercial and Charitable Solicitations, Commercial Transactions

Reason for Policy: This policy seeks to insure that the rights and responsibilities of students and the members of the public with regard to activities on campus are met and balanced with the University’s obligation to provide a safe, private, scholastic environment.

Entities Affected by this Policy: All audiences.

Responsible Office: For questions about this policy, please contact Campus Operations at 541-346-2270 or the Office of General Counsel at 541-346-3043.

Enactment & Revision History: Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 50 Section 0030.
Policy:

Commercial and Charitable Solicitations and Commercial Transactions

Introduction

The University of Oregon recognizes the right of its students to familiarize themselves with divergent points of view and to associate with whomever they choose. The University further recognizes the right of members of the public to enter the campus of the University and to engage in lawful and peaceful activities while there. It is the belief of the administration of the University of Oregon that encouragement of these rights will lead to a broader, richer education for its students. Rights do not exist without responsibilities, however. Nor is the University without an obligation to provide a safe, private, scholastic environment in which its students may pursue their studies without interference. To insure that both the rights and the responsibilities are satisfied as fully as possible, the University has adopted the following rules concerning public access to the campus. They are designed to strike a balance which will provide free access and protect the educational environment without sacrificing one to the other.

(1) Definitions. As used in this policy, the following definitions apply:

(a) "Sale", "selling", or "purchasing" mean an activity which creates an activity or obligation to transfer property or services for a valuable consideration;

(b) "Commercial solicitation" means any direct and personal communication in the course of a trade or business reasonably intended to result in a sale;

(c) "Private sale" means occasional selling between persons who are campus students or employees;

(d) "Commercial transactions" means selling or purchasing or both selling and purchasing by any person in the course of employment in, or in the carrying on of, a trade or business. To the extent a non-profit organization or charity is selling a tangible product or is offering a tangible product with the expectation of thereby obtaining an immediate and direct contribution, this aspect of the entity's activity shall be deemed for the purposes of this policy to be a commercial transaction;

(e) "Interference standard" describes the basis on which University officials will make an activity impact judgement (i.e., extent to which an activity or proposed activity limits, impedes or makes more costly than normal the use or function of an area);

(f) "Charitable solicitation" means any direct and personal communication in the course of the operations of a not-for-profit organization reasonably intended to result in a sale or monetary contribution;
(g) "Not-for-profit organization" means any group of individuals, formally or informally organized for the purpose of promoting the well-being of the public at large or for benefitting an indefinite number of persons, including but not limited to educational, literary or scientific purposes, or for the prevention of cruelty to children or animals, or for the benefit of religion, rehabilitation services, public recreation, civic improvement or services which lessen the burdens on government, and also means any entity to whom a donation would qualify for a tax credit under ORS 316.102.

(2) Commercial and charitable solicitation and commercial transactions are prohibited on campus except upon written application by the vendor or solicitor and with written permission by the University President or the President's designated representative. The President has designated the Director of Erb Memorial Union as the Official designee to carry out the provisions of this policy. The Director of Erb Memorial Union shall, when the facilities affected are other than those of Erb Memorial Union, consult with the appropriate administrator:

(a) The application shall include:

(A) The applicant's name, address, and telephone number;

(B) The name, address, and telephone number of the company or organization represented by the applicant;

(C) The purpose of the visit to campus;

(D) The type of activity to be engaged in;

(E) The duration of the visit; and

(F) Any other information which is relevant to the granting or denial of permission to engage in the above-mentioned activities.

(b) Permission shall be granted if the proposed activity:

(A) Aids achievement of the educational or cultural objectives of the campus;

(B) Does not interfere with the operations of the campus;

(C) Is not prohibited by law or rule or policy;

(D) In the case of commercial solicitations and for-profit commercial transactions, pays the University a minimum of rental for use of space, or ten percent (10%) of gross proceeds, whichever is greater;
(E) Does not conflict with terms of other contracts for sales or services already at the University;

(F) In the case of commercial solicitations and for-profit commercial transactions does not continue more than two (2) days and is not a frequently requested privilege. In the case of charitable solicitations and not-for-profit charitable transactions which occur on a continuing or repeated basis, permission must be reobtained at the beginning of each academic term;

(G) Does not conflict with similar sales or services offered by departments of the University.

(3) Any person granted permission under section (2) of this policy to engage in commercial or charitable solicitation or commercial transactions must abide by any time, place or manner restrictions which may be imposed as a condition to the granting of such permission. These restrictions include, but are not limited to, the number of presentations within a given period of time as determined by the Director of Erb Memorial Union in consultation with other University administrators whose unit may be affected.

(4) Commercial and charitable solicitation and commercial transactions are prohibited in all areas where such activity will, or is likely to, interfere with the normal functions of that area. Such areas include, but are not limited to:

(a) Individual student rooms, hallways, stairwells and lavatories in the dwelling areas and the interior and food service areas of dining rooms in residence halls. Use of residence hall lounges and meeting rooms will be allowed only with the permission of the Director of Housing (using an interference standard) and a majority vote of the residents of that unit. Use of dining hall lobbies will be allowed only with permission of the Director of Housing, applying the same standard;

(b) Classrooms, except with written permission of the Director of Erb Memorial Union and written consent of the instructor;

(c) Meeting rooms, auditoriums, or general assembly areas except with written permission from the Director of Erb Memorial Union;

(d) Libraries;

(e) Faculty and administrative offices; and

(f) Any other areas designated by the President or the Director of Erb Memorial Union on behalf of the President.

(5) Persons who violate the provisions of this policy shall be disciplined as follows:
(a) Members of the campus community shall be disciplined in accordance with the procedure which is appropriate with that person's status as a student, faculty member, administrator, employee, or other category;

(b) Non-members of the campus community shall be prohibited from entering upon the campus for purposes of commercial and/or charitable solicitation or commercial transactions for a period of not more than one year. Those who violate this prohibition shall be subject to trespass laws.

(6) Nothing in this policy shall affect private sales.

(7) Nothing in this policy shall affect advertising in campus newspapers, radio or television stations.

(8) Nothing in this policy shall affect commercial solicitations and commercial transactions by vendors providing sales and services to offices, employees or agents of the University of Oregon for the conduct of University business.

(9) Commercial and charitable door-to-door solicitation in Family Housing areas shall be managed as follows:

(a) Each person desiring to solicit door-to-door must fill out a request-to-solicit form at the area office once a year. Forms record applicant's name, address and telephone number; company name, address and telephone number; purpose of visit; type of activity and length of visit;

(b) The area director will file each request and will permit any person or group to solicit door-to-door once an academic term. Solicitors will receive a written approval pass which should be carried and displayed on request during the course of their visit to the Family Housing Area;

(c) Solicitors may return to established customers without reapplying for permission, but shall renew the request-to-solicit form the same month each year.

Chapter/Volume:
Original Source: Oregon Administrative Rule

Community College Transfer

Effective Date: 01/24/1972
Office of the Vice President for Enrollment Management
vpem@uoregon.edu

Policy Statement:
The Committee on Academic Affairs, Personnel, and Public Affairs recommended that the Board of Higher Education adopt the following transfer policies covering the transfer of community college credits into System institutions:

Effective spring term 1972, System institutions shall accept for credit all college transfer work completed in an Oregon or other accredited community college by the transferring student in the first 108 quarter hours of work he completes toward baccalaureate degree requirements (an increase of 15 credit hours over the 93 credit hours presently accepted).

It should be emphasized, however, that it will be to the advantage of some community college students—those enrolled in subject matter fields in which the course of study is highly specialized, for instance—to transfer into a four-year institution before the completion of two years’ work in a community college. To guide community college students in their program planning, the System will continue to make available to community colleges annually the catalog Recommended Transfer Curricula, which sets forth detailed term-by-term courses of study in a wide range of subject fields.

System institutions also shall provide for flexibility in their policies so as to allow for consideration by an appropriate institutional agency or official of petitions from students who, already having completed 108 credit hours of work applicable to baccalaureate degree requirements, find that the baccalaureate program worked out with the System institution permits additional lower division work, and who, for defensible reasons, desire to complete some portion of that work in a community college.

Cross Reference to Related Policies:
Policy Document
Original Source:
OUS Board Policy

Community Dispute Resolution Program

Policy Number: 1.03.02
Reason for Policy: This policy applies to the programs administered by the University of Oregon (through the law school) known as the Community Dispute Resolution Program.
Entities Affected by this Policy: All members of the public and UO community interacting with the Community Dispute Resolution Program.
Responsible Office: For questions about this policy, please contact the Oregon Office for Community Dispute Resolution at 541-346-1623.

Website Address for this Policy:
Enactment & Revision History: Policy renumbered from 571.100, et seq. to I.03.02.

Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 100.

Policy:

A. Applicability

This policy applies to the programs administered by the University of Oregon (University), acting through the Dean of its School of Law pursuant to ORS 36.100 et seq.

B. Definitions

(1) "Applicant" is an entity which has submitted an application for program funding pursuant to ORS 36.155.

(2) "University" means the University of Oregon acting through the Dean of its School of Law.

(3) "Dean" means the Dean of the University of Oregon School of Law.

(4) "Mediation" is defined in ORS 36.1l0(5) and includes case development and conciliation.

(5) "Community Dispute Resolution Program" means a program that has been determined eligible for funding under ORS 36.155 and this policy.

(6) "Grantee" is a community dispute resolution program that has been awarded funding pursuant to ORS 36.155.

(7) "Policy" refers to this policy.

(8) “Confidential Information” is any communication, document, or other information subject to the confidentiality requirements of ORS 36.220-36.238.

C. Minimum Eligibility Requirements
To be eligible to receive funding under ORS 36.100 et seq. and this policy, a dispute resolution program must:

(1) Be:

(a) A governmental entity with a separate dispute resolution program budget and a dispute resolution program advisory committee of at least five representative members of the community in which the governmental entity is located, which advisory committee meets at least quarterly; or

(b) A nonprofit organization registered in Oregon with a board of directors of at least five representative members of the community or communities in which the organization does business, which board of directors meets at least quarterly. If an applicant is a nonprofit organization established for purposes other than dispute resolution, it shall have a separate dispute resolution program budget and a separate advisory committee of at least five representative members of the community in which the organization does business, which advisory committee shall meet at least quarterly; and

(2) Provide citizen education in conflict resolution skills to assist citizens in resolving their own disputes peacefully and community mediation services. Community mediation services must be provided, at least in part, by volunteer mediators. In addition to these essential services, programs may elect to provide other services in order to respond to local identified needs. Such services may include, but are not limited to:

(a) Methods for addressing the interests of crime victims in criminal cases when those cases are either not prosecuted for lack of funds or could be more effectively handled outside the courts;

(b) Arbitration; and

(c) Training for individuals who resolve disputes.

(3) The Oregon Judicial Department shall not be eligible for funding under ORS 36.100 et seq. and this policy.

(4) Municipal, county, and justice courts shall not be eligible for funding under ORS 36.100 et seq. and this policy.

D. Fees for Service

(1) A Grantee is not required to charge fees to disputants for dispute resolution services. If a Grantee charges fees for dispute resolution services, a sliding fee scale or waiver or deferment based on income must be offered. The Grantee shall explain to all disputants, in advance of the services being furnished, the amount of any fees and other costs that may be charged.
(2) A Grantee shall not charge the following fees:

(a) Fees contingent on outcome; or

(b) Fees calculated on the basis of the amount in controversy.

E. Matching (Participating) Fund Requirements

(1) Grantees shall be required to match the funding granted to them pursuant to ORS 36.155 at the following levels:

(a) First grant year: 10 percent;

(b) Second grant year: 25 percent;

(c) Third grant year: 50 percent;

(d) Fourth grant year: 75 percent;

(e) Fifth grant year: 100 percent.

(2) Matching funds may be generated through fees for services, grants, donations, fundraising, in-kind donations, and other efforts. The University, acting through the Dean, shall retain discretion to waive or modify the matching fund requirements based upon the Grantee's good faith efforts and substantial compliance with such requirements.

(3) In-kind donations may be reported or credited as revenue or expenditures if such donations:

(a) Will be received during the proposed budgetary period; and

(b) Represent necessary and ordinary expenses or services related to the operation and management of the Grantee.

(4) Documentation of in-kind donations shall include descriptions of the services or materials donated, the dates received, and the names and addresses of the donors. Volunteer services shall be documented by means of time sheets signed by the volunteer and verified by the program manager.

(5) In-kind donations and services, such as office space and administrative, clerical, and professional services, shall be valued at the prevailing market rate.

(6) The following may not be included as in-kind donations:
(a) Volunteer time by members of the Grantee’s board of directors or advisory committee while serving in the capacity as members of the board or committee.

F. Participation by Counties

(1) To qualify for a grant under ORS 36.155 and this policy, a county shall notify the Dean on in accordance with a schedule established by the Dean of its intention to participate in the expenditure of funds for programs funded under ORS 36.155. Such notification shall be by resolution of the appropriate board of county commissioners or, if the programs are to serve more than one county, by joint resolution. A county providing notice may select the dispute resolution programs to receive grants under ORS 36.155 for providing dispute resolution services within the county from among Community Dispute Resolution Programs within the county or, in the case of a joint resolution, counties.

(2) The county's notification to the Dean must include a statement of agreement by the county to engage in a selection process and to select as the recipient of funding an entity capable of and willing to provide dispute resolution services according to this policy. The award of a grant is contingent upon the selection by the county of a qualified entity. The Dean may provide consultation and technical assistance to a county to identify, develop and implement dispute resolution programs that meet the standards and guidelines set forth in this policy.

(3) If a county does not issue a timely notification under subsection (1) above, the Dean may notify a county board of commissioners that the Dean intends to make a grant to a dispute resolution program in the county. The Dean may, after such notification, assume the county's role under subsection (1) above unless the county gives the notice required by subsection (1). If the Dean assumes the county's role, the Dean may contract with a qualified program for a two-year period. The county may, 90 days before the expiration of such contract, notify the Dean under subsection (1) above that the county intends to assume its role under subsection (1).

(4) All dispute resolution programs identified for funding shall comply with this policy.

(5) All Grantees shall submit informational reports and statistics as required by this policy.

G. Termination of Participation by a County

(1) Any county that receives a grant under ORS 36.155 and this policy may terminate its participation at the end of any month by delivering a resolution of its board of commissioners to the Dean not less than 180 days before the termination date.

(2) If a county terminates its participation, the remaining portion of the grant made to the county shall revert to the University to be used as specified in ORS 36.155.

H. County Dispute Resolution Program Coordinator
(1) Each board of commissioners electing to participate in the expenditure of funds shall designate a person to function as the county dispute resolution program coordinator.

(2) The coordinator shall maintain public information on any dispute resolution services within the county including name and telephone number of the coordinator, availability of grant monies to fund local programs, the grant solicitation and award process, and the program names and services provided by grantees in that county.

(3) A coordinator need not be a resident of the county and may serve as the coordinator for more than one county.

I. Application Process

(1) A board of commissioners, or the University acting through the Dean, if the Dean has assumed the county's role, shall issue a request for applications to provide dispute resolution services under ORS 36.155. The request for applications shall be advertised in a manner reasonably calculated to ensure that those qualified to provide the requested dispute resolution services receive notice of the request. Such advertising may be in a newspaper, on a web site, by electronic mail, or any other means that meets the requirements of this subsection.

(2) An applicant shall submit the original application to the participating county and a copy of the application simultaneously to the Dean, unless the Dean has assumed the county's role in which case the application shall be sent solely to the Dean. Applications may be submitted by mail, hand delivery, express delivery, facsimile machine, website submission, or electronic mail (including in portable document format (pdf)).

(3) The Dean on his or her own behalf or on behalf of a county may in his or her sole discretion accept late or incomplete applications and may seek to clarify any or all portions of applications. The Dean may in his or her sole discretion waive any provisions of the application for sufficient cause.

J. Application Requirements

1. Any applicant that:

   (a) did not receive funding in the previous biennium, or does not meet the requirements in subsection J(a)(ii), must submit an application with requirements from section J(2) and section J(3).

   (b) received funding in the previous biennium, and is in substantial compliance with their contract requirements, may submit an application with only the base requirements in section J(2), for up to two (2) additional biennia (an application consisting of the base and additional requirements must be submitted every six (6) years).
2. Unless waived by the Dean, all applications shall include the following base requirements:

(a) Benchmarks for the upcoming biennium for citizen education in conflict resolution skills; community mediation services; mediation trainings, publicity and outreach, and other areas determined by the Dean.

(b) A plan for recruiting, selecting and using volunteer mediators.

(c) A description of any training activities including the mediation curriculum and apprenticeship.

(d) A proposed budget including the amount and sources of matching funds for the grant period, and any fee schedule to be used by the applicant. If available, audited financial statements shall also be submitted for the previous two years. An applicant's request for funding shall not exceed the Dean's grant projection made pursuant to this Policy.

(e) Letters of support from community organizations, judicial and legal system representatives, administrative agencies, or other appropriate public service organizations in the proposed area of service. Such letters should, if appropriate, attest to the organization's willingness to make referrals to the applicant.

(f) A discussion of the potential for collaboration with other applicants and, if there might be other applicants, a plan for such collaboration.

(g) The applicant must certify or agree that they will abide by the requirements of 41 CFR 60-1.4(a), 60-300.5(a) and 60-741.5(a). These regulations prohibit discrimination against qualified individuals based on their status as protected veterans or individuals with disabilities, and prohibit discrimination against all individuals based on their race, color, religion, sex, sexual orientation, gender identify or national origin. Moreover, these regulations require that entities that receive grant funds take affirmative action to employ and advance in employment individuals without regard to race, color, religion, sex, sexual orientation, gender identify, national origin, disability or veteran status.

(h) Any other information required by the Dean.

(3) Unless waived by the Dean, all applicants that meet the requirements of section J(1)(a) must also submit the following additional requirements:

(a) A statement of the program's goals, objectives, and activities, including citizen education in conflict resolution skills and community mediation services.

(b) A description of community problems to be addressed, the proposed geographical area of service, the service population, and the number of persons the applicant will have the capacity to
serve on an annual basis; the types of disputes to be handled; the types of dispute resolution services to be offered; and any access restrictions to be imposed by the applicant.

(c) A plan for publicizing its services and resources to potential referral agencies, individuals, civic groups, courts and agencies of the judicial system.

(d) The applicant's organizational chart, structure, personnel policies, and resumes of all professional staff members.

(e) Applicants that did not receive funding in the previous biennium must submit a business plan that contains a three-to-five (3-5) year projected budget of income and expenses.

(f) Any other information required by the Dean.

K. Selection Process

(1) The Dean shall acknowledge receipt of each application and shall review each application to determine whether the applicant is eligible for funding under this policy as of the date of application. The Dean shall send a notice of eligibility determination to each applicant and to the county dispute resolution coordinator.

(2) If the county has elected to participate as described in this policy, the county shall review the applications of those applicants determined eligible by the Dean and shall select the program(s) for funding. If the county has not elected to participate, the Dean shall select the program(s) for funding from those applicants the Dean has determined to be eligible.

(3) Criteria for the selection of funding shall be as determined by the Dean and set forth in the Request for Application. Criteria may include, but need not be limited to:

(a) The ability of the applicant to address unmet community needs in the proposed geographical area of service;

(b) The structure and scope of the services to be provided by the applicant;

(c) The applicant's experience and qualifications in dispute resolution services;

(d) The amount of the requested grant and the reliability of the applicant's other funding sources; and

(e) The adequacy and cost of personnel, services, and supplies, and capital outlay.

L. Contracts with Grantees
(1) The University shall enter into a contract with Grantee which specifies the kinds and level of services the grantee shall provide during the designated grant period. The University shall have sole authority to determine the content of the contract.

(2) Grants shall be available for the period of July 1 of each odd-numbered year through June 30 of the following odd-numbered year. The University shall contract with the Grantee for up to two years.

(3) The Dean or designee shall have the power to examine the records of any grantee to determine compliance with the contract and applicable law.

(4) In the event that the Dean determines that a Grantee is not in substantial compliance with the terms of its contract, the Grantee shall be required to come into compliance within a reasonable amount of time as determined by the Dean. If the program continues to be out of compliance, the Dean shall provide written notice to the program and the county that specifies the areas of non-compliance and requires substantial compliance within 30 days. After the 30 day period, the Dean shall take such steps as the Dean deems necessary or advisable, including but not limited to requiring the Grantee to participate in a form of alternative dispute resolution or terminating the contract. The State of Oregon, the University, the Dean and their agents and employees shall have no liability to any Grantee for any actions taken under this policy.

M. Available Funds

Allocation of available funds shall be based upon the need for community dispute resolution services; the availability of funds to create, sustain, and maintain viable programs; the performance of community dispute resolution programs; and innovation and special projects.

N. Evaluation of Grantees

Each Grantee shall work cooperatively with the Dean or designee to facilitate the collection of data to measure the effectiveness, integrity, and applicability of dispute resolution services provided by the Grantee. In addition, each Grantee shall:

(1) Perform an annual evaluation to measure program effectiveness;

(2) Measure client satisfaction;

(3) Conduct annual board and director performance evaluations; and

(4) Cooperate with the Dean in providing aggregate data to analyze the effectiveness of community dispute resolution efforts and to track trends throughout the state.

O. Reporting Requirements
(1) Each Grantee shall provide to the Dean such data as the Dean may request, including but not limited to data concerning the Grantee's operating budget, the number and kinds of educational programs, staff and volunteer qualifications, training activities, the number and source of referrals, types of disputes referred, dispute resolution services provided, number of persons served, and case outcome. Data provided to the Dean will exclude all Confidential Information. Each Grantee shall report the information annually and as the Dean shall direct in writing.

(2) Within ninety days of the close of each grant period, the Grantee shall submit to the Dean a final report on revenues and expenses for the grant period.

P. Referrals; Confidentiality Agreements

(1) Although Grantees may accept mandatory referrals to mediation, they shall provide the referred parties with written notice specifying that participation in the mediation session is voluntary.

(2) A written agreement to maintain the confidentiality of all Confidential Information shall be offered to participants for their acceptance and signature no later than the initial mediation session.

Q. Qualifications and Minimum Training Requirements for Mediators in Community Dispute Resolution Programs

(1) Qualifications: Mediators shall possess good communications skills, an ability to respect diversity and differences, and an ability to maintain confidentiality and impartiality.

(2) Training: Mediators shall complete a basic mediation curriculum and an apprenticeship:

(a) A basic mediation curriculum shall be at least 30 hours and shall include a minimum of six hours' participation by each trainee in no less than three supervised role plays; a trainee self-assessment; and an evaluation of the trainee by the trainer which identifies areas where trainee improvement is needed for the benefit of both the trainee and the program. A basic mediation curriculum shall seek to develop mediation knowledge and skills, including information gathering, relationship skills, communication skills, problem solving, conflict management and ethical practices. The curriculum shall specifically address the following areas:

   (A) Active listening, empathy and validation;

   (B) Sensitivity and awareness of cross-cultural issues;

   (C) Maintaining neutrality:

   (D) Identifying and reframing issues;
(E) Establishing trust and respect;

(F) Using techniques to achieve agreement and settlement, including creating climate conducive to resolution, identifying options, reaching consensus, and working toward agreement;

(G) Shaping and writing agreements;

(H) Assisting individuals during intake and case development to resolve their disputes with a minimum of intervention by a third party; and

(I) Ethical standards for mediator conduct adopted by state and national organizations.

(b) The apprenticeship shall include participation in a minimum of two mediation cases under the supervision of an experienced mediator or trainer, with at least one case resulting in a completed mediation session.

(3) An individual who, prior to the effective date of this policy, has participated in substantially similar training or completed 100 hours as a mediator shall have met the training requirements established by this policy.

(4) An individual who has completed substantially similar training in another state after the effective date of this policy shall have met the training requirements established by this policy.

(5) Each grantee shall ensure that its mediators have received basic curriculum training from a lead trainer who has completed:

(a) Mediation training substantially comparable to that required under this policy;

(b) Fifty hours of mediation experience; and who has

(c) Substantial background as a mediation trainer or an assistant.

(6) A Grantee may establish additional training requirements beyond these minimum training requirements. There shall be no formal academic requirements for mediators in community dispute resolution programs.

(7) An applicant or Grantee may request from the Dean a waiver or modification of training requirements in cases where the application of the policy would place an undue burden on the Grantee.

Chapter/Volume:
Community Standards Affirmation

Last Updated: 04/13/2000
Effective Date: 04/13/2000
Reason for Policy: To set forth and affirm a clear and cogent statement of common community standards.

Policy Statement:

The University of Oregon community is dedicated to the advancement of knowledge and the development of integrity. In order to thrive and excel, this community must preserve the freedom of thought and expression of all its members. The University of Oregon has a long and illustrious history in the area of academic freedom and freedom of speech. A culture of respect that honors the rights, safety, dignity and worth of every individual is essential to preserve such freedom. We affirm our respect for the rights and well-being of all members.

We further affirm our commitment to:

- Respect the dignity and essential worth of all individuals.
- Promote a culture of respect throughout the University community.
- Respect the privacy, property, and freedom of others.
- Reject bigotry, discrimination, violence, or intimidation of any kind.
- Practice personal and academic integrity and expect it from others.
- Promote the diversity of opinions, ideas and backgrounds which is the lifeblood of the university.

Revision History:
03/29/2000 Unanimously endorsed by the Faculty Advisory Council
03/29/2000 Endorsed on a vote of 13-3 by the UO Student Senate
04/12/2000 Unanimously endorsed by the University Senate
04/13/2000 Approved by President's Small Executive Staff and Promulgated as Policy
02/08/2010 Policy number revised from 1.000 to 01.00.10

Original Source: UO Policy Statement
Reason for Policy: This policy addresses matters pertaining to compensation.
Entities Affected by this Policy: Employees at the UO
Enactment & Revision History: Technical revisions enacted by the University Secretary on September 2, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014 (former OAR 580.020.0010-0100).

Policy:

A. Compensation Plan for Academic Staff

(1) Pursuant to state law, the principles of a compensation plan are established for the academic staff as set out below. Pay ranges shall be established for the various academic ranks with due consideration given to relative responsibilities of each rank, prevailing rates of pay in other universities, colleges, and elsewhere for similar responsibilities, availability of a competent professional staff, living costs and other pertinent information.

(2) Minimum and maximum rates and such intermediate rates considered necessary and equitable shall be established for the various academic ranks and positions, provided, however, that exceptions may be allowed as circumstances require. Normally the established minimum pay rate for a rank shall be paid upon appointment. It is permissible in the interest of the state to make an appointment above or below the minimum rate for the academic rank. Similarly, the salary of an individual may be above or below the prescribed normal maximum for the academic rank. Normally, academic staff members shall be paid at one of the rates set forth in the pay ranges, subject to availability of funds and the exception noted above.

(3) Salary increases are not automatic. Increases shall be recommended only for staff members demonstrating high standards of work performance. Increases shall normally be effective beginning with the fiscal year following completion of one year's service.

(4) Implementation and amendments to the plan shall be based on recommendation of the President after consultation with division heads.

B. Compensation Plan for Classified Staff

Compensation of classified employees including fringe benefits and other conditions and terms of employment shall be according to the rates and regulations in the state compensation plan, or by collective bargaining agreement, as appropriate.
C. Additional Pay to Full-Time Staff

The University and divisions are authorized to provide payment in addition to regular salaries when, at the request of the home institution or division or another Department institution or division, a staff member provides substantial service over and above the regular services expected.

D. Prerequisites

When employees receive perquisites, such as living quarters or meals, in addition to cash salary, proper notation thereof shall be made on the salary budget together with an explanation showing items allowed and the value thereof. Granting of perquisites to employees on a wage or salary basis requires the approval of the President or head of the division concerned at the beginning of each fiscal year.

E. Contribution to Pension Plan

The Board designates the contribution required of employees to a retirement plan to be an "employer contribution" as defined by 26 USC §414(h)(2). Employees may not receive this amount to make the contribution directly. Employees’ gross salary will be reduced by the contributed amount prior to reporting for tax purposes.

F. OSSHE Tax Deferred Investment Program Participation Fee

The Chancellor, or designee, may enter into written agreements with faculty and staff employed by the State Board of Higher Education, and with one or more insurance companies and mutual funds, to provide tax deferred investment opportunities to faculty and staff as provided by ORS 243.810 – 243.830. The Chancellor, or designee, may, as a condition to entering into such agreements or continuing such agreements, require faculty and staff participants to pay annually an administrative fee for the costs of administering the program. The administrative fee shall be based on an amount not to exceed the amount needed to administer the program.

G. Human Resources System

(1) The Vice President for Finance and Administration, or designee, shall develop, implement and maintain a human resources system for nonacademic employees to include:

(a) A job evaluation system for positions within the University;

(b) A plan for compensating employees consistent with the job evaluation system; and
(c) Policies for employees not covered by collective bargaining agreements relating to leave, layoffs, terminations, grievances and other terms of employment.

(2) The University is responsible for evaluating jobs and allocating them according to the job evaluation system and assuring that employee compensation is in accordance with the compensation plan.

(3) The Vice President for Finance and Administration, or designee, shall engage in collective bargaining with any certified or recognized exclusive employee representative.

(4) The University shall develop, implement and maintain recruitment and selection methods designed to achieve a qualified and diverse workforce.

(5) Until the Vice President for Finance and Administration, or designee, and the University implement internal management directives or policies for job evaluation, compensation, recruitment, terms of employment and position management, the rules and procedures established by the Department of Administrative Services, under ORS Chapter 240 as they existed on the effective date of 1995 Oregon Laws, Chapter 612 (July 1, 1995), shall apply to the University.

Chapter/Volume:  
Original Source: Oregon Administrative Rule

Computing Priorities: Research and Instructional

Policy Number: IV.06.04  
Reason for Policy: This policy outlines the university’s priorities regarding computing necessary to support research and instruction.

Responsible Office: Chief Information Officer (541-346-1702) and Office of the Senior Vice President and Provost (541-346-3186).

Website Address for this Policy:  
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Policy:

1. STRATEGIC VISION: The University shall develop and regularly update a strategic plan that is designed to place it at a competitive level of computing support to research and instruction.

2. APPROPRIATE COMPUTING SUPPORT: The University shall maintain an appropriate computing environment to support all aspects of the University’s mission and to remain competitive in research and instruction. With respect to teaching, this includes but is not limited to maintaining a suite of instructional software and hardware that will enable the effective use of technology in the classroom and as part of the broader pedagogical goals of education at the University. With respect to research, this includes but is not limited to maintaining an inventory of research computing infrastructure on campus with an eye toward identifying more efficient use of computing resources for all variety of computing needs, including but not limited to scientific computing, enterprise-level data management, and other research uses.

3. EVALUATION OF COMPUTING RESOURCES: In the development, acquisition, and customization of new and existing computing infrastructure (including but not limited to software and hardware), those managing and purchasing resources should evaluate their systems on the basis of technical performance, support needs, and other usual measures. In addition, these evaluations should also involve inquiry into, and decisions on the basis of, the social and ethical impacts of computing infrastructure, including but not limited to: privacy, security, accessibility, usability, and sustainability. This is understood to imply that efforts should be made to develop and acquire systems that are: amenable to or implementing privacy-enhancing and confidentiality-preserving technologies where personally-identifiable data of any kind is at stake, designed with embedded security features, are affirmed by relevant user populations on campus to be more rather than less usable (particularly in the case of instructional computing solutions), and that do not needlessly consume energy.

4. INSTRUCTIONAL COMPUTING PRIORITIES: Faculty making use of instructional software and hardware in their classes shall make use of existing university resources in the case that these are sufficient for their pedagogical needs. In cases where curriculum and learning needs would be enhanced in significant ways by employing third-party software or hardware, instructors shall make every reasonable effort to insure that the gains from these resources justify any associated expense, and that any such computing resources are employed consistent with university, state, and federal data policies (including but not limited to rules protecting privacy and confidentiality of personally-identifiable information). In cases of the instructional use of third-party software or hardware, instructors shall be attentive to any additional financial
burdens for students required to purchase software and should make every reasonable effort to select systems that do not require students to pay for technology subscriptions, purchases, or licenses.

5. FACULTY TRAINING: The development of basic computer literacy on the part of faculty should be considered an aspect of professional competence and is considered a faculty responsibility. To assist faculty in meeting this responsibility, the University is committed to offering regular training opportunities pertaining to both research-related and teaching-related computing, and considers participation in these trainings a form of service involving a contribution to faculty development.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

Conditions of Service

Reason for Policy: This policy outlines conditions of service for faculty employees. Entities Affected by this Policy: All faculty at the UO and individuals who work with faculty. Responsible Office: For questions about this policy, please contact the Office of Academic Affairs at 541-346-3081. Enactment & Revision History: Temporary revisions to Section L expired December 6, 2016. Temporary revisions to Section L were extended by President Michael Schill on June 9, 2016. Temporary revisions to Section L approved by President Michael Schill on December 31, 2015. Technical revisions enacted by the University Secretary on August 31, 2015. Became a University of Oregon Policy by operation of law on July 1, 2014. Former Oregon Administrative Rule Chapter 580 Division 21, Sections 0005 through 0055. Policy:

A. Appointment Procedures
(1) Each person to be appointed or reappointed as a member of the faculty shall be sent written notification of appointment and conditions and terms thereof for each period of employment. The notification shall be signed by the President or, for noninstitutional personnel, by the President or a designee. All appointments for a period in excess of one year must be authorized by the President.

(2) The notice of appointment shall include, but not be limited to, the following:

(a) Effective date of appointment;

(b) Description of position offered (including references to any unusual duties);

(c) Academic rank and title offered;

(d) Duration of appointment;

(e) Tenure status, including the nature of any restrictions on eligibility for tenure (e.g., limited term or temporary appointments or appointments funded by grant funds beyond institutional control);

(f) Compensation;

(g) Other conditions of employment.

(3) The faculty member shall be provided written information concerning duties, responsibilities and institutional expectations. Such written information shall be provided with the initial notice of appointment and whenever significant changes occur. The written information shall include:

(a) Specific expectations relating to the particular position;

(b) General institutional expectations as to professional standards, obligations and responsibilities to be met by faculty members, including but not limited to the following:

(A) Criteria to be used in evaluating the faculty member in connection with renewal of appointment, promotion, tenure (if faculty member does not have indefinite tenure) and post-tenure review (if the faculty member has indefinite tenure);

(B) Procedures to be used in application of the evaluative criteria, including identification of officers responsible for accumulating the information and data necessary to the evaluation, making the evaluation, counseling with the faculty member concerning performance and areas of desirable improvement and such additional information as is necessary to outline clearly the procedures to be used;
(C) Kinds of information that will be gathered by the institution as the basis for evaluating the faculty member;

(D) A reference to institutional rules relating to faculty records;

(E) The nature of the institutional staff career support program, with specific reference to institutional assistance available to assist the faculty member in improving teaching and other scholarly activities;

(F) A reference to the agreement required by UO Policy 580.021.0100-135 Section C concerning the extent to which prior experience will be credited as a part of the probationary period of employment;

(G) A reference to any exceptions agreed to as provided in Section UO Policy 580.021.0100-135, Section G.

B. Affirmative Action Goals: Employment

(1) The President shall establish affirmative action goals and procedures for the purpose of increasing the proportion and effective utilization of minorities and women employed in administrative, technical and faculty positions in programs and departments where minorities or women are underrepresented.

(2) For purposes of this rule, "minorities" refers to Black African Americans, Hispanic Americans, Asian/Pacific-Island Americans and American Indians/Alaskan Natives.

(3) The goals and procedures established under this rule shall be reviewed by the President for adequacy and effectiveness at the end of each biennium and modified accordingly. A report of this biennial review shall be submitted to the Board.

C. Consultative Procedures

The President shall establish written procedures through which faculty, department heads and deans shall have the opportunity for effective participation in deliberations leading to recommendations for appointment, reappointment, tenure or promotion of faculty. The procedures established shall also provide for consideration of information from other appropriate sources, including, but not limited to, student evaluations of faculty.

D. Terms of Service of Faculty

(1) Academic staff may be appointed on the academic-year basis, the fiscal-year basis or on such other basis as may be arranged in individual cases.
(2) An academic year is normally the three-term period of service extending from September 16 of one calendar year through June 15 of the next calendar year, or for a comparable period of service within the fiscal year, whichever best serves the particular type of work involved, as may be required by the President. Nothing in this regulation shall be construed to prevent a staff member employed on an academic-year basis from being employed during the remainder of the fiscal year, in the summer sessions or in other service for the University, provided responsibilities for the regular academic year have been fulfilled to the satisfaction of the department head and the dean or director of the division.

E. Working Hours

The varied nature of the work of faculty members whose duties are administrative, instructional, research or extension makes it impractical to define the exact number of working hours. All such faculty members are required to give the institution their undivided efforts. Determination of time of service is the responsibility of the President. However, this provision shall not apply to Department employees who are subject to state or federal overtime compensation requirements.

F. Outside Employment and Activities; Conflict of Interest

(1) No full-time employee of the University shall engage in any outside employment that substantially interferes with duties. See also IMD 4.005 and 4.010, Board and Institution Policy on Outside Activities and Related Compensation.

(2) University employees shall provide written reports to the President regarding potential conflicts of interest as defined under ORS 244.020(8). Complaints by any person regarding potential conflicts of interest may be referred for investigation to the President who shall investigate the complaint.

G. Participation in Voluntary FTE Reduction Program

During the period that any employee participates in a voluntary FTE reduction program authorized by the University, leave accruals and other benefits administered under this division will be calculated based upon the employee’s FTE immediately prior to program participation and will not be reduced to reflect the reduction in FTE caused by the employee’s participation in the program.

H. Fellowship Leave

(1) A fellowship leave is leave available to faculty who have received certain fellowships that support research, writing, advanced study or travel related to scholarly or professional activities, including, but not limited to, Fulbright, NEA, NEH, Guggenheim, or other comparable federal or private fellowships, payable only to the faculty member.
(2) Any unclassified employee appointed at .5 FTE or more may be granted a fellowship leave upon approval of the President or designee. In addition, the President or designee may authorize continuation of institutional health care coverage and payment of employer contribution toward health care or other personnel expenses during a fellowship leave.

(3) Each faculty member, in applying for a fellowship leave, shall sign an agreement to return to the institution for a period of at least one year's service on completion of the leave. If the faculty member fails to fulfill this obligation, the faculty member shall repay the full cost of benefits paid by the institution during the leave. This amount is due and payable three months following the date designated in the institution's fellowship leave agreement for the faculty member to return to the institution.

I. Career Development Leave

Career development leave is available to unclassified, faculty, and classified employees of the University as leave without pay, subject to the approval of the University.

J. Vacations

(1) Eligibility. Vacation means absence from work permitting rest and recreation for a specified period of time during which regular compensation continues. Unclassified employees gain vacation privileges only if employed at .50 FTE or more on a 12-month appointment.

(2) Computation. Eligible unclassified employees accrue vacation on a monthly basis, beginning the first of the month following date of hire or on the first of the month if an employee is hired the first working day of the month. Vacation accrues on the last day of the month and is available for use the first day of the next month subject to the restrictions in Section J(3) of this policy. A 9-month employee appointed to a 12-month contract may receive credit for the previous 9-month contract, on a pro-rata basis. Eligible employees with a 12-month, 1.0 FTE contract accrue 15 hours of vacation per month; eligible employees on a .50 FTE or more contract accrue vacation in proportion to their FTE. An employee who terminates OUS employment before completing the 6-month wait period receives no vacation, and is not entitled to compensation for vacation accrued. On February 28, 1998, eligible employees shall be credited with vacation leave on a pro-rata basis at a rate of 14.67 hours per month as if monthly accrual had begun on their last vacation anniversary date or, for those employed fewer than 11 months, on their date of hire.

(3) Wait Period and Maximum Balance. Vacation accrual is available to the unclassified employee for use six months after vacation accrual begins. Until September 1, 1999, there will be no maximum on the amount of vacation leave that an employee can accrue. However, effective September 1, 1999, no employee may accrue in excess of 260 hours, and any accrued vacation leave in excess of this cap will be forfeited.

(4) Transfer.
(a) Inter-institutional/Unclassified to Unclassified. If an eligible unclassified employee transfers to another unclassified position within the Department and remains eligible for vacation accrual, the employee shall transfer all accrued vacation leave to the new position. However, if there is a break in service for more than 30 days, all accrued vacation pay will be paid off by the sending institution and the employee will be considered a new hire in the position. Moving from position to position within the same institution shall not be considered a transfer or a break in service for purposes of this rule.

(b) For purposes of this Rule, OHSU shall be considered an institution within the Department whereby an OHSU unclassified employee who "transfers to unclassified position within the Department and remains eligible for vacation accrual," may, subject to approval by the receiving department or institution, transfer all accrued vacation time from OHSU to an institution within the Department; upon such a transfer, the vacation benefits of a former OHSU employee shall be administered in accordance with Section J.

(c) Classified to Unclassified Appointment. If a classified employee of the Department receives an unclassified appointment within the Department and is eligible for vacation leave, the employee may bring up to 80 hours of accrued vacation leave; the receiving department or institution may accept up to 250 hours maximum. The former classified employee shall receive cash compensation from the sending department or institution for any remaining accrued vacation leave. The former classified employee may use accrued vacation without serving a 6 month wait period.

(5) The accrual of vacation leave is reduced on a pro-rata basis for the period of leave without pay, sabbatical leave, and educational leave. Vacation leave is accrued during other periods of paid leave.

(6) Payment for Accrued Vacation Leave. Unclassified employees are not entitled to payment for unused vacation leave except upon termination of employment or upon transfer within the Department to another unclassified position not eligible for vacation benefits. Unclassified employees who transfer to a classified position within State of Oregon employment are subject to applicable OUS rules or collective bargaining agreements governing payment for accrued vacation. The maximum number of hours that can be paid upon termination or transfer is 180 hours.

(7) Scheduling and Use of Vacation Leaves. Vacation leaves are scheduled with the approval of the employee's supervisor and should be planned cooperatively with the employee. Vacation leave should be scheduled in such a manner as to minimize disruption to the organization. Supervisors must be reasonable in allowing the use of vacation leave and may not unreasonably deny vacation requests where the result would be the forfeiture of accrued vacation. For purposes of calculation, one normal work day is the equivalent of eight hours of vacation leave for a full-time employee.

(8) Record Keeping. The University is responsible for maintaining the individual records of vacation accrual and use.
(9) Vacation Donation. The transfer of vacation time, for use by another employee, classified or unclassified, is not permitted.

(10) Vacation Borrowing. Employees are not permitted to borrow against vacation that is not yet accrued. (Section 12, relating to interim provisions for employees moving from Management Service to Unclassified Service, was repealed December 1, 1999.)

(11) Notwithstanding Section J(6) of this policy, from the period December 1, 2013 through June 30, 2015, unclassified employees of the Office of the Chancellor, upon termination or transfer as described in this rule, may receive cash payment for up to 260 hours of accrued vacation leave.

K. Absence Due to Illness

Reassignment of the work of a staff member incapacitated by illness over a period longer than one month must have the approval of the President or division head.

L. Sick Leave Plan for Academic Personnel

(1) Eligibility. All full-time academic staff will be credited with eight hours of sick leave for each full month of service, or two hours for each full week of service less than one month. Part-time academic staff employed .50 FTE appointment or more will be credited pro rata amount. Graduate assistants are not eligible to accrue or to use sick leave. An academic staff member whose appointment is less than .50 FTE is not eligible to accrue sick leave, but is eligible to use a prorate of sick leave accrued but unused while previously employed .50 FTE or more. In addition, sick leave is not earned or used during sabbatical leave, educational leave or leave without pay. Sick leave credit shall be earned during sick leave with pay and during other periods of paid leave. There is no limit on the amount of sick leave that may be accrued.

(2) Earned Sick Leave Use. Academic staff who have earned sick leave credits must use the credits for any period of absence from service that is due to the employee's illness, injury, disability resulting from pregnancy, necessity for medical or dental care, exposure to contagious disease or attendance upon members of the employee's immediate family (employee's parents, spouse, children, brother, sister, grandmother, grandfather, son-in-law, daughter-in-law or another member of the immediate household) where employee's presence is required because of illness or death in the immediate family of the academic staff member or the academic staff member's spouse. As an alternative, the academic staff member can request to be on sick leave without pay. The institution may require a physician's certificate to support the sick leave claim for any absence in excess of 15 consecutive calendar days or for recurring sick leave use. The institution may require a physician's certificate before allowing return to work to certify that the return would not be detrimental to the academic staff member or to others.

(3) Recordkeeping. At the time and in the manner prescribed by the President, each academic staff member covered by these provisions shall certify to the officer designated the amount of
sick leave earned and the amount of sick leave with pay used. Sick leave records will be maintained in an appropriate file at the institution.

(4) Sick Leave Without Pay. The President or designee may grant sick leave without pay for up to one year when the academic staff member has used all accrued sick leave with pay. The academic staff member must submit a written request for leave and shall be required to submit a physician's certificate. Extensions beyond one year may be granted on a year-by-year basis.

(5) Unearned Sick Leave Advance. The purpose of this section is to provide salary continuance for up to 90 calendar days of absence due to illness through a combination of accrued and advance sick leave. Each full-time academic staff member is entitled to receive a sick-leave-with-pay advance as needed to provide the difference between sick leave earned as of the onset of the illness or injury and 520 hours; part-time staff are eligible to receive a sick-leave-with-pay advance proportional to FTE to provide the difference between sick leave earned as of the onset of the illness or injury and a prorate of 520 hours. As sick leave is earned, the amount shall replace any sick leave advanced until all advanced time is replaced with earned time. No more than a 520-hour sick leave advance is available during a seven-year period that begins with the first sick leave advance. More than one sick leave advance is possible as long as the total advance does not exceed 520 hours during a seven-year period. Sick leave that may have been advanced, but unused, cannot be considered for purposes of computing retirement benefits. Academic staff on fixed term appointment cannot receive an advance that extends beyond the end date of the fixed term appointment except upon written approval of the President or designee.

(6) Transfer and Termination. An academic staff member is entitled to transfer in unused sick leave earned with any other agency of the State of Oregon including sick leave earned in the classified service provided the break in service upon transfer does not exceed two years. An academic staff member who leaves employment with the State of Oregon and then returns is entitled to reinstate the previous unused, accrued sick leave. An academic staff member who terminates employment is not entitled to compensation for unused sick leave except in the calculation of the Public Employees' Retirement System (PERS) retirement benefit as provided in ORS 237.153. As used in this subsection, and for these purposes only, the term "any other agency of the State of Oregon" shall include and apply to the Oregon Health & Science University (OHSU).

(7) Summer Appointments. Regular nine-month academic staff employed half-time or more to teach summer session or to work on summer wage appointments are eligible to accrue and to use sick leave during the period of such appointment. Regular nine-month staff employed less than half-time during summer session are not eligible to accrue sick leave, but are eligible to use a prorate of sick leave earned but unused while previously eligible to accrue leave. Other summer session teaching staff hired only to teach summer session are not eligible to accrue or to use sick leave.

(8) Workers' Compensation Integration. The purpose of this section is to insure that an academic staff member who receives a workers' compensation payment for lost time resulting from a
compensable job-related illness or injury and salary paid for the same period of time does not exceed the academic staff member's regular salary for that period, and that paid leave is not charged for the payment received from workers' compensation:

(a) Salary paid for a period of sick leave that is taken as the result of a job-related illness or injury compensable under workers' compensation shall be equal to the difference between the worker's compensation benefit for lost time and the academic staff member's regular salary for the period for which the benefit is being paid. An academic staff member who is receiving workers' compensation time loss benefits can choose to use a prorated amount of accrued sick leave or a prorated amount of other accrued paid leave or sick leave without pay. Should an academic staff member elect to use other accrued paid leave for this purpose, instead of sick leave, the salary paid for this period shall be the difference between the workers' compensation benefit paid for lost time and the academic staff member's regular salary for the period for which the benefit is being paid. In such instances prorated charges will be made against the accrued paid leave;

(b) An academic staff member is not entitled to keep both salary, including paid leave, and workers' compensation benefits if the total exceeds the employee's regular salary. The University is responsible for coordinating the proration of salary, including sick leave or other paid leave, with workers' compensation lost time benefits. The University is entitled and is responsible to recover any salary overpayment that may have occurred. An academic staff member who receives a regular salary payment and a workers' compensation lost time benefit payment shall immediately notify the institutional payroll or other designated officer of such overpayment and shall return promptly to the University the amount of the salary overpayment. The University shall recover the amount of salary overpayment through payroll deduction or by cash payment according to existing University procedures.

M. Transfer of Accumulated, Unused Sick Leave

(1) University academic and administrative unclassified staff may transfer unused accumulated leave balances between the University and state agencies, subject to sick leave transfer provisions in (3) and (4), and applicable collective bargaining agreements.

(2) For purposes of this policy, a "state agency" includes all state agencies in the executive, judicial, or legislative departments of the State of Oregon. Special government bodies, including community colleges, school districts, education service districts, are not considered state agencies for purposes of this rule. Local government public employers other than state agencies are likewise ineligible to transfer unused leave to or from the University.

(3) Assumption of Funding Liability. Hiring agencies and departments assume funding liability for sick leave transferred under the provisions of this policy.

(4) Sick Leave. The full amount of accumulated, unused sick leave available at the time an employee separates from service may be transferred to the University or state agency when the
employee is hired. Unearned, advanced sick leave that results in a negative sick leave balance is neither transferred nor accepted by the University.

(a) Accumulated, unused state agency sick leave earned during employment with a state agency, including leave earned in classified service, may be transferred to the hiring University if the break in service does not exceed two years, subject to approval of the hiring University.

(b) Accumulated, unused sick leave earned during employment with the University shall be transferred to the hiring state agency if the break in service does not exceed two years, subject to the rules of the state agency.

N. Use of Employees' Social Security Numbers

(1) The University shall comply with the requirements of Section 7 of the Privacy Act of 1974 when requesting disclosure of an employee's Social Security Number. Pursuant to the authority of the University to implement personnel systems and exercise payroll authority, the University may request that employees furnish valid Social Security Numbers for mandatory and voluntary uses, subject to the use and disclosure provisions of the Privacy Act.

(2)(a) The University may require disclosure of an employee's Social Security Number for mandatory uses as provided for under Section 7(a)(2) of the Privacy Act, including:

(A) Use and disclosure for certain program purposes, including disclosure to the Internal Revenue Service, the Social Security Administration, the Federal Parent Locator Service, the Department of Veterans Affairs, the Bureau of Citizenship and Immigration Services, Aid to Families with Dependent Children, Medicare and Medicaid, Unemployment Insurance, Workers Compensation, and, in appropriate cases, epidemiological research.

(B) Administration and accounting purposes including the payment of state, federal and local payroll taxes; withholdings for FUTA and FICA; calculation and applicable reporting of pre-tax salary deductions for benefits including, but not limited to, IRC 117 and IRC 127 scholarship and educational assistance programs; IRC 457 deferred compensation and IRC 403(b) tax-sheltered annuity plans; IRC 401(a) retirement plans; IRC 132 pre-tax parking and transit plans, IRC 125 flexible spending account or cafeteria plans; or IRC 105 or 106 health reimbursement arrangements.

(C) To the extent required by federal law, an employee's Social Security Number may be provided to a foreign, federal, state, or local law enforcement agency for investigation of a violation or potential violation of a law for which that entity has jurisdiction for investigation or prosecution.

(b) The University may request voluntary disclosure and consent to use an employee's Social Security Number for the following purposes: internal verification and identification for personnel
administration, employment-related background checks, payroll records, enrollments or elections for participation in campus programs and services provided by the public universities.

(c) The University may request voluntary disclosure and consent to use the Social Security Number of an employee or the spouse, partner or dependent of the person requesting participation, as required by the administrator of each record-keeping system, benefit, program or service.

(3) A request for disclosure of an employees' Social Security Number will notify the employee:

(a) Whether disclosure is mandatory or voluntary;

(b) Under what statutory or other authority the social security number is requested;

(c) What specific use or uses will be made of the number; and

(d) What effect, if any, refusal to provide the number or to grant consent for a voluntary use as described above in (2)(b) and (c) will have on an individual.

(4) An employee's Social Security Number may not be put to a voluntary use as described above in (2)(b) and (c) unless the employee has granted consent for that use. If, after having provided notice and received consent to use an employee's Social Security Number for specified purposes, the University wishes to use the Social Security Number for additional purposes not included in the original notice and consent, the requesting entity must provide the employee notice and receive the employee's consent to use the number for those additional purposes.

(5) An employee's refusal to permit a voluntary use of his or her Social Security Number will not be used as a basis to deny the employee a right, benefit, or privilege provided by law.

(6) The University will develop a model disclosure and consent form for use by the University. The University may use a disclosure and consent form that differs from the model form only if:

(a) The differences are required to satisfy specific programmatic requirements or the entity's particular administrative needs, and

(b) The form complies with all requirements of the Privacy Act of 1974 and this rule.

O. Conditions of Employment on Gift, Grant and Contract Funds

(1) The President shall determine whether unclassified personnel whose employment is financed primarily by gifts, grants or contracts shall be subject to University policies regarding vacations, sick leave, tenure, promotion, sabbatical leave and timely notice of nonrenewal or termination of employment.
(2) University policies that do not apply to a particular employee, and any substitute provisions, shall be specifically identified in the notice of appointment.

P. Grievance Procedures

(1) The University shall adopt, in consultation with faculty advisory committees including female and minority faculty and representatives of certified bargaining units, if any, appropriate grievance procedures, in accordance with the rulemaking procedures of the Administrative Procedure Act. The grievance procedures shall apply to all unclassified academic employees with faculty rank.

(2) For purposes of this policy and Section Q:

(a) "Grievance" means a complaint by an academic employee that the employee was wronged in connection with compensation, tenure, promotion or other conditions of employment or the employee's rights were denied as to reappointment;

(b) "Other conditions of employment" shall include, but not necessarily be limited to: violations of academic freedom; discriminatory employment practices; nondiscriminatory employment practices; and laws, rules, policies, and procedures under which the University operates. However, challenges to disciplinary actions or procedures shall be raised under Section F;

(c) "Days" mean calendar days unless expressly designated otherwise.

(3) The University’s grievance procedures shall:

(a) Set out the details of a grievance procedure appropriate to the University;

(b) Include both informal and formal steps. The formal steps shall include an appropriate administrator, a faculty committee (at the option of the grievant) and the President. The University may (at its option) provide a grievance officer. However, a grievance may be resolved at any step. In a formal grievance, all complaints, responses and decisions must be in writing;

(c) Establish time limits within which a grievance must be filed and for each step that will permit timely resolution of issues. Informal grievances shall receive a response within 15 days. In no instance shall the length of time between the presentation of the written grievance and the final University decision be more than 180 days, unless agreed to by the grievant. In the event a decision is not made at any level within the designated time limit, the grievant may submit the grievance to the next step;

(d) Provide for a hearing, at the option of the grievant, by a faculty committee selected by the faculty at the University.
(e) Provide for the appointment by the president of an administrative officer, or officers, (grievance officer) to receive and act upon the recommendations of the faculty committee. The University may, alternatively, opt to have the President receive and act upon the recommendations of the faculty committee.

(4) The University may elect not to proceed with a grievance if the grievant also seeks resolution in another forum.

(5) The University shall adopt rules of procedure for the faculty committee that allow for:

(a) A meaningful opportunity for the grievant to be heard;

(b) An opportunity for each party to present evidence, argument and rebuttal;

(c) The right to representation for each party at that party's expense;

(d) A hearing open to the public at the option of the grievant to the extent allowed by law;

(e) Written conclusions, based only upon evidence presented at the hearing; and

(f) Access by each party to a complete record of the hearing.

(6) The faculty committee shall make recommendations regarding the disposition of the grievance to the grievance officer or President (depending on the University’s election).

(7) Unless the grievance is resolved at a lower level, the President or grievance officer (depending on the University’s election), shall review the recommendations of the faculty committee, if any, and the President or grievance officer shall issue a decision.

(8) If the President or grievance officer (depending on the University’s election) rejects or modifies the recommendations of the faculty hearing committee, the reasons shall be stated in writing, and a copy provided to the grievant and to the hearing committee.

(9) Where the University has opted to use a grievance officer, the grievant may appeal the decision of the grievance officer to the President pursuant to Section Q.

(10) Under either option as set forth above, and except as set forth herein, the decision of the President shall be final, and shall be an exhaustion of grievant's administrative remedies with the University and the Board of Trustees (Board). If the grievance involves the President or where the President is the immediate supervisor of the grievant, then the appeal, set forth in Section 9, shall be to the Board (all other provisions of this rule shall otherwise apply).
(11) Nothing contained in this policy shall be construed to limit the right of the Board to make such inquiry and review into personnel actions as it may from time to time deem, in its sole discretion, appropriate.

(12) Where collective bargaining agreements or policies exist at the University in which grievance procedures are specified and such procedures exceed the standards in this policy, such agreements or policies shall control, to the extent not inconsistent with the policy.

(13) After consultation with the appropriate faculty committees and approval of the President, the University shall adopt its policies by October 1, 2001.

(14) The University shall report annually to the Board beginning July 2002, on the number, basis and outcome of all formal grievances filed under the policies herein required.

**Q. Appeal of Grievance Decisions**

(1) Where the University has opted to utilize the process of decision by a grievance officer as set forth in Section P(3)(e), a grievant may request review by the President of a decision described in Section P(7). The President shall review the record of the grievance. The President shall decide, based on his/her own review, whether to support the grievance officer's decision. The President's decision must be reached within 90 days of the date on which the request is received in the President's Office.

(2) A request for review by the President shall be in writing and must be received in the President's Office within 15 days of the grievant's receipt of the grievance officer's decision. The request shall briefly state the basis for the request for review and the specific facts that would support action by the President consistent with Section Q(4) of this policy. The request shall include a copy of the grievance officer's decision.

(3) Review by the President shall consist of an examination of the record of the grievance. The President may elect to receive additional written or oral presentations from the grievant and the grievance officer.

(4) The President shall not reverse a decision of a grievance officer unless:

(a) Procedural error was committed by the University during the grievance procedure and the error resulted in prejudice to the grievant;

(b) The decision of the grievance officer is not supported by substantial evidence; or

(c) The decision is in conflict with applicable policies or law.
Confidentiality of Client/Patient Health Care and Survivors' Services Information

Policy Number: III.05.02
Reason for Policy: This policy outlines the University of Oregon’s approach to the management of confidential student information obtain during the receipt of health care and/or survivors’ services. Specifically, the policy addresses the limited circumstances in which information may be disclosed and what processes and approvals are required in such circumstances.
Entities Affected by this Policy: Any individual who receives health services and survivors’ services from the University of Oregon, as anyone who has responsibility for managing, maintaining or working with records relating to such services.
Responsible Office: For questions about this policy, please contact the Division of Student Life at (541) 346-3216.

Website Address for this Policy:

https://policies.uoregon.edu/III.05.02

Enactment & Revision History: Adopted as a permanent policy by President Michael Schill on 04/29/2016.

Enacted by President Michael Schill as a temporary emergency policy on 10/01/2015.

Policy:

General Obligations and Limitations Regarding Confidentiality
The University of Oregon is committed to upholding legal and professional obligations to protect confidentiality. Confidentiality is central to the effective provision of health care and survivors’ services. Providers of health care and/or survivors’ services have a duty to carry out the obligations of confidentiality imposed by law, professional codes of ethics, and this policy. In most circumstances, providers involved in the care of clients/patients shall not disclose information without written authorization from the client/patient. Disclosures made pursuant to exceptions arising from federal and state laws or professional codes of ethics shall be limited to the minimum information necessary.
Litigation and Confidentiality
When the University of Oregon is involved, or anticipates being involved in a legal proceeding, the University of Oregon has chosen to uphold a more protective standard with regard to confidential health care and survivors’ services information than may be required under state and federal laws, and professional codes of ethics. The following describes the standards that the University of Oregon will follow in relation to legal proceedings or anticipated legal proceedings.

1. If information needs to be preserved, the University of Oregon will implement a litigation hold. General Counsel will direct appropriate university personnel outside of the Office of General Counsel to ‘hold in-place’ all potentially relevant confidential records and/or direct relevant Information Technology staff to institute an “IT hold” for such records, in order to ensure compliance with a litigation hold. Each unit that creates or maintains such records will develop a litigation hold-in-place procedure to be approved by General Counsel.

2. In response to an actual or anticipated lawsuit, board complaint, or other legal proceeding initiated by a client/patient regarding the provision of health care and/or survivor’s services (i.e. professional negligence related to these services), the University of Oregon may access and use that client/patient’s confidential health and/or survivors’ services information related to such services to defend itself and those who provide services in a manner consistent with state and federal law, and professional ethics. The University will access the information via a subpoena whenever it is possible to issue a subpoena. If it is not possible to issue a subpoena, the University will provide the client/patient notice and an opportunity to object to accessing the information before any accessing of the information occurs.

3. When the University of Oregon is a party (or may become a party) to a lawsuit with a claim that is not covered by paragraph #2, and receives a subpoena or request from an outside party for records that include confidential health care and/or survivors’ services information, the University, its health centers/clinics, providers, and confidential responders will, if there is a good faith basis under applicable law, resist subpoenas or other requests, notify the client/patient of the subpoena or request, inform the client/patient of their right to seek independent legal advice, and release privileged information only in response to an order from a court or tribunal, a stipulated protective order that the client/patient has signed, or a written authorization from the client/patient. Prior to any access by University officials, in cases of a disagreement with General Counsel, in order to ensure that the University respects legal and professional obligations to protect confidentiality a provider/custodian of record may request University funding for independent legal counsel concerning the disclosure of records. Denial of such a request may be appealed to the University President.

4. In instances not covered by paragraph #2, if existing law (e.g., FERPA, HIPAA, state law) allows University officials to access a client/patient’s confidential health care and/or survivors’ services information, University officials will forgo access without a stipulated protective order that the client/patient has signed, a written authorization from the client/patient to use the records, or a court order. Prior to any access by University personnel, in cases of a disagreement with General Counsel, in order to ensure that the University respects legal and professional obligations to protect confidentiality a provider/custodian of record may request University
funding for independent legal counsel concerning the disclosure of records. Denial of such a request may be appealed to the University President.

5. When the University of Oregon is a non-party in a legal proceeding (i.e., neither the plaintiff nor the defendant) and receives a subpoena for records that include confidential health care and/or survivors’ services information, the University of Oregon will, if there is a good faith basis under applicable law, resist subpoenas or other requests, notify the client/patient of the subpoena or request, inform the client/patient of their right to seek independent legal advice, and release privileged information only in response to an order from a court or tribunal, a stipulated protective order that the client/patient has signed, or a written authorization from the client/patient. Prior to any access by University officials, in cases of a disagreement with General Counsel, in order to ensure that the University respects legal and professional obligations to protect confidentiality a provider/custodian of record may request University funding for independent legal counsel concerning the disclosure of records. Denial of such a request may be appealed to the University President.

6. Nothing in this policy shall be construed to require those subject to this policy to violate any state or federal legal or ethical obligations. Nor shall this policy be construed to limit the ability of a provider to act in the best interests of the provider’s client/patient, consistent with state and federal law.

7. Nothing in this policy shall be construed to limit the ability of a University health center or clinic to obtain professional liability and/or general liability insurance coverage and comply with the terms of that coverage, including consulting outside counsel or other medical professionals for risk mitigation, or to establish, at the health center or clinic’s option, a risk management team that operates inside any center or clinic. University employees selected by the center or clinic to participate on and provide support services to such a team (e.g., risk management, compliance, administration, information technology, billing) will have access to health and/or survivors’ services information only within the physical confines of the respective center and only after the name and any other identifying information, as much as is feasible in the circumstances, of the client/patient has been removed from such information.

Advice and Information for Clients and Patients
Confidentiality is a complex issue, and the issues can vary depending on the specific services that a client or patient receives, the records created as part of those services, and the laws that apply. Thus, it is essential that clients/patients discuss confidentiality with their specific providers. It is also important that clients and patients served by University of Oregon clinics, health centers, and confidential responders know who has access to information that clients/patients share with their providers, and under what conditions confidential information may be used or disclosed. University of Oregon health centers, clinics, and confidential responders will provide written information to every client/patient that describes the confidentiality of the client/patient's health care or survivors’ services information and provides a link to this policy.

Implementation and Review of University of Oregon Health Center, Clinic, or Confidential Responder Confidentiality Policies and Practices
Every health center, clinic, or confidential responder (i.e., unit) that creates, receives, maintains,
or transmits confidential health information must have policies and practices in place that follow all applicable state and federal laws, reflect the highest professional standards of confidentiality, and comply with this policy.

Definitions

For purposes of this policy:

Confidential health and/or survivors’ services information is information that is “personally identifiable” to the client/patient at the time it is disclosed, as that term is used by the applicable state and federal law governing the specific information.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 5: Student Records

Conflict of Interest, Conflict of Commitment, and Outside Activities

Policy Number: I.02.02
Reason for Policy: If employees are to be permitted to engage in outside activities that may or will include conflicts of interest or conflicts of commitment, state law requires a university policy to govern such outside activities.
Entities Affected by this Policy: This policy applies to all University of Oregon employees, officials, and agents. It does not in any way alter the requirements contained in the Financial Conflict of Interest in Research Policy (II.06.01) or the Inventions, License Agreements, Educational & Professional Materials Development, Patents & Copyrights Policy (II.07.02).
Responsible Office: The responsible office for this policy is the Office of the Provost – (541) 346-3081 or otp@uoregon.edu; inquiries may also be directed to the Office of General Counsel – (541) 346-3082 or gcounsel@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-1-governance/ch-2-legal-affairs/conflic...
Teaching, research, administration, and public service are essential to the mission of the University of Oregon. The function of the University is enhanced by ethical relationships between employees and outside entities. The University encourages employees to engage in outside activities that advance the mission of the University with the expectation that those activities be proactively disclosed, when required by this policy, if they would or could present a conflict of interest (defined below) so they can be managed in a manner that protects integrity, ensures legal compliance, and promotes good stewardship of public resources.

This policy should be read as protecting the academic and personal freedoms of those choosing to engage in outside activities. This policy recognizes the importance of those activities and the value of the application of knowledge outside the institution by authorizing employees’ outside activities.

According to Oregon Statute, in order for employees to be able to receive outside compensation, the University must authorize employees to receive outside compensation (ORS 352.232). Further, the University is prohibited from authorizing outside compensation that “does not comport with the mission of the public university or substantially interferes with an officer’s or employee’s duties to the university.” (ORS 352.232(2))

This policy does not ban outside activities. Rather, it provides a path to authorizing such activities while also complying with applicable state laws. This policy also provides an appeal
process and a process for reporting concerns regarding potential conflicts of interest of employees.

II. DEFINITIONS

Conflict of commitment: A situation where an individual engages in outside activities, either paid or unpaid, that substantially interfere with the individual’s duties to the University of Oregon.

Conflict of interest: Any action, decision, or recommendation by a person acting in their capacity as a University employee that would (for actual conflicts) or could (for potential conflicts) have a private financial impact on the person or their relative, or any business with which either is associated. ORS 244.020(1), (13).

Consulting: Providing expert knowledge or advice to an entity or person. It does not include conducting research and development or the creation of technological improvements, inventions, or software.

Consulting entity: Any business, company, or other organization, including (but not limited to) any partnership, corporation, limited liability corporation, or other institution whether public, for-profit, or not-for-profit that provides expert knowledge or advice to an entity or person.

Employee: Any employee, official, or agent as defined by state law.

Entity: Any business, company, or other organization, including (but not limited to) any partnership, corporation, limited liability corporation, foreign government or agent, or other institution whether public, for-profit, or not-for-profit.

Duties: Responsibilities expected and performed on behalf of the University for which people are employed by the University, as described in a position description, unit-level workload policy, assigned by a supervisor, or otherwise required of an employee by the University.

Outside activities: Things that an employee does which are not duties and are not performed on behalf of the University.

III. GENERAL GUIDELINES
A. Employees are encouraged to engage in outside activities that comport with the mission of the University, including but not limited to dissemination, translation, application, and commercialization of research, scholarship, and creative activity beyond the University.
B. Employees generally may not:
   1. Make private, commercial use, without permission, of University supplies, facilities, equipment, employees, records, intellectual property, or any other University resources.
   2. Use non-public information accessed as a University employee to obtain a private financial benefit for the employee.
3. Engage in activities that substantially interfere with the employee’s duties to the University (conflict of commitment). The following are examples of instances in which outside activities are presumed not to substantially interfere with an employee’s duties:
   a. For all employees, time commitments while employees are on leave and during University holidays are presumed not to substantially interfere with the employee’s duties to the University.
   b. For all hourly and part-time employees, outside activities that are performed outside of that employment are presumed not to substantially interfere with the employee’s duties to the University.
   c. For full-time 9-month faculty, time commitments that do not exceed one day in each seven-day week, generally averaged over a quarter, are presumed not to substantially interfere with the employee’s duties to the University. For part-time 9-month faculty, the same principle applies but is prorated by FTE.
   d. For both full- and part-time 9-month faculty, any time commitments during the summer months are presumed not to substantially interfere with the employee’s duties to the University unless they have a paid appointment during the summer, in which case the one-day-in-seven principle in 3.c applies during the period of their appointment.
   e. For all sabbatical-eligible faculty, outside activities conducted during a sabbatical are presumed not to substantially interfere with an employee’s duties to the University if they are included as part of sabbatical plan approved by the Provost.

IV. OUTSIDE ACTIVITIES

Some outside activities can be conducted without prior approval, while other outside activities require approval before an employee can engage in the outside activity because of the risk that the outside activity might present a conflict of interest and may need to be actively managed. The President or designee(s) is charged with deciding whether outside activities constitute a conflict of interest and need to be actively managed.

A. Exempt Outside Activities for Which Disclosure and Approval Are Not Required

Prior approval is generally not required for outside activities identified below. However, if any of these outside activities create an actual or potential conflict of interest or conflict of commitment, the employee must disclose the outside activity.

1. Exempt Outside Activities Unrelated to University Employment

As long as they follow the general guidelines (Section III), employees are generally not expected to disclose outside activities unrelated to their University employment. If there is any doubt whether the outside activity may interfere with the employee’s duties to the University, or may be related to the employee’s University employment, the employee must disclose the outside activity pursuant to this policy.
2. **Exempt Outside Activities Related to University Employment**

As long as they follow the general guidelines (Section III), *employees* are not expected to disclose:

a. Reimbursement for travel. Such activity remains subject to [ORS 244.025](https://www.leg.state.or.us/ors/ors300.php?ors=ORS+244.025) regarding gifts and [ORS 244.042](https://www.leg.state.or.us/ors/ors300.php?ors=ORS+244.042) regarding honoraria.
b. Appearances, performances, exhibits, or publications.
c. *Outside activities* of “student employees” or “graduate employees.”
d. *Consulting* as an individual or sole proprietor.
e. Uncompensated outside activities.
f. Employment that does not fall under IV.B below.

*Employees* must ensure that when they are engaging in *outside activities* that do not require prior approval, they comply with other University policies, including but not limited to the Policy on Inventions, License Agreements, Educational & Professional Materials Development, Patents & Copyrights (II.07.02).

B. **Outside Activities for Which Prior Disclosure and Approval are Required**

An *employee* must seek prior approval pursuant to Section V for all *outside activities* that may give rise to actual or potential conflicts of interest. Even when the general guidelines (Section III) are followed, *employees* must seek prior approval for the following (unless exempt under section IV.A.):

1. Ownership of equity in an *entity*, including a consulting *entity*, that carries on activities closely related to the University *employee’s duties* and/or field of expertise. This excludes consulting as an individual or sole proprietor.
2. *Outside activities* performed in exchange for equity in an *entity* that carries on activities closely related to the University *employee’s duties* and/or field of expertise. This excludes publicly-traded equity unless the *employee* has a majority ownership in that *entity*.
3. *Outside activities* closely related to the University *employee’s duties* and/or field of expertise that involve research and development and/or the creation of technological improvements, inventions, or software.
4. Managing or significant participation in the day-to-day operations of an *entity* that carries on activity closely related to the *employee’s University duties* and/or field of expertise.
5. Employment of University of Oregon students whom the *employee* currently teaches, directly supervises, or formally advises in the execution of *outside activities*.

V. **OUTSIDE ACTIVITY DISCLOSURE AND APPROVAL PROCESS**

A. **Outside Activity Disclosure**

1. If they have something to disclose, *employees* must submit a written disclosure each calendar year. When completing the disclosure, *employees* should err on the side of caution and provide
advance disclosure when they are unsure whether an outside activity is exempt or requires prior approval.

2. Employees are not expected to disclose exempt activities.

3. In addition, if an employee would like to engage in an outside activity that requires prior approval during the year (such as those outlined in Section IV.B), the employee must amend their written disclosure and seek approval prior to engaging in the outside activity.

4. The President or designee(s) will ensure a reminder is sent at least annually to all employees.

B. Review and Approval

1. The President or designee(s) will create procedures for the review of disclosures, decisions about whether an outside activity is approved, and for the review and approval of management plans.

2. Outside activity that creates an actual or potential conflict of interest is subject to a management plan and/or a decision that the outside activity may not be authorized.

3. In approving or denying requests, the President or designee(s) will:
   a. Determine whether the outside activity constitutes a conflict of interest (actual or potential) or conflict of commitment;
   b. Notify the employee of the determination; and
   c. If warranted, develop a management plan, in consultation with the employee and their supervisor, to mitigate the actual or potential conflict(s).

4. Approval may occur for individual or categories of activities.

VI. REPORTING CONCERNS ABOUT ANOTHER EMPLOYEE

Any University employee who has concerns about the permissibility of an activity on the part of another employee should discuss those concerns with their supervisor or the President’s designee(s). Reports can also be made to the Office of Internal Audit using its Fraud & Ethics Hotline. The President or designee(s) will create procedures for addressing concerns regarding the permissibility of any activity under this policy.

VII. APPEALS

Decisions under this policy may be appealed in writing to the President or designee(s). The President or designee(s) will create procedures and timelines associated with appeals.

VIII. ACCOUNTABILITY

This policy has the force of law pursuant to ORS 352.087. Failure of a University employee to comply with this policy and its associated procedures will subject the employee to discipline up to and including termination. Discipline will be imposed consistent with applicable University policies and/or applicable collective bargaining agreements.
Chapter/Volume:

• Volume I: Governance
• Chapter 2: Legal affairs

Related Resources: Policies related to this policy:

• Academic Freedom
• COI/COC Website
• Employment of More than One Member of Household
• Faculty: Overload Compensation
• Family Relationships and Employment
• Financial Conflict of Interest in Research
• Financial Irregularities
• Freedom of Inquiry and Free Speech
• Inventions, License Agreements, Educational & Professional Materials Development, Patents & Copyrights

Original Source: UO Policy Statement

Conflicts of Interest and Abuses of Power:
Sexual, Physically Intimate, or Romantic Relationships with Students

Policy Number: V.04.05

Reason for Policy: This policy addresses sexual, physically intimate, or romantic relationships between employees and students, where the employee has power or authority over the student. This policy is meant to foster a learning environment characterized by professional behavior and fair and impartial treatment.

Entities Affected by this Policy: All UO faculty members, Officers of Administration, supervisory employees, and students.

Responsible Office: For questions about this policy, please contact Human Resources at 541-346-3159.

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-4-workplace/confli...
Enactment & Revision History:

Original policy repealed and replaced with the language below on February 18, 2019; policy renumbered to V.04.05.


Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 4 Section 0007.

Policy:

I. Introduction

This policy applies to all conflicts of interest created by sexual, physically intimate, or romantic relationships within the University community that involve faculty, instructors, or supervisory employees and students.

A relationship, for purposes of this policy, is defined as one in which two individuals are involved in a sexual, physically intimate, or romantic relationship. This includes domestic partners and spouses. These relationships pose a potential conflict of interest in the employment or educational context when one individual has, or could reasonably expect to have, responsibility for supervising, directing, overseeing, evaluating, advising, or influencing the employment or educational status of the other.

The University is committed to fostering a learning environment characterized by professional behavior and fair and impartial treatment. The University is concerned about the potential for a conflict of interest in any relationship where one individual has power or authority over the other, which may affect employee or student morale and lead to a deteriorating work or educational environment. A relationship may lead to an abuse of power, coercion, exploitation, favoritism, or unfair treatment of others. Further, even a romantic relationship that begins as consensual may evolve into a situation that leads to sexual harassment, which violates University policies as defined under Related Resources.

II. Policy

It is a violation of University policy for: (1) employees to solicit, initiate or enter into a sexual, physically intimate, or romantic relationship with students subject to their supervision, or evaluation; (2) a faculty member or an instructor to solicit, initiate or enter into sexual or romantic relationships with any person, known to the faculty member to be a student, for whom
the faculty member or instructor has, or should reasonably expect to have in the future, academic or other responsibility (instructional, evaluative, formal advising, counseling, or supervisory). Thus, consistent with the above,

(a) No faculty member or instructor shall solicit, initiate or enter into a sexual, physically intimate, or romantic relationship with any person, known to the faculty member to be a student, for whom the faculty member or instructor has or should reasonably expect to have in the future, responsibility (instructional, evaluative, formal advising, counseling, or supervisory). A faculty member or instructor should reasonably expect to have in the future responsibility (instructional, evaluative, or supervisory) for (1) students whose academic program will require them to enroll in a course taught by the faculty member, (2) students known to the faculty member to have an interest in an academic area within the faculty member’s research and teaching units (department, research center, academic program, or equivalent organizational structure), or (3) any student for whom a faculty member must have academic responsibility (instructional, evaluative, or supervisory) in the pursuit of a degree.

(b) No supervisory employee may solicit, initiate or enter into a sexual, physically intimate, or romantic relationship with a student when the supervisory employee has supervisory or evaluative authority over that student. A supervisory employee is any employee having authority on behalf of the university to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline the student, in either an academic or employment context, or responsibly to direct the student, or to adjust the student’s grievances, or effectively to recommend such action, if the exercise of this authority is not of a merely routine or clerical nature but requires the use of independent judgment.

(2) Pre-existing sexual, physically intimate, or romantic relationship: A pre-existing sexual, physically intimate, or romantic relationships is one that has been entered into prior to a faculty member or instructor or Supervisory Employee having instructional, evaluative, formal advisory or supervisory authority over the student, or otherwise having the opportunity to influence the employment or educational status of the student. The pre-existing relationship must be disclosed promptly by the faculty member or instructor or Supervisory Employee to the head of the employee’s unit or to Human Resources so that Appropriate Arrangements as defined below can be made.

(3) Any person may report an alleged violation of this policy to the Office of Investigations and Civil Rights Compliance. Only the party with instructional, evaluative, formal advisory, or supervisory, power is subject to sanction as defined below for violating this policy. Employees, students and campus community members who make good faith reports under this policy or who participate in an investigation initiated under this policy shall be protected from retaliation based on their report or participation.

Nothing in this policy shall be construed as modifying an employee’s reporting obligations under other UO policies including but not limited to, the student sexual and gender-based harassment and violence complaint and response policy.
III. Definitions

As used in this policy:

(a) "Appropriate arrangement" is action reasonably calculated to remove or substantially mitigate a conflict or a potential conflict of interest or abuse of power, taking into account the interests of the University, the parties to the relationship, and others actually or potentially affected. For purposes of this section, prompt means at the earliest opportunity, typically within two weeks, and prior to the beginning of the instructional, evaluative, advisory, or supervisory authority, or other opportunity to influence the employment or educational status of the student. Appropriate arrangements ensure that the employee does not have instructional, evaluative, advisory, or supervisory role with regard to the student. Where applicable, for the disclosure of a pre-existing relationship, appropriate arrangements should include the option to anonymize the identity of the student involved or the nature of the relationship.

(b) “Employee” refers to all University employees, including classified and unclassified, faculty, staff and supervisors, those who do not hold academic rank, those who hold academic appointments, including officers of administration and graduate employees, and anyone else who teaches classes at the University or supervises the academic work of students. The term employee does not include volunteers or independent contractors.

(c) "Supervisory Employee" means any employee having authority on behalf of the university to hire, transfer, suspend, lay off, recall, promote, discharge, assign, reward or discipline the student, or responsibly to direct the student, in either an academic or employment context, or to adjust the student’s grievances, or effectively to recommend such action, if the exercise of this authority is not of a merely routine or clerical nature but requires the use of independent judgment.

IV. Redress

If the university initiates an investigation against an employee, it will conduct the investigation in an impartial manner. In responding to alleged violations of the University of Oregon Conflicts of Interest and Abuses of Power: Sexual, Physically Intimate, or Romantic Relationships with Student Policy, the university will follow state and federal law, university polices, and any applicable collective bargaining agreements. Employees have the right to provide a defense against an accusation.

V. Sanctions

If after appropriate procedures for investigation and analysis have transpired and the university finds that an employee has violated this policy, it shall take appropriate corrective action. This means that University of Oregon employees who have been found guilty of violating this policy may face discipline up to and including termination.
Construction and Contracting

Policy Number: IV.07.10
Reason for Policy: Establishes general framework for controls associated with the development of capital projects.
Entities Affected by this Policy: All campus departments undertaking construction, renovation, remodels, etc.
Responsible Office: For questions about this policy, please contact Campus Planning Design and Construction at (541) 346-2270 or capcon@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

Revisions approved by President Schill and enacted on April 23, 2019; policy renumbered to IV.07.10.

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

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

1. Construction and Contracting Authority
   a. This policy establishes the structure for procedures that define the Construction and Contracting Authority that will be followed by the University of Oregon to erect, improve, repair, maintain, equip, and furnish buildings and structures.
   b. Much of the University’s capital construction and contracting activities are regulated by federal, state, and local law, the University’s Board of Trustees, restricted gifts, and other controls. The University’s capital construction and contracting activities shall comply with these regulations as stated in this policy.

2. Federal and State Law
   a. The University shall follow all federal laws associated with capital construction and contracting. This includes, but is not limited to, any applicable federal law pertaining to the use of federal funds in capital construction and contracting and the use of tax-exempt bond proceeds.
   b. The University shall follow all state laws associated with capital construction and contracting. This includes, but is not limited to, any applicable state law pertaining to the use of state funds in capital construction and contracting, prevailing wage, competitive procurement and bidding, and construction standards and the use of state-issued bond proceeds.
   c. In the event that any federal or state statute, regulation, administrative rules, or other law, or any local law applicable to a public university, conflicts with the terms of the policy or associated procedures, such law supersedes the terms of this policy or associated procedures.

3. Legislative, Board, and Gifted Fund Spending Authorization
   a. The University shall follow all statutes, regulations, administrative rules, or other law associated with spending authorization requirements established and restrictions imposed by the State of Oregon for legislatively authorized funds for capital construction and contracting.
   b. The University shall follow all policies and procedures established and abide by all restrictions imposed by the University’s Board of Trustees associated with capital construction and contracting, including, but not limited to, spending authorization approval requirements.
   c. The University shall abide by all restrictions imposed on the use of funds conditionally gifted to and accepted by the University for use in capital construction and contracting.

4. Contracting Procurement and Practices
   a. The University will prepare, maintain, and abide by procedures for capital construction and contracting that promote best value and best practice approaches including the use of varying design and construction strategies appropriately tailored to each specific capital construction project. These procedures must support the University’s mission and promote the prudent use of University resources.
   b. The University will prepare, maintain, and abide by procedures for capital construction and contracting that protect and enforce the University’s high ethical standards in context with best practices in the capital construction and contracting industry.
c. The University will choose among varied capital construction, contracting, and consulting methods to be responsive to the individual needs of each project to maximize the University’s ability to obtain best value and quality for each project.

d. The University will maintain capital construction and contracting procurement procedures that promote competition, stimulate and support economic growth across the industry, and promote the participation and growth of diversity within the industry through the proactive engagement of emerging businesses and businesses owned by traditionally underrepresented individuals.

e. The University will maintain capital construction and contracting procurement procedures that are tailored to Oregon’s and local community’s market environment and in accordance with principles of prudent stewardship of public resources required of Oregon public entities.

5. Design and Construction Planning Procedures and Design Standards
a. The University will prepare, maintain, and abide by procedures and design standards that maintain a high-quality campus environment and emphasize long-term master planning strategies.

b. The University will prepare, maintain, and abide by procedures and design standards that establish appropriate life cycle cost considerations that promote long-term fiscal responsibility.

c. The University will prepare, maintain, and abide by procedures and design and construction standards that promote the use of construction techniques and systems that result in long-term, fiscally responsible construction practices.

6. Procedure Update Process
a. Capital construction and contracting procedures identified within and prepared and maintained in accordance with this policy will be subject to change from time to time to respond to the changing environment of the construction industry, economic necessity, industry recognized best practices, and best value needs identified by the University.

b. Except for typographical or similar technical revisions, the University will not change any capital construction and contracting procedures identified within and prepared and maintained in accordance with this policy until it has conducted a public consultation process.

c. This public consultation process shall include a public review and comment period of no less than two weeks. The University increase the length of the public review and comment period as the level of impact of the proposed changes increase. Public review and comment periods will be preceded by a public notice delivered by a reasonable and effective method intended to notify the greatest number of interested members of the public. The University will also publish an informational notice of the proposed changes and the public review and comment period on the UO Business Opportunities Website. Comments will be submitted through established e-mail and web form methods during the review and comment period.

d. The University will hold a public meeting within one week of the close of the public review and comment period. If weather, holiday, or other circumstances delay the meeting, the meeting will be held as soon as practicable after the end of the delay. The University will conduct the meeting as an opportunity for discussion of the proposed procedural changes. The University will present the submitted public comments and the University’s response to the comments and will seek additional input from those attending the meeting.
e. After holding its public meeting, the University may change the procedures included in its public notice. The University will modify its proposed changes to incorporate the substance of public comments to the extent prudent and practicable. The University will then publish the revised procedures on the appropriate University website.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

Related Resources: N/A
Original Source: Oregon Administrative Rule

Copyright Royalty Income (Distribution of)

Last Updated: 10/04/1985
Effective Date: 05/01/1977
Reason for Policy: To explain the policy and procedures to be followed in the distribution of copyright royalty income.
Budget and Resource Planning
Stuart Laing

Policy Statement:

Procedure:

In distributing copyright royalty income at the University of Oregon, the President will give first consideration to the needs of the research and instructional programs of the department from which the particular copyrighted material was derived, and second consideration to the needs of the School or College administratively responsible for that department. The President may also, at the President's discretion, assign funds from said income to instructional support units, including libraries, computing centers, museums, and to other academic units.

Academic units or individual professors desiring to have the University's share of copyright royalty income allocated specifically shall apply in writing to the President for assignment of royalties to departmental accounts. The memorandum of application shall include the following information:

1. Name of activity which generated royalty.

2. Description of intended use of royalty income.
3. Account number to which royalty income shall be distributed.

4. Note of approval from appropriate Department Head.

5. Note of approval or endorsement from Dean of School or College.

If the request is denied, or the royalties are to be allocated in a manner different from that proposed, the applicant(s) will be sent a memorandum of explanation.

Reviewed and Approved By: President's Staff
Date: 10/04/1985
Issued by: Vice President for Administration
Date: 10/04/1985
Revision History: 05/01/1977 Promulgated as AM 15.185 (see also Oregon State Board of Higher Education IMD 6.250)
10/04/1985 Reviewed and approval recommended by President's Staff and reissued
02/08/2010 Policy number revised from 6.000 to 06.00.05
Original Source: UO Policy Statement

Credit for University Courses Taught in High Schools

Policy Number: III.08.06
Reason for Policy: This policy outlines matters pertaining to credit for college courses taught in high schools.
Entities Affected by this Policy: All individuals affiliated with the UO who interact with the above mentioned matters.
Responsible Office: For questions about this policy, please contact the Office of the Provost at (541) 346-3186 provost@uoregon.edu.
Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-8-admissions-oregon-residency/credit-university-courses

Enactment & Revision History:

Revisions approved by the University President on July 2, 2018 following approval by the University Senate in spring term.
Revisions approved by the University President on March 19, 2018 following approval by the University Senate on 2/28/18. Policy renumbered to III.08.06.

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

Former OUS Internal Management Directive 2.030.

Policy:

The University of Oregon (University) may offer college-level courses taught for credit in high schools to serve high school students.

1. These course offerings shall be at the postsecondary level and in addition to high school-level courses required for graduation. When courses are taught at the high schools, course materials shall be the same as, or equivalent to, those of the University of Oregon, as determined by the faculty through institutional and departmental curricular review processes.

2. Student eligibility for university-level credit courses will be mutually determined by the sponsoring institution and the high school.

3. The University will determine the registration processes and tuition.

4. Earned credits and grades will be transcripted by the University.

5. Instructors of college courses in high schools shall meet the University’s academic qualifications for faculty in the discipline being taught, and shall be approved and reviewed by the University’s departments. University faculty may also teach college courses to high school students.

6. University policies for teaching/course evaluation practices will be followed.

7. For credit for college courses taught in high schools, the University will also adhere to the latest Higher Education Coordinating Commission standards.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 8: Admissions, Oregon residency

Related Resources: NA

Original Source: Internal Management Directive
Criminal, Credit and Related Background Checks on Applicants for University Positions

Last Updated: 09/30/2008
Effective Date: 09/30/2008
Human Resources
Nancy Nieraeth

Policy Statement:

The university will conduct criminal, credit and related background checks on finalists for designated positions as necessary to ensure a safe and secure work environment in which university faculty, staff, students, resources and assets are protected. In addition to the background checks described here, reference checks on employment history and other checks will also be conducted as appropriate. Note: the criminal background checks covered by this policy do not include nationwide fingerprint-based criminal records checks.

The University of Oregon, Office of Human Resources will be responsible for administering, interpreting, and maintaining this policy. Questions regarding this policy should be directed to the Director of Talent Acquisition and Development, Human Resources, 677 East 12th Avenue (PeaceHealth North Building), Eugene, OR 97403.

Applicability:
This policy will apply to finalists for job searches conducted after August 1, 2008 on:

- Applicants for designated positions in unclassified, classified, graduate teaching fellow, and student employment; volunteers.
- Current employees applying for internal promotion or transfer to designated positions. (See SEIU Collective Bargaining Agreement, LOA "Criminal Background Checks Policy Implementation" for classified employees.)

Types of background checks and designated positions:
Criminal background checks will be conducted to ensure that the candidate does not have relevant criminal convictions that would make him or her unsuitable or ineligible to perform the responsibilities of a specific position. A conviction includes a plea of no contest, plea of guilty, or court determination of guilt.

Criminal background checks will be conducted for positions that include the following access and/or with the following responsibilities:
• Unsupervised access to children (does not include university students under 18) and vulnerable adults (persons 18 years of age or older who have substantial mental or functional impairments and are unable to protect themselves).
• Access to computer infrastructure, systems or applications that have data deemed to be sensitive, as well as anyone involved in providing computer security services;
• Broad and extensive access to personally identifying information about students, faculty, staff, alumni, donors, or research subjects;
• Direct access to and handling of cash and cash equivalents (i.e., checks, credit card receipts, negotiable securities);
• Ability to modify business or financial records after transactions have been processed through regular approval queues and/or review processes;
• Public safety and campus security;
• Unrestricted access to building master keys, security systems or areas where people have reasonable expectation of privacy;
• Direct access to controlled substances and potentially hazardous chemicals; and
• Access to animal research facilities.

Credit background checks will be conducted to ensure that the candidate's background has no financial irregularities that would make the individual unsuitable or ineligible to perform the responsibilities of a specific position. (Note: Federal law prohibits discrimination as a result of bankruptcy.) Credit background checks will be conducted as appropriate for positions with the following responsibilities:

• Broad and extensive access to personally identifying information about students, faculty, staff, alumni, donors, or research subjects;
• Direct access to and handling of cash and cash equivalents (i.e., checks, credit card receipts, negotiable securities);
• Public safety and campus security.

**Designated positions:**
The Associate Vice President (AVP) for Human Resources, the Assistant Director of Human Resources, or the Human Resources Employment Manager, will designate those positions requiring criminal and/or credit background checks, using the criteria described above and in consultation with the hiring supervisor. The designation will be applied after reviewing specific job duties and requirements and, in most cases, will not be applied generally to all jobs in a classification or employment category. This process will apply to both criminal and credit background checks.

Determination of relevance of criminal and credit background information: Not all criminal convictions or financial problems will preclude applicants from university employment. The criminal and/or credit background report(s) will be reviewed for the type of offense (if any) and its relevance to the position and a determination made if the information received in the background check disqualifies the candidate from that specific job. This decision will be made by at least two of the following: the AVP for Human Resources, the Assistant Human Resources
Director, and/or the Employment Manager in consultation with the hiring supervisor. In addition, staff in the Department of Public Safety, Business Affairs Office, and/or Office of Affirmative Action and Equal Opportunity may be consulted.

An unsuccessful finalist will be informed that he/she is not eligible to fill the position based on the unsatisfactory results of a check and notified of the appeal process.

**Position posting notification and release authorization:**
Recruitment announcements and job postings for positions designated as requiring one or more background check will include a standard statement notifying potential applicants of the intent to conduct a criminal and/or credit background check(s).

A finalist for a position requiring criminal and/or credit background check(s) must sign the university release authorization form. The release form will inform the applicant that criminal convictions do not necessarily preclude employment. In addition, the release form will provide the finalist a summary of rights, including the right of access to credit and/or criminal background check(s) information and a description of the appeal process.

As part of the recruitment process, applicants will be informed of the university policy on confidential handling of documents related to background checks.

**Confidentiality and restricted access to records:**
Information received from criminal and credit background checks will be considered sensitive and disclosure will be restricted. Files pertaining to background checks will be maintained in Human Resources.

**Appeal Process:**
Applicants who are denied employment based on unsatisfactory results will receive notification of rights under the Fair Credit Reporting Act, including his/her right to review the results and obtain information about contacting agencies that provided the background check(s) results.

Unsuccessful applicants will also be given the opportunity to submit a statement in writing to the AVP for Human Resources describing how the information in the report is incorrect or irrelevant to the position in question. In consultation with the appropriate vice president or designee, the AVP will make the final determination of the appeal.

**Legally mandated checks:**
Some university positions carry legally mandated background check requirements imposed by outside entities. The university will ensure that these checks are conducted for those engaged to work in these positions, which include, but are not limited to, the following programs:

- Child care centers;
- Programs that work with children (e.g., Youth Enrichment/TAG, Psychology research labs working with minors, and Child and Family Center); and
Data Security Incident Response

Policy Number: IV.06.03
Reason for Policy: This policy will provide for a consistent and repeatable process for responding to data security incidents.
Entities Affected by this Policy: All University of Oregon data users
Responsible Office: For questions about this policy, please contact the Chief Information Security Officer at 541-346-9700 or security@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-6-information-technology/data-security-incident

Enactment & Revision History:

Enacted as a permanent policy by President Schill on April 25, 2016.

Extended by President Michael Schill on December 15, 2015.

Enacted as an emergency policy by Dr. Scott Coltrane, Interim President on June 25, 2015.

This policy supersedes Fiscal Policy Manual 56.350.240

Policy:
The University of Oregon is committed to compliance with all applicable state and federal and laws and regulations relating to the compromise of Sensitive Data (as detailed in the University of Oregon Data Classification Policy).

**Data Exposure Investigation:** In the event that paper or electronic records containing sensitive data are subject to an unauthorized release or access to unauthorized persons, The University of Oregon Data Security Incident Response Procedure must be used to determine whether any sensitive data have in fact been exposed, what specific data were exposed, the impact of the exposure, and what actions are required for legal compliance related to the exposure.

**Notification:** The decision on notification will be made by the Office of the General Counsel based on applicable Federal and State law.

**Security Incident Reports Annual Summary:** On an annual basis a summary of Security Incident Reports will be produced by the CISO that will detail the number of Reports issued and how many of the Reports required notification (upon the decision of the Office of the General Counsel). Given the nature of these investigations, these summary reports cannot risk further exposure of sensitive information, and so can be expected to be minimal in their level of detail beyond the two requirements stipulated herein (namely, a summary accounting of the number of Reports issued and how many of the Reports required notification).

**Scope of Duty to Report:** Any University of Oregon faculty, staff, student, vendor or contractor who has a reasonable cause to believe that sensitive data has been exposed to unauthorized persons must immediately notify the UO Information Security Office. Individuals can either send an email to security@ithelp.uoregon.edu or call (541) 346-5837. Employees who identify themselves and make a good faith report of suspected fraud, waste, or abuse are protected from retaliation, in accordance with Oregon law. UO will maintain confidentiality for employees reporting suspected irregularities, misconduct, safety issues, or other concerns to the extent possible under the law.

**Chapter/Volume:**
- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

**Related Resources:**

*The University of Oregon Data Security Incident Response Procedure*

**Definition of Unclassified Staff**
Reason for Policy: This policy addresses matters pertaining to the definition of unclassified staff.

Entities Affected by this Policy: Unclassified personnel

Responsible Office: Academic Affairs: 541-346-3081

Enactment & Revision History: Technical revisions enacted by the University Secretary on September 2, 2015.

Became a University of Oregon Policy by operation of law on July 1, 2014 (former OAR 580.020.0006).

Policy:

Unclassified service includes positions that do not meet the criteria for academic faculty but which, based on professional job requirements and responsibilities:

(1) Are exempt from the provisions of the Public Employee Collective Bargaining Act (PECBA), ORS 243.650-243.782; however, not all positions in unclassified service are exempt from PECBA, or

(2) Share a community of interest with academic faculty, and

   (a) Include academic research, public service, or instruction, or

   (b) Exercise discretion in establishing policy, or

   (c) Require education and training comparable to academic faculty, or

   (d) Have administrative decision-making responsibilities beyond office clerical duties.

Examples of positions that may meet the criteria listed above include, but are not limited to:

(1) President, president's cabinet;

(2) Provost, vice provosts, associate vice provosts, and assistant vice provosts;

(3) Vice presidents and associate vice presidents;

(4) Deans and associate deans;

(5) Directors and associate directors of academic, administrative, and service units;

(6) Controllers and budget officers;
(7) Registrars and associate registrars;

(8) Legal counsel and attorneys;

(9) Athletic directors and associate athletic directors;

(10) Executive and other special assistants to each of the positions listed in numbers one through nine (above), providing that the executive or other special assistant positions otherwise meet the criteria for unclassified service (stated above);

(11) Assistant vice president, assistant deans, department heads/chairs, assistant directors, managers, and assistant registrars where positions require specialized/degree education and training;

(12) Librarians, archivists, and museum or collection curators where positions require specialized/degree education and training or where responsibilities include academic research or instruction but does not include positions having primarily clerical responsibilities;

(13) Advisors and counselors, including academic, financial aid, admissions, career, residential life, and athletic, where positions require specialized/degree education and training;

(14) Assistant athletic directors, athletic coaches, assistant athletic coaches, athletic trainers, assistant athletic trainers, and athletic eligibility and compliance officers where positions require specialized/degree education and training;

(15) Interpreters;

(16) Development and advancement officers where positions require specialized/degree education and training;

(17) Physicians, psychologists, and clinical counselors where positions require specialized/degree education and training;

(18) General managers, directors, producers, and announcers of state radio and television service;

(19) Managers, directors and administrators of student affairs functions, where positions require specialized/degree education and training.

Chapter/Volume: 
Original Source: Oregon Administrative Rule
Discrimination

**Reason for Policy:** This policy sets for the student discrimination complaint process.

**Entities Affected by this Policy:** Students, Employees, Campus Community Members, the Title IX Coordinator, the Office for Affirmative Action and Equal Opportunity

**Responsible Office:** For questions about this policy, please contact the Office of Affirmative Action and Equal Opportunity at 541-346-3123

**Website Address for this Policy:**

[https://policies.uoregon.edu/discrimination-0](https://policies.uoregon.edu/discrimination-0)

**Enactment & Revision History:**

Temporary changes enacted by the University President on January 12, 2018 and extended on July 13, 2018.

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 15.

**Policy:**

**A. Definition of Discrimination**

Terms used in Section B to Section FF will be defined by UO Policy V.11.02 and shall be construed consistent with that policy.

**B. Assistance to Organizations**

The University shall not recognize, register or otherwise provide assistance to any organization that the University knows engages in Prohibited Discrimination.

**C. Discrimination Prohibited in All Higher Education Programs, Services and Interschool Activities**

No person in Oregon shall be subjected to Prohibited Discrimination in any Department program or service, school or interschool activity where the program, service, school or activity is
The University shall promptly adopt and publicize, and shall maintain, a procedure for redressing the grievances of persons who are subject to discrimination. Section B to Section FF do not apply to claims of discrimination in employment, promotion, tenure or termination of employment except student employment as provided in Section M(1).

D. Appointment of Compliance Officer

The Chancellor shall appoint a compliance officer who shall be responsible directly to the Chancellor for:

(1) General oversight of Department efforts to comply with ORS 659.150 and 659.155, and for bringing to the attention of the Chancellor any needed changes in Board rules or policies relating to compliance with such statutes.

(2) Working with presidents or division heads, or their designees, as requested, in assisting institutions and divisions in the development and maintenance of effective policies and rules relating to compliance with ORS 659.150 and 659.155, and in evaluating the effectiveness of their application.

(3) Evaluating periodically the evidence as to compliance with ORS 659.150 and 659.155, and reporting such evaluations to the Chancellor, presidents and division heads concerned.

(4) Carrying other responsibilities relating to assuring compliance with ORS 659.150 and 659.155 as may be assigned by the Chancellor.

E. Admissions

(1) No person shall, on a prohibited basis, be denied admission or be subject to discrimination in admission.

(2) Each school, department or college in the University, that has an independent admissions process, or one supplementary to the University admissions process, is considered an administratively separate unit for admission purposes and may not discriminate unreasonably on any of the prohibited bases (i.e., age, sex, sexual orientation, marital status, disability, national origin, race, religion).

(3) No test or other criterion for admission that unreasonably differentiates among individuals on a prohibited basis shall be used, unless the use of the test or criterion is shown to be a valid means of predicting success in the educational program, and other suitable tests or criteria not having such an adverse effect are shown to be unavailable.
(4) No preference in admission shall be given one person over another on a prohibited basis, such as by ranking individuals on a prohibited basis.

(5) Numerical limitations on the number or proportion of persons to be admitted may not be established on a prohibited basis.

(6) In making admissions decisions, the University:

(a) Shall not apply any rule concerning marital, parental or family status of an applicant or student that treats individuals differently on a prohibited basis;

(b) Shall not consider pregnancy, childbirth, termination of pregnancy or recovery therefrom to determine eligibility for admission, unless on a case-by-case basis the health of an individual relates directly to the capacity to participate effectively in activities necessary to the program. Such determinations shall be treated no differently than other health conditions;

(c) Shall not make pre-admission inquiry as to marital status of an applicant for admission, including whether such applicant is "Miss" or "Mrs."

F. Recruitment

(1) In recruiting students, the University shall not unreasonably differentiate among individuals on a prohibited basis.

(2) The University shall not recruit primarily or exclusively from schools or other educational institutions that admit students predominantly on a prohibited basis, if such actions result in discriminatory enrollment.

G. Educational Programs and Activities

(1) No individual shall, on a prohibited basis, be excluded from participating in, be denied the benefits of, or be subjected to discrimination under any academic, extracurricular, research, occupational training, or other educational program or activity operated by the University, or, although not operated by the University, is required of students by the University.

(2) In providing aid, benefit, or service to students, the University shall not discriminate on a prohibited basis, except where differential treatment is not unreasonable within the meaning of ORS 659.150 and 659.155.

H. Access to Course Offerings
There shall be no unreasonable differentiation among individuals on a prohibited basis in access to classes, courses of study or other educational programs or activities offered by the University, provided, however, that:

(1) Students may be grouped within physical education classes and activities by objectively measured ability. They may also be separated by sex within classes during participation in bodily contact sports. Curricula serving the particular activity needs of males or those of females may be offered, but enrollment may not be restricted on a prohibited basis.

(2) Physical education classes may use different standards for measuring skills and progress if use of a single standard would, on a prohibited basis, have an adverse effect on persons, or on the likelihood of their participation.

(3) Theater, dance, choral music and other artistic activities may differentiate participants in roles on the basis of sex if necessary to achieve specific artistic objectives.

I. Counseling and Use of Appraisal and Counseling Materials

(1) The University shall neither discriminate among students on a prohibited basis in assistance rendered in making educational or career choices, or in the counseling and guidance services offered, nor among applicants for admission if such services are offered.

(2) Students or applicants for admission involved in the appraisal or counseling process shall not be differentiated on a prohibited basis by the nature of tests and materials used, except or unless differentiated materials covering the same occupations and interest areas are shown to be essential to the elimination of bias with respect to age, sex, sexual orientation, marital status, disability, national origin, race and religion.

J. Housing

The University shall not, on a prohibited basis, unreasonably differentiate among applicants or students in housing fees charged or services or benefits offered in housing, except as provided below:

(1) Separate housing may be provided for the separate sexes.

(2) Available housing may be divided between men and women on the basis of the number of applicants for housing of each sex, provided the housing is comparable in quality and cost.

(3) Qualifications for occupancy of family housing shall be the same for married women students as for married men students, and shall be the same for single parents of either sex.

K. Comparable Facilities
(1) Separate rest rooms, change and locker rooms, showers, baths and toilet facilities, provided on the basis of sex, must be reasonably comparable in convenience and quality.

(2) The University and divisions should ensure reasonable access by persons with disabilities to facilities including classrooms, locker rooms, showers and rest rooms.

**L. Financial Assistance**

(1) In providing financial assistance to applicants or students, the University shall not unreasonably differentiate on a prohibited basis, except as provided below:

(a) In determining the amount or types of assistance to be granted;

(b) In limiting eligibility for assistance that is of any particular type or source;

(c) In the application of criteria.

(2) The University may not assist any person, organization or group in the administration of financial aid on a prohibited basis.

(3) The University shall comply with implementing regulations of Title IX, Educational Amendments of 1972, with respect to administration of sex-restricted scholarships and fellowships.

(4) Institutions that award athletic scholarships or grants-in-aid must ensure that reasonable opportunity exists for members of each sex to participate in intercollegiate athletics. Athletic scholarships, unlike nonathletic scholarships, may be awarded on the basis of sex, inasmuch as separate teams are permitted.

**M. Employment Assistance to Students**

(1) The University and divisions shall assure that nondiscriminatory policies are followed in student employment. Discrimination grievances arising out of student employment shall be addressed using the procedures required by or described in Section C and Section R through Section EE.

(2) The University and divisions shall not assist prospective employers or agencies known by them to discriminate on a prohibited basis in their recruitment, hiring or employment practices. Placement officers and other Department personnel who assist in the recruiting and hiring of students shall take steps to inform prospective employers of the requirements of nondiscrimination under the law.

**N. Health and Insurance Benefits and Services**
(1) The University or any constituents, including student groups, may not offer to students a medical, hospital or accident policy, plan, benefit or service that unreasonably discriminates on a prohibited basis.

(2) The University may offer a benefit or service even though it is not used by the same proportion of students of one group as of another. When full-coverage health services are provided, basic gynecological care shall be provided.

(3) Whatever limits a health service establishes as to services offered shall not differentiate unreasonably among individuals on a prohibited basis.

O. Marital or Parental Status

(1) Any rule dealing with marital, parental or family status must be applied equally to men and women students.

(2)(a) The University and divisions shall not discriminate against any student, or exclude any student from an educational program or activity, including any class or extracurricular activity on the basis of such student's pregnancy, childbirth, false pregnancy, termination of pregnancy or recovery therefrom, unless the student requests voluntarily to participate in a separate portion of the program or activity;

(b) The University and divisions may require the student to obtain the certification of a physician that the student is physically and emotionally able to continue participation in the normal educational program or activity so long as certification is required of all students for other physical or emotional conditions requiring the attention of a physician. In such cases, the University may require reasonable efforts by the affected individual to secure appropriate health insurance coverage or to hold the University harmless from consequences flowing from error or misdiagnosis on the part of the student’s physician.

(3) Pregnancy, termination of pregnancy or related conditions must be treated the same as other temporary disabilities. Whatever benefits and services are available to students who are temporarily disabled, including medical services and leaves of absence, shall apply equally to pregnancy-related disabilities.

(4) The University and divisions may maintain, on an elective basis only, educational programs or activities specifically for pregnant students. When such programs and activities are maintained, the University and divisions shall assure that they are comparable in quality to those offered nonpregnant students.

(5) The University and divisions shall consider pregnancy and pregnancy-related conditions a justification for a leave of absence for so long a period of time as is deemed medically necessary by the student's physician, at the conclusion of which the student shall be reinstated to the status that she held when the leave began.
P. Athletics

(1) No person shall, on a prohibited basis, be excluded from participation in or be treated differently from another person, or otherwise be discriminated against in any intercollegiate, club, recreational or intramural athletics offered by the University, except as provided below:

(a) Intercollegiate and club sports, where team selection is based on competitive skills, may have separate teams based on sex or physical disability;

(b) If only one team is offered in a noncontact sport, students may not, on a prohibited basis, be excluded from trying out;

(c) If only one team is offered in a bodily contact sport, members of the excluded sex need not be allowed to try out;

(d) Noncontact intramural and recreational sports, where team selection is not competitive, must be offered on a coeducational basis. Separate teams may be offered for contact intramural and recreational sports.

(2) The University shall not, in the provision of athletic opportunities, unreasonably differentiate among individuals on a prohibited basis.

(3) In assessing the total athletic opportunity provided, the University shall be guided by regulations implementing Title IX of the Educational Amendments of 1972 and shall assess at least the following:

(a) Appropriateness of equipment and supplies;

(b) Games and practice schedules;

(c) Travel and per diem allowances;

(d) Opportunity for coaching and academic tutoring;

(e) Coaches and tutors;

(f) Locker rooms, practice and competitive facilities;

(g) Medical and training services;

(h) Housing and dining facilities and services;
(i) Publicity.

(4) Athletic expenditures need not be equal but the pattern of expenditures must not result in a disparate effect on opportunity. The University may not discriminate in the provision of necessary equipment, supplies, facilities, and publicity for sports programs.

Q. Textbooks and Curricular Materials

Nothing herein either prohibits or requires the use of any particular textbook or curricular materials. If, however, materials are found upon investigation to exert a discriminatory impact on the basis of age, sex, sexual orientation, marital status, disability, national origin, race or religion, the University and divisions shall make a reasonable effort to make available supplemental alternative nondiscriminatory materials.

R. Procedure for Reporting Discrimination

(1) The University shall make available a person to serve as a grievance counselor to assist students and others in formulating and following up complaints of alleged prohibited discrimination.

(2) The University shall designate a compliance officer to receive complaints of alleged noncompliance with Section C. Reasonable efforts shall be made to give notice of the name, office address and telephone number of the grievance counselor and compliance officer to all applicants for and recipients of the services of the University.

(3) All complaints shall be made to the compliance officer at the University and shall be put into writing by the compliance officer if not submitted in writing, and signed by the complainant. The complaint shall set forth the factual basis of the alleged Prohibited Discrimination within 365 days from the date of the alleged noncompliance.

(4) Upon receipt of the complaint, the compliance officer shall promptly deliver copies of the complaint to the President or head of the division involved and to any individual respondents. The compliance officer shall retain a copy of the complaint in files established at the University for that purpose.

S. Exemption from Reprimand or Retaliatory Action

No individual filing a complaint or otherwise participating in any of the actions authorized under Sections B through FF shall be subject to reprimand or retaliatory action by the University, division or employee of the University for having participated in activities provided for under the Administrative Rules.

T. Investigation of Complaints
(1) Within 30 days after receipt of the complaint, the University shall complete such investigation of the matter as it deems necessary, order the correction of any noncompliance found to exist or to have occurred and transmit a report of the findings of its investigation and corrective action to the President, to the complainant and to the compliance officer with whom the complaint was filed.

(2) The 30-day period allowed under section (1) of this rule may be extended for not more than 30 days upon application by the University or division and approval of the President.

U. Appeal to the Chancellor

(1) In the judgment of the Chancellor, whenever an institution or division fails to conduct a satisfactory investigation, fails to take appropriate corrective action or fails to make reports on complaints within the 30-day period where no extension has been granted or within the period allowed under the extension, the Chancellor shall initiate an investigation of the complaint.

(2) Whenever the complainant is not satisfied with the report, or if no report is made within the time allotted, the complainant may request in writing that a hearing be held on the complaint. The request shall state the reasons for dissatisfaction. The request shall be filed with the compliance officer who shall forward a copy promptly to the Chancellor. On receipt of the request, the Chancellor may order the hearing; provided, however, that the Chancellor may review the report and other information presented and then may order that no hearing be held and declare that the action of the institution is satisfactory. The Chancellor's order shall be final.

V. Appointment of Hearing Officer

The hearing shall be conducted by a hearing officer appointed by the Chancellor.

W. Notice of Hearing: Time and Place

The hearing officer conducting the hearing shall set a hearing date not more than ten days after receipt of the request for a hearing. The hearing shall be conducted at the University at which the complaint was made. Written notice of the time and place of the hearing shall be given to the complainant and the respondent University or division at least ten days prior to the date set for the hearing. The hearing officer may postpone the hearing for valid and sufficient cause, with notice to all parties. The hearing officer shall not permit unnecessary delay.

X. Written Statement of Case

Not less than five days before the date set for the hearing, the University may file with the hearing officer such written statement of its case as it elects to file and shall file a copy of the report of its investigation and action. A copy of any written statement and report of the
investigation and action shall be provided the complainant at the same time they are provided to the hearing officer.

**Y. Open Hearings**

The hearing shall be open to the public, except when materials are considered that are not public records.

**Z. Conduct of Hearing**

(1) A tape recording or other verbatim record of the hearing shall be taken and maintained.

(2) The testimony of witnesses, on oath or affirmation, and other evidence concerning any disputed facts shall be received by the hearing officer. The hearing officer shall exclude irrelevant, immaterial or unduly repetitious evidence, but shall accept all other evidence of a type commonly relied on by reasonably prudent persons in conduct of their serious affairs.

(3) The hearing officer shall encourage stipulations of undisputed facts, and may seek to conciliate the dispute either before or after the hearing.

(4) The hearing officer shall make findings of fact according to the preponderance of evidence.

**AA. Presentation of Evidence**

The complainant shall have the responsibility of producing satisfactory evidence of respondent's noncompliance with Section C. Both the complainant and the respondent shall have the right to appear and to participate in the hearing, to present relevant evidence to the hearing officer, to cross-examine witnesses and to submit rebuttal evidence.

**BB. Position Summaries**

At the conclusion of the testimony, the hearing officer may permit each party to make a summation; if this privilege is extended to one side, it must be extended to the other side. The hearing officer may request the timely submission of written summations.

**CC. Findings and Recommendations**

(1) The hearing officer shall make explicit findings of fact respecting the alleged noncompliance of the respondent University. The findings shall be based on the hearing record.

(2) If the hearing officer finds that noncompliance has occurred, the hearing officer shall formulate a curative recommendation for compliance.
(3) In formulating the curative recommendation, the hearing officer shall consider the willingness and ability of the respondent to eliminate the noncompliance and any other factors relevant to the particular case.

(4) The hearing officer shall submit findings of fact, conclusions and curative recommendation to the President, the complainant, the respondent University and the Director of Affirmative Action for the State of Oregon.

DD. Order by Chancellor

(1) The Chancellor may accept, modify or reject the findings of the hearing officer, and shall issue an order containing any findings of fact based on the hearing or on investigation by the Chancellor under Section U and the action necessary for compliance, if the institution or division is found in noncompliance. The order shall be issued no more than 15 days after completion of the hearing and copies shall be given promptly to the respondent, to the complainant, and to the compliance officer of the affected institution or division.

(2) If the Chancellor believes sanctions should be imposed against any individual in addition to action necessary for compliance, the Chancellor shall notify the head of the institution or division, stating the reasons. Any proceedings thereafter taken against any individual pursuant to this paragraph shall be according to Administrative Rules of the Board or rules of the institution or division, as appropriate.

(3) If requested, the hearing record shall be put into writing and shall be made available to the complainant and the respondent institution or division for copying, or copies thereof shall be made for them. The cost of reducing the record to writing, and of the making of copies thereof, shall be borne by the party so requesting.

EE. Sanctions Against University

(1) If, based on the Chancellor's own investigation of alleged noncompliance or as a result of the Chancellor's examination of the findings of fact of the hearing officer, the Chancellor concludes that any institution or division has violated Section A, that the institution or division has a record of noncompliance, that the magnitude and effect of the institution or division's noncompliance is sufficient to warrant monetary sanctions or that there is an unwillingness of the institution or division to comply with Section C, or any combination of these conclusions, the Chancellor may impose a monetary sanction against the institution or division.

(2) A monetary sanction imposed under this rule shall not exceed the amount of legislatively appropriated funds received by the institution or division against which it is assessed. No monetary sanction in excess of $10,000 shall be assessed without approval of the Board.

FF. Requirement of Prompt Attention to Complaints
It is the desire and direction of the Board that, in carrying out the duties imposed on them by Section B to Section EE, the Chancellor, presidents, division heads, compliance officers, hearing officers and other personnel shall give high priority to the performance of such duties and shall proceed as expeditiously as possible to ascertain whether discrimination exists and to take curative measures.

GG. Students Unable Because of Religious Beliefs to Attend Classes on Certain Days

Any student who, because of religious beliefs, is unable to attend classes on a particular day shall be excused from attendance requirements and from any examination or other assignment on that day. The student shall make up the examination or other assignment missed because of the absence.

Chapter/Volume: V.11.02
Original Source: Oregon Administrative Rule

Discrimination Complaint and Response

Policy Number: V.11.02
Reason for Policy: This policy outlines the university’s discrimination statement, response to discrimination complaints and responsible employee obligations. Formal grievance procedures are set forth in applicable collective bargaining agreements and the university’s grievance policy.
Entities Affected by this Policy: All members of the UO community.
Responsible Office: For questions about this policy, please contact the Office of Affirmative Action and Equal Opportunity (541-346-3123) or the Title IX Coordinator (541-346-8136).

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources...

Enactment & Revision History:

Amended by incorporation with the adoption of UO Policy V.11.02 on September 15, 2017. (Redline amendments available upon request in the UO Policy library.)

Enacted by the president as a temporary emergency policy on August 18, 2016.

Policy:
I. Policy Statement

The university is committed to equal access to programs, course offerings, facilities, admission and employment for all of its: (1) employees; (2) students; and (3) campus community members. It is the policy of the university to maintain an environment free of prohibited harassment and discrimination against any person because of:

- age
- veteran status
- race
- sex
- color
- sexual orientation
- ancestry
- gender identity
- national or ethnic origin
- perceived gender
- religion
- marital or family status
- gender
- pregnancy-related conditions
- disability
- genetic information
- service in the uniformed services (as defined in state and federal law)
- the use of leave protected by state or federal law

Discriminatory harassment, including sexual harassment, regardless of the relative power of the harasser, is disruptive of workplace and campus life, and denies its subject equal opportunity as a student, employee or campus community member. Prohibited Discrimination (as defined in state and federal law), discriminatory harassment, including sexual harassment and retaliation impede the realization of the university’s educational mission and shall not be tolerated at the University of Oregon.

II. Definitions

A. Prohibited Discrimination is defined as any act that either in form or operation, and whether intended or unintended, unreasonably discriminates among individuals on the basis of age, race, color, ancestry, national or ethnic origin, religion, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status,
pregnancy, pregnancy-related conditions, disability, gender, perceived gender, gender identity, genetic information or the use of leave protected by state or federal law. "Unintentional discrimination" is a concept applicable only to situations where a policy, requirement, or regularized practice, although neutral on its face, can be shown to have disparately impacted members of a protected class. The concept is inapplicable to sexual or other forms of harassment which, by definition, result from volitional actions.

B. Discriminatory Harassment is defined as any conduct that either in form or operation unreasonably discriminates among individuals on the basis of age, race, color, ancestry, national or ethnic origin, religion, service in the uniformed services (as defined in state and federal law), veteran status, sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, physical or mental disability, gender, perceived gender, gender identity, genetic information or the use of leave protected by state or federal law and that is sufficiently severe or pervasive that it interferes with work or participation in any university program or activity, including academic activities because it creates an intimidating, hostile, or degrading working or university environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

C. Sexual Harassment is a type of sex discrimination which is defined as any sexual advance, any request for sexual favors, or other verbal or physical conduct of a sexual nature when:

1. Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic experience or participation in any university program or activity;
2. Submission to or rejection of such advances, requests, or conduct by an individual is used as a basis or condition for employment, participation in any university program or activity or academic experience; or
3. Such conduct is unwelcome and sufficiently severe or pervasive that it interferes with work, participation in any university program or activity and/or academic experience because it creates an intimidating, hostile, or offensive working, university or academic environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

Sexual harassment includes sex and gender-based stalking, sex and gender-based harassment and bullying, dating violence, and domestic violence, defined as follows:

i. *Sex and gender based stalking* occurs when, based on a person’s sex or gender: (1) a person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person; (2) it is objectively reasonable for a person in the complainant’s situation to have been alarmed or coerced by the contact; and (3) the repeated and unwanted
contact causes the complainant reasonable apprehension regarding the personal safety of the complainant or a member of the complainant’s immediate family or household.

ii. *Sex and gender-based harassment and bullying* means any act that: (1) Substantially interferes with work or academic performance; (2) Has the effect of: a. Physically harming a student or employee or damaging their property; b. Knowingly placing a person in reasonable fear of physical harm to the person or damages the person’s property; or c. Creating a hostile environment, including interfering with the psychological well-being of a person; and (3) May be based on, but not be limited to, the sex, sexual orientation, or gender identity of the person. Gender-based harassment and bullying includes cyberbullying, which means the use of any electronic communication device to perform gender-based harassment or bullying.

iii. *Dating Violence* means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. For the purpose of this definition: (1) Dating violence includes, but is not limited to, causing or attempting to cause sexual or physical abuse, placing another in fear of imminent sexual or physical abuse or the threat of such abuse; and (2) Dating violence does not include acts covered under the definition of Domestic Violence.

iv. *Domestic Violence* means violence between family or household members. Family or household members means: Spouses or former spouses; adults related by blood, marriage or adoption; persons cohabitating or who have cohabitated; persons in a past or present sexually intimate relationship; unmarried parents of a child. Abuse means: The occurrence of one or more of the following acts within a domestic or dating relationship: a. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury. b. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury. c. Causing another to engage in involuntary sexual relations by force or threat of force.

**D. Responsible Employee**: University employees are responsible employees, with the following exceptions:

1. Confidential employees;
2. Student Employees, as that term is defined by this policy; and
3. Exempt Employees.
**E. Retaliation:** Retaliation means an adverse action taken against a Student, Employee or Campus Community Member because the individual engaged in a protected activity. Adverse action means any action that is reasonably likely to deter a person from engaging in a protected activity. Adverse action does not include petty slights or trivial annoyances. Protected activity means: (1) fulfilling the responsible employee obligations described in this policy; (2) filing a good faith Prohibited Discrimination (including harassment and sexual harassment) complaint with the university or with an outside agency; (3) participating as a witness, advisor, etc., in the university’s resolution process or an outside agency’s resolution process; or (4) participating in the university’s reasonable accommodation processes.

**F. Student Employee:** Student Employee means an enrolled student employed by the university whose employment is contingent on their student status. For purposes of this policy, the term Student Employee does not include Residential Advisors and graduate students with GTF appointments or other student employees who supervise two or more employees. Although student employees are not required by university policy to report, a student employee’s supervisor may set expectations for a position that include reporting obligations. Further, student employees are encouraged to report as outlined below.

**G. Confidential Employee:** The following employees are confidential employees, meaning that in most instances, they will not share information disclosed to them with the university at large:

1. Health care professionals working at the University Counseling and Testing Center (available to students);
2. Health care professionals working at the University Health Center (available to students);
3. Office of Crisis Intervention and Sexual Violence Support Services employees (available to students); and
4. The university’s Ombudsperson (available to students and employees).

**H. Credible Evidence:** Credible Evidence is evidence of the kind that prudent people would rely on in making personal or business decisions, which is not obtained: (1) during public awareness events (For example, “Take Back the Night,” and “survivor speak outs”); (2) as part of an Institutional Review Board-approved human subjects research protocol focused on Prohibited Discrimination; or (3) in the context of a required classroom assignment. (Note: If a faculty member believes that a classroom assignment may elicit a disclosure that would trigger obligations under this policy, the faculty member should make clear to students that an account provided in response to a classroom assignment, without more information, will not result in the university taking any action in response to the disclosure. This means that the university will not investigate the incident, offer interim measures or otherwise take step to remediate the behavior.)

Please note that credible evidence also excludes information obtained during a conversation that is otherwise privileged or confidential under state or federal law. Examples of this exclusion
include, but are not limited to: attorneys, who are not required to disclose information covered by
the attorney client privilege; union stewards and union representatives, who are not required to
disclose information obtained during a conversation with a member regarding workplace issues
(including grievances); and licensed mental health professionals (counselors, psychologists, etc.),
who are not required to disclose information covered by an applicable privilege.

I. Student: For purposes of this policy, the term Student has the meaning set forth in the Student
Conduct Code.

J. Employee: A person in an employment relationship with the university.

K. Campus Community Member: Campus Community Member means a person participating
in a university-sponsored program or activity, attending or wanting to attend an event on
university owned or leased property, an independent contractor or vendor, a volunteer, a person
applying for admissions, a person applying for employment, or a campus visitor or a person
living on university-owned property. The term Campus Community Member excludes
Employees and Students.

L. Exempt Employees: Exempt employees are those employees who are certified as such by the
Title IX Coordinator and who: (1) pass annual training requirements approved by the Title IX
Coordinator; (2) provide students who they interact with a notice approved by the Title IX
Coordinator relating to their status as an exempt employee and their privacy practices. The Title
IX Coordinator may decline to certify as exempt those employees whose duties or other
reporting obligations make exemption inappropriate due to their role as supervisors or others
deemed campus security authorities or individuals with a role in investigation or responding to
incidents of sexual misconduct.

Exempt employees are not required to report instances of Prohibited Discrimination
relating to students; however, exempt employees are encouraged to report all instances of
Prohibited Discrimination in the manner described in this policy. If a student shares
information regarding Prohibited Discrimination with an exempt employee, the employee
is required to provide that individual with information regarding available resources,
reporting options, including confidential reporting options, the university’s complaint
process and the university’s policy regarding retaliation. Such information will be
provided to exempt employees during their annual training. Exempt employees are also
required to consult confidentially with the Crisis Intervention and Sexual Violence
Support Services Program after receiving a report. Exempt employees who fail to
comply with these requirements may be subject to discipline up to and including a letter
for reprimand.

III. Responsible Employees Reporting Obligations

Except as provided for in the Student Sexual and Gender-Based Harassment and Violence
Complaint Response (Student Complaint Response Policy), Responsible Employees who receive
Credible Evidence of Prohibited Discrimination, Harassment or Sexual Harassment involving an Employee, Student or Campus Community Member are required to promptly report that information as follows:

A. If the Credible Evidence relates to Sex Discrimination of a Student, Responsible Employees should report any information received to the Title IX Coordinator or to the Office of Crisis Intervention and Sexual Violence Support Services. (Note: The Student Complaint Response Policy applies to information disclosed by a student reporting sex discrimination and sexual harassment, including sexual violence. That policy may provide for different reporting obligations depending on the status of the employee receiving the report. 

Employees who receive reports of sex discrimination (including sexual harassment and sexual violence) against a student should reference the Student Complaint and Response Policy in order to determine their reporting obligations.)

B. In all other instances, Responsible Employees should report any information received to the Office of Affirmative Action and Equal Opportunity (AAEO).

Employees should be aware that AAEO is tasked with ensuring compliance with this policy and state and federal law. Therefore, while AAEO will work with employees, students and campus community members to ensure that they understand their complaint options, are protected from retaliation and are provided with interim measures as appropriate, AAEO employees are not advocates for individuals participating in the process.

Note: The Student Complaint and Response Policy provides for different reporting obligations in the context of students experiencing sexual and gender-based harassment and violence. That policy should be referenced when determining an employee’s reporting obligations in the context of students experiencing sexual and gender-based harassment and violence.

IV. Confidential Employees

Students and Employees have the option to share their experience with a Confidential Employee. However, it is important to understand that in most instances, Confidential Employees will not report the underlying actions to the university at large, which means that the university will not take action to stop the discrimination or harassment, remedy its effects or prevent future instances of discrimination and harassment. Further, Students and Employees who report to Confidential Employees always retain the choice to make a complaint, as outlined below. Students, Employees and Campus Community Members with questions regarding the university’s processes are encouraged to contact the Title IX Coordinator or AAEO. For further information regarding Confidential Employees’ privacy practices, please visit the website referenced below.
We recognize that employees who experience Prohibited Discrimination, Harassment or Sexual Harassment within departments, institutes, or programs face unique obstacles. Rather than reporting to other employees who are Responsible Employees, and who may have conflicts of interest based on existing relationships within those units, we encourage employees experiencing Prohibited Discrimination, Harassment or Sexual Harassment to utilize the confidential resources available to them in order to explore forms of support and protection and to fully understand their options relating to filing a complaint.

**Note:** Except as provided for the Student Complaint and Response Policy, information reported by Responsible Employees to the Office of Crisis Intervention and Sexual Violence Support Services will be passed on to the Title IX Coordinator. The Student Complaint and Response Policy provides for different reporting and disclosure obligations in the context of students experiencing sexual and gender-based harassment and violence. That policy should be referenced when determining an employee’s reporting obligations in the context of students experiencing sexual and gender-based harassment and violence.

**V. Prohibited Discrimination Complaints**

Students, Employees and Campus Community Members who have been subject to Prohibited Discrimination, Harassment, Sexual Harassment or Retaliation are encouraged to file complaints with the university as set forth below. Individuals may also exercise applicable grievance rights, which are referenced below. Complaints should generally be filed within 365 days of the date the person knew or should have known of the underlying conduct.

**A. Student complaints relating to Sex Discrimination or Retaliation:** Students may file a complaint relating to Sex Discrimination, including Sexual Harassment, or Retaliation relating to Sex Discrimination or Sexual Harassment with the Title IX Coordinator or AAEO. Complaints can be made by e-mailing, calling or visiting any one of these two offices. Students may also discuss their options with a Confidential Employee.

**B. All other complaints (including Employee and Campus Community Member complaints):** All other complaints of Prohibited Discrimination including Harassment, Sexual harassment or Retaliation, may be filed with AAEO. Complaints may be made by e-mailing, calling or visiting AAEO’s office. Employees and students are encouraged to discuss their options for filing complaints with a Confidential Employee.

**VI. University’s Response**

The university will take prompt and equitable corrective measures to stop Prohibited Discrimination or Harassment, to remedy the effects of Prohibited Discrimination or Harassment, and to prevent future instances of Prohibited Discrimination, Harassment and
Retaliation. If the university initiates an investigation, it will be impartial. In responding to incidents of Prohibited Discrimination, the university will follow state and federal law, university polices and any applicable collective bargaining agreements. Employees and Students may also choose to exercise applicable formal grievances rights. A complaining party’s options will be explained to that person by AAEO or the Title IX Coordinator, as appropriate.

A. Against a Student: If the underlying incident involves Sex Discrimination, Sexual Harassment or Retaliation arising out of an act of Sex Discrimination against a Student, meaning that the Student is the alleged bad actor, the university will follow the process outlined in the student conduct standard operating procedures, referenced below. If it relates to other forms of Prohibited Discrimination, Harassment or Retaliation against a Student, the University will follow the process outlined in the Student Conduct Code or the standard operation procedures, as applicable.

B. Against an Employee or Campus Community Member: If the underlying action involves Prohibited Discrimination, Harassment, Sexual Harassment or Retaliation against an Employee or Campus Community Member, meaning that the Employee or Campus Community Member is the alleged bad actor, the university will generally follow: (1) The discrimination complaint process for complaints made by Employees and Campus Community Members; or (2) The Student discrimination complaint process for complaints made by Students. Both of these processes are referenced below.

VII. Interim Measures

Regardless of whether an investigation or university process is initiated, the university will provide interim measures as appropriate, which for Students may include academic accommodations, housing accommodations, workplace or transportation accommodations, reasonable protective measures, health and counseling services, financial aid, visa and immigration assistance, safety planning, legal support options and information regarding other on and off-campus resources and for employees may include change of employment conditions, information and assistance regarding employee resources and other reasonable measures. In deciding which interim measures to implement, the university will attempt to mitigate the impact on affected parties, while also balancing the rights of the alleged wrongdoer.

VIII. Confidentiality

To the extent possible, the university will protect the confidentiality of Responsible Employees, complainants, witnesses and accused parties and, if information is disclosed, will disclose it on a need to know basis. However, it is important to understand that: (1) in order to investigate the matter and provide the other party with notice of the underlying allegations and an opportunity to respond, the university may need to reveal the identity of the complaining party, the Responsible Employee and relevant witnesses; and (2) Employees and Students have rights under federal or state law or pursuant to applicable bargaining agreements to review and inspect records relating to an investigation. That being said, for purposes of public records requests and to the extent
allowed by law, the university will treat all materials submitted during an investigation relating to a report or a complaint of Prohibited Discrimination as submitted in confidence, unless otherwise noted.

IX. Free Expression and Academic Freedom

In all its actions, the university will respect the rights of freedom of expression and academic expression, as set forth in university policies and applicable bargaining agreements.

X. External Complaints

The university encourages all individuals with a pertinent complaint to follow the process in this policy. However, individuals may always choose to make a discrimination complaint directly with outside agencies or law enforcement, including, but not limited to, the Office for Civil Rights of the U.S. Department of Education and the U.S. Equal Employment Opportunity Commission, the Educational Opportunities Section of the Civil Rights Division of the U.S. Department of Justice. Contact information for these agencies can be found on AAEO’s website.

XI. Corrective Action

If the university finds that an Employee, Student or Campus Community Member has engaged in Prohibited Discrimination, it will take immediate and appropriate corrective action. This means that Employees who have engaged in Prohibited Discrimination or Retaliation may face discipline up to and including termination. Students who have engaged in Prohibited discrimination may face sanctions up to and including suspension or expulsion. Individuals who make bad-faith complaints may be subject to disciplinary action, student conduct code violations or other appropriate corrective action. Responsible employees who fail to report as required by this policy may be subject to discipline, which may include a letter of reprimand or other appropriate corrective measures. Campus Community Members who violate this policy may be trespassed from campus and may otherwise lose their right to use university property and/or to participate in university-sponsored programs and activities.

XII. Differential Treatment Required or Allowed by Law

Neither this policy or any other UO policy, including but not limited to UO policy 580-15, shall be interpreted as preventing UO from complying with laws that require preferential treatment - like Oregon’s Veterans Preference laws – or from engaging in Constitutional admissions practices designed to achieve diversity goals.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 11: Human resources, other
Related Resources: CONTACT INFORMATION

**Title IX Coordinator**

TitleIXcoordinator@uoregon.edu

106 Johnson Hall (1098 E. 13th Ave.)

(541) 346-8136

**Office of Affirmative Action and Equal Opportunity (OAAEO)**

677 East 12th Avenue, Suite 452

(541) 346-3123

**Office of Crisis Intervention and Sexual Assault Support Services**

164 Oregon Hall (1585 E. 13th Avenue)

(541) 346-7233

**Ombudsperson**

ombuds@uoregon.edu

1685 E. 17th Street

(541) 346-6400

**UO Counseling and Testing Center**

1590 E. 13th Avenue

(541) 346-3227

**UO Health Center**
RELATED POLICIES AND PROCEDURES

Student Conduct Standard Operating Procedures

Student Conduct Code

Student Discrimination Process

Discrimination Complaint Process

Student Sexual and Gender-Based Harassment and Violent Complaint and Response Policy

FORMAL GRIEVANCE PROCEDURES

Represented Employees:

- SEIU - Article 17
- UA - Article 24
- UOPD - Article 16
- Teamsters - Article 28
- GTFF - Article 16

Unrepresented Employees

- Faculty members
- Officers of Administration

ANONYMOUS REPORTING

Anonymous reporting

Original Source: UO Policy Statement
Diversity

Effective Date: 03/06/2009
Office of the Vice President for Equity and Inclusion
vpei@uoregon.edu
Policy Statement:

PRINCIPLES/GUIDELINES/PROCEDURES:

Guiding Principle #1: Overall Commitment to Diversity

The Board values the perspectives, educational benefits, and robust exchanges of ideas that are encouraged by the effective facilitation of diversity within OUS and seeks to promote and support initiatives that sustain best practices in diversity efforts.

Actions – The Board, the Chancellor, and campus presidents will identify opportunities and promote expectations for diverse representation, inclusion, and engagement throughout OUS programs and activities.

Guiding Principle #2: Commitment to Workforce Enhancements

The Board values workforce diversity and encourages opportunities for the employment and advancement of diverse faculty and staff within OUS.

Actions – In periodic reports to the Board, the Chancellor and campus presidents will identify strategies and progress toward the enhancement of workforce diversity.

Guiding Principle #3: Commitment to Equity in Student Success

The Board is committed to providing equitable opportunities for students to succeed and to efforts to close achievement gaps among underserved populations.

Actions – In periodic reports to the Board, campus presidents and representatives of OUS student-related committees will identify strategies and progress relating to student success among diverse populations.

Guiding Principle #4: Commitment to Welcoming Campus Environments

The Board values the importance of campus environments in the attraction, recruitment, and retention of diverse students, faculty, and staff.
Actions – In periodic reports to the Board, campus presidents will a) identify campus climate challenges and successes, b) discuss measures taken to promote welcoming campus environments, and c) describe the possible impact of these measures on student success.

Guiding Principle #5: Commitment to Vendor and Contracting Enhancements

The Board is committed to vendor and contracting practices that encourage and promote participation by minority, women-owned, and emerging small businesses (MWESB).

Actions – In periodic reports to the Board, Chancellor's Office and campus representatives will provide updates on progress in vendor and contracting initiatives and practices. OUS representatives will identify and incorporate into project proposals opportunities for outreach to promote engagement and seek bids from MWESB contractors.

Guiding Principle #6: Commitment to Continuous Feedback

The Board values the feedback and insights of numerous stakeholders in advancing diversity efforts.

Actions – The Board will include attention to diversity issues within its strategic planning efforts and will solicit ideas, innovations, and standards from the Chancellor and campus presidents that best align with institutional and state priorities. Further, the Board will seek input periodically from representatives of Oregon's diverse communities.

Guiding Principle #7: Commitment to Key Goals

The Board values both quantitative and qualitative diversity-related evidence to inform decisions and planning.

Actions – The Board directs the Chancellor and campus presidents to provide reports and updates pertaining to diversity achievements and challenges not less than once every biennium. To assist and inform the Board, each OUS institution will identify key diversity considerations relating to students, faculty, and staff each biennium. Campus leaders will identify and prioritize key goals that take into account fiscal resources, enrollment management considerations, curricular planning, workforce diversity efforts, and specific institutional data and environments. The Chancellor's Office will identify and prioritize key goals pertaining to diversity issues for its units as well. The Board will evaluate annually the Chancellor and campus presidents on elements relating to the identification of, and progress toward, key goals and actions in all areas of this policy and will utilize the guiding principles in Board self-assessments.

Cross Reference to Related Policies:
Policy Document
Drug-free Workplace

Last Updated: 05/13/2011  
Effective Date: 03/08/1989  
Reason for Policy: In compliance with the provisions of the Drug-Free Workplace Act of 1988 and the Drug-Free Schools and Communities Act Amendments of 1989, to set forth the University's policies on the illegal use of drugs and alcohol by its employees.

Human Resources  
Linda King

Policy Statement:

The illegal use, possession, or distribution of drugs and alcohol on institutionally-owned or controlled property or as part of any University activity is proscribed conduct (See Oregon Administrative Rule (OAR) 580-22-045(8)). The manufacture of illegal drugs on institutionally-owned or controlled property is a malicious misuse or an unauthorized use of institutional property and is also proscribed conduct (See Oregon Administrative Rule (OAR) 58O-22-045(5) and (7).

The University may impose disciplinary sanctions against any student or employee found to have violated this rule, consistent with applicable provisions of state laws and regulations, collective bargaining agreements and University and Oregon State Board of Higher Education administrative rules. The permissible sanctions include, but are not limited to, suspension, without pay, and termination of employment. The University also reserves the right to refer employees' and students' actions to appropriate civil authorities for possible prosecution.

All University employees must agree to abide by the University's rules and policies as a condition of their employment. In addition, all University employees shall receive annually a written copy of this policy statement.

Federal law and this policy require all University employees, as a condition of their employment, to notify the University within five days should they be convicted for violating, while at the workplace, any criminal drug statute. Employees shall give such notification in writing to their immediate supervisor with a copy to the Office of Human Resources. The University is then required to notify the applicable Federal agency if the employee is directly or indirectly engaged in the performance of a federal grant or contract. The Office of Human Resources will contact the Office of the Vice President for Research to determine the appropriate notification process. The University's Vice President for Research shall notify the granting or contracting agency (if required) within ten days of receiving notice that a person employed on any of the University's federal grants and contracts was convicted of violating, while at the workplace, a criminal drug statute.
The University shall impose an appropriate sanction on and/or shall require satisfactory participation in a drug abuse treatment program by any employee convicted of a criminal drug statute violation as described above. Students and employees whom the University finds to have violated the University's rules and policies on the use of drugs and alcohol on campus shall be subject to discipline without regard for the activities of other governmental agencies.

The University, through its Office of Human Resources, shall maintain a drug-free awareness program to inform employees about the dangers of drug abuse, and the availability of the Employee Assistance Program, drug counseling, rehabilitation, and other assistance programs. In addition, all employees shall receive descriptions of applicable legal sanctions under local, state, or federal law and health risks associated with the abuse of drugs and alcohol.

The Office of Human Resources and the Chief Student Affairs Officer shall arrange for the distribution of materials mandated by law and this policy to new and existing employees and students respectively. They shall also be responsible for conducting a biennial review of the University program monitoring legislative changes and ensuring that the appropriate offices comply.

Revision History:
Supersedes all earlier policies issued on this subject.
12/12/1990 Reviewed and Recommended for Revision by President's Staff
03/08/1989 Originally issued
Reissued by Vice President for Administration
02/08/2010 Policy number revised from 3.350 and 3.550 to 03.04.03
5/13/2011 Reviewed by Linda King, HR. No changes needed.
Original Source: UO Policy Statement

Electronic Signatures

Policy Number: IV.04.06
Reason for Policy: To authorize the use of electronic signature for documents and records of the University of Oregon and to establish protocols that govern the use of electronic signatures when conducting university business.
Entities Affected by this Policy: All University academic and auxiliary departments.
Responsible Office: For questions about this policy, please contact Purchasing and Contracting Services at 541.346.2419 or pcsadmin@uoregon.edu.

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...
Policy:

I. Purpose and Scope

The University of Oregon makes and accepts bona fide electronic signatures as legally binding signatures equivalent to handwritten signatures to signify a binding document if the electronic signature satisfies the requirements of applicable law. This policy establishes the circumstances under which the University may make and accept electronic signatures in place of handwritten signatures.

II. Definitions

“Applicable law” is federal, state, and local law as well as University policy, as updated from time to time, applicable to a specific document, electronic signature, and digital signature.

“Document” is any instrument, document, electronic communication, contract, grant, record, or other official act, agreement, or transaction of the University regardless of whether it is created or maintained electronically or physically.

“Electronic record” is a document created, generated, sent, communicated, received, or stored through electronic means.

“Electronic signature” is an electronic mark, sound, process, or other symbol attached to or logically associated with a contract or other electronic record. It must demonstrate an individual’s intent to execute or adopt the electronic record.

III. Electronic Signature Policy

A. Scope of Policy
I. This policy applies to all University employees, officers, agents, and other individuals representing the University.

This policy governs all use of electronic signatures with respect to all University documents.

B. Authorization to Use Electronic Signature
I. The University authorizes its employees to make, accept, and use electronic signatures to the extent permitted by applicable law.
II. A University document executed by electronic signature by an authorized representative of the University is a valid and binding signature to the same extent as a handwritten signature. This policy does not supersede any requirement of applicable law to obtain a handwritten signature in specific circumstances.

III. The University reserves the right to designate specific University transactions that must be conducted through electronic transactions, maintained as electronic records, or signed by electronic signature.

IV. Any individual executing a document by electronic signature on behalf of the University must be authorized to sign documents on behalf of the University to the same extent required for documents executed by handwritten signature as described in University policy.

V. Any document executed by electronic signature without authorization is subject to the same rules and processes as all other unauthorized agreements under applicable law.

C. Electronic Signature Advisory Committee

I. The University will establish an Electronic Signature Advisory Committee that will develop electronic signature and digital signature requirements, authorized methods, and authorized software for use by University employees (the “E-signature Procedures”). The Electronic Signature Advisory Committee will submit the E-signature Procedures, and any subsequent updated thereto, to the Vice President for Finance and Administration for final approval.

II. The Electronic Signature Advisory Committee will include the University’s Records Manager, the Chief Information Security Officer, other representatives of the University’s Information Services department (“IS”), Purchasing and Contracting Services department (“PCS”), Business Affairs department (“BA”), Design and Construction department (“DC”), and other departments as necessary or beneficial.

III. Authorized employees executing an agreement using an electronic signature method must comply with all requirements established under the authority granted by this policy, including use of approved methods and software.

D. Selection of Appropriate Level of Electronic Signature Methods

I. The E-signature Procedures will establish varying levels of security, identity authentication, document authentication, and sophistication for electronic signature required for documents signed by electronic signature. This includes, but is not limited to, the degree of confidence regarding (1) the ability to accurately attribute the document or electronic signatures to the individuals that created them, (2) the authenticity and integrity of the document, and (3) the demonstration of the signatories’ intent to sign the document.
II. The E-signature Procedures will establish the appropriate level security, identity authentication, document authentication, and sophistication of electronic and digital signature required for each category of University documents based on the following considerations: (1) the value of the document, (2) the importance and sensitivity of the document, (3) whether notary is required, (4) the subject matter of the document, and (5) any other relevant information.

III. The E-signature Procedures will establish electronic signature requirements, methods, and software based on the following considerations: (a) requirements of applicable law, including, but not limited to, requirements of the Oregon Revised Statutes and Oregon Administrative Rules, requirements of the Oregon Department of Administrative Services and Information Resources Management Services Division, guidance published by the United States Office of Management and Budget, and the guidance published by the National Institute of Standards and Technology (e.g., Digital Signature Standard); (b) best industry practices; (c) flexibility; (d) scalability; (e) cost; (f) efficiency; (g) ease of use; (h) effectiveness; and (i) any other relevant information.

IV. The Chief Procurement Officer may, when necessary, after consultation with University stakeholders and consideration of all the circumstances and available options, authorize individuals signing a document on behalf of the University to use an alternative method or software for executing a document by electronic signature.

E. **Storage of Documents Containing Electronic Signatures**

IV. All documents executed by electronic signature must be maintained in a manner that ensures the document accurately reflects the agreement between the signers and can be reproduced when necessary.

II. Documents executed by electronic signature will be kept in accordance with the University’s general record retention policies and procedures.

III. Creating and retaining documents with electronic signatures meets all requirements for preservation of documents with handwritten signatures to the extent permitted by applicable law.

F. **Exceptions to Use of Electronic Signature**

Unless otherwise determined by the Electronic Signature Advisory Committee, electronic signatures may not be used for: (1) any document that requires a notarized signature, (2) any purchase or sale of real property, (3) any contract that exceeds $5,000,000 in total value, and (4) and other document that may not be signed by electronic signature under applicable law.

*Chapter/Volume:*
In order for the University of Oregon to build employee morale and also remain fiscally responsible, the university has adopted the following policy regarding expenses for employee morale-building events.

Office of the Sr. Vice President and Provost

Reason for Policy: This Policy Statement’s purpose is to state the amount of university funds allowed for expenses incurred by a University of Oregon (UO) unit for employee morale-building activities.

Definitions:

Alcoholic Beverages: Beer, wine, or any beverage containing distilled spirits.

Employee in Good standing: An employee who has no disciplinary actions or sanctions against them when leaving their UO position.
**Farewell Event:** Event honoring an employee who is leaving a university unit for an internal position, or leaving the university but not given the retired status by Human Resources. The employee must have been employed at least five years in the position he or she is leaving.

**Light Refreshments:** Light refreshments include coffee and other beverages, snacks, hors d’oeuvres, pastries, cookies, crackers, chips, fruit, etc.

**Meal:** A catered or restaurant-provided breakfast, lunch, or dinner. Groceries and beverages purchased for an event may also be charged as a meal/meals. Note that under current university guidelines, pizza is considered a Meal.

**Service Awards:** Cash or non-cash awards to honor length of service (including farewell) or retirement. ([http://www.ous.edu/dept/cont-div/fpm/hr-57-200#700](http://www.ous.edu/dept/cont-div/fpm/hr-57-200#700)).

**Retired UO Employee:** An employee who indicates he/she is retired and is eligible, either by age or years of service, to take a distribution from a UO retirement program.

**Retirement Event:** Event honoring a retired UO employee. The employee must have been employed for a minimum of five years at the University of Oregon.

**University funds:** Includes education, general, and Foundation funds. There are policy restrictions associated with education and general funds. See OUS Employee Recognition Awards policy ([http://www.ous.edu/dept/cont-div/fpm/hr-57-200#700](http://www.ous.edu/dept/cont-div/fpm/hr-57-200#700)).

**University unit:** A University of Oregon college, school, department, office, center or any other organization within the institution.

**Kathy Warden**

**Policy Statement:**

*University Policy Statements are interpreted in the context of University of Oregon Board of Trustees Policies, State of Oregon Law, and Federal Law.*

**APPROVED AS INTERIM POLICY**

The university may pay for or reimburse costs for meals or light refreshments associated with official employee morale-building and appreciation activities that serve a university business purpose. Examples of such occasions include a gathering to honor a departing employee who is retiring or who is separating from employment with the university after at least 5 years of service, employee recognition receptions, annual faculty/staff picnics, new employee receptions, and holiday gatherings.
Under no circumstances may university funds be used for occasions such as employee birthdays, weddings, anniversaries, farewell gatherings (excluding celebrations for retirement or farewell events defined in this policy) or other occasions of a personal nature.

Two annual university events are held for 1) years of service recognition and for 2) retirement recognition. The Human Resources department is responsible for organizing the annual events and for ensuring employees are recognized. University units may also honor qualifying employees in a separate retirement event and must adhere to the standards set in this policy.

**Fund restrictions:**

Education and General Funds (BANNER Fund Type 11) may not be used to provide refreshments or facilities for voluntary social events, either off-site or on-site, such as retirement or farewell celebrations. However, other University funds may be used for those expenses and must adhere to the standards set in this policy.

**Allowances for food and facilities:**

The maximum per-person expenditures for meals furnished by the university at a morale-building event may not exceed per diem amounts found at [https://ba.uoregon.edu/permalink/uutravelompuspuf#sect_uu2278](https://ba.uoregon.edu/permalink/uutravelompuspuf#sect_uu2278)

<table>
<thead>
<tr>
<th>Breakfast per diem</th>
<th>Lunch per diem</th>
<th>Dinner per diem</th>
<th>Light refreshments</th>
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<td></td>
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<td>$10.00</td>
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</table>

The maximum per-person expenditures listed above include the cost of the food and beverages, labor, delivery charges, and other service fees. If a reception before a meal includes beverages and hors d’oeuvres, the combined charges for the reception and the meal should be treated as a single event for purposes of calculating per person costs.

The costs of room rental, room setup fees, media rental, decorations, etc., are not included in the per-person costs. However, these costs shall be held to a minimum and not exceed $1,000.

**Allowance for Retirement or Farewell Gifts (Non-Cash)**

- An item of tangible personal property may be presented to an employee upon his or her retirement or farewell.
- An employee retiring must have been employed at the university for a minimum of five years and designated retired by Human Resources.
• In the event that a unit would like to give a farewell gift to an employee leaving the unit but not retiring, the employee must have been in the position they are leaving for a minimum of five years.
• The employee must be in good standing when leaving the university or unit.
• If using Education and General Funds (BANNER Fund Type 11), the maximum value of a gift is $50. If multiple gifts are given, the maximum spent for all gifts is not to exceed $50.
• If using other than Education and General Funds (BANNER Fund Type 11), the maximum value of a gift is $400. If multiple gifts are given, the maximum sum spent for all gifts is not to exceed $400.
• The gift must be awarded as part of a meaningful ceremony, and should not be determined based on an employee’s classification.
• If the non-cash gift is existing university property (e.g., an office chair) then BAO Surplus Property must be consulted prior to gifting.

Under no circumstances are university funds allowed for gift expenditures in connection with birthdays, weddings, anniversaries, holidays, graduations and other occasions of a personal nature.

As per the OUS Employee Recognition Awards policy (http://www.ous.edu/dept/cont-div/fpm/hr-57-200#700),

• Cash and non-cash awards are not included in the employee's base salary.
• Employee(s) may receive a cash or a non-cash award, or a combination of the two.
• Cash awards are processed through the payroll system and are subject to taxation as income.
• Non-cash awards valued under $400 are excluded from taxation. The $400 limitation is an annual exemption for a single employee each calendar year.

Responsibilities:

Department Heads (or equivalent authority) have the authority to approve the reimbursement of meals, light refreshments, and other expenses permitted under this policy. Approval responsibility includes:

• Ensuring that expenditures for meals, light refreshments, and related expenditures comply with university policy and fund source restrictions.
• Ensuring that appropriate documentation is provided to substantiate such expenditures.
• Ensuring that procedures for hosting events with alcohol are followed.

University department heads must ensure that expenditures are in alignment with the university's priorities, mission, and the guidelines set forth in this policy. If the cost of the event exceeds the maximum amounts set by these standards and an exception to this policy wasn’t obtained prior to the event, the excess amount is the responsibility of the unit organizing the event and should be
collected by “passing the hat” to employees. Any excess amount without a prior exception approval will not be approved for payment with any UO funds.

**Exclusions and Special Situations:**

Exception requests to the per-person maximum rates may be submitted to the Office of the Senior Vice President and Provost by the approving department head. Any request for approval of an exception to the per-person maximum rates must include a written justification for the expenditure and submitted at least two weeks prior to the event. The request must document circumstances which are unavoidable or necessary to accomplish a university business purpose. The fact that costs will exceed the authorized rate is not in itself justification for the higher reimbursement rate.

Exceptions must be approved by the Senior Vice President and Provost or the President and may not be delegated except when the Senior Vice President and Provost or the President is absent due to business travel, vacation, illness, or other leave.

**Procedures:**

All standards set by the university must be met when including alcohol service at an event. Permission for serving alcohol beverages at any event held on UO owned or leased property must be obtained prior to the event. For more information on serving alcohol at events, see the Office of Safety and Risk Services’ Procedures for Hosting Events with Alcohol (https://safety.uoregon.edu/request-serve-alcohol).

**Who is Governed by this Policy:** University employees.

**Who Should Know This Policy:** University employees.

**Cross Reference to Related Policies:**

OUS Employee Recognition Awards
Non-travel Meals, Refreshments, and Hospitality Expenses

**Reviewed and Approved By:**

Michael Gottfredson, UO President

**Date:** 07/02/2014

**Issued by:** Office of the Sr. Vice President and Provost

**Date:** 07/02/2014

**Revision History:**

2010: Executive Leadership Team (ELT) put cap of $2000 on retirement party and gift for UO retirees for employees of lengthy service.

11/2013: Draft reviewed and edited by Finance and Administration.

5/1/2014: Submitted to Senate President.

7/2/2014: Approved on an interim basis and subject to Senate review when Senate reconvenes.

<signed document>

**Original Source:** UO Policy Statement
Employment Discrimination

**Reason for Policy:** This policy outlines the University’s position against discrimination in employment based on race, color, religion, national origin, disability, age, marital status, sex, or sexual orientation.

**Entities Affected by this Policy:** All employees of the university.

**Responsible Office:** For questions about this policy, please contact Human Resources at 541-346-3159.

**Enactment & Revision History:** Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0050.

**Policy:**

**Discrimination Based on Race, Color, Religion, National Origin, Disability, Age, Marital Status, Sex, or Sexual Orientation**

The University shall not discriminate in employment based on race, color, religion, national origin, disability, age, marital status, sex or sexual orientation.

**Chapter/Volume:**

**Original Source:** Oregon Administrative Rule

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Employment of More than One Member of Household

**Reason for Policy:** This policy outlines the University’s position regarding employment of more than one member of a household.

**Entities Affected by this Policy:** All employees of the university.

**Responsible Office:** For questions about this policy, please contact Human Resources at 541-346-3159.

**Enactment & Revision History:**
Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0055.

Policy:

Employment of More than One Member of a Household

(1) In appointing academic staff members, the University seeks those persons most qualified to fulfill its teaching, research and service obligations. Accordingly, members of the same family may be appointed to academic staff positions when it has been determined that they are the most qualified candidates for the positions.

(2) No academic staff member, without prior permission of the immediate supervisor, shall participate in employment decisions, supervision or grievance adjustment concerning or involving the staff member's spouse, child or stepchild.

Chapter/Volume:
Original Source: Oregon Administrative Rule

Environment and Sustainability

Policy Number: IV.07.05  
Reason for Policy: To guide the institution’s environmental plans, procedures, and practices. 
Entities Affected by this Policy: University of Oregon faculty, staff, officers of administration, and students. 
Responsible Office: For questions about this policy, please contact the office the Vice President for Finance and Administration at 541-346-3003.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

Revisions approved by University President Michael Schill on March 28, 2017. Policy number changed to IV.07.05 from 01.00.13.
Policy:

Policy Statement:

The University of Oregon recognizes global climate change, ecosystem degradation, and loss of biodiversity as major environmental challenges. As established in its mission statement, "We value our shared charge to steward resources sustainably and responsibly." Enacting and implementing an environmental policy will be a positive example and play a significant role in the advancement of environmental stewardship on the campus and in the local and greater community.

The university is committed to environmental stewardship, compliance with the law, and promoting a healthy environment for current and future generations.

Guiding Principles:

1. **Planning and Design**: The university will endeavor to minimize environmental impacts associated with the construction and operation of campus buildings and grounds through careful attention to environmental performance standards in design and construction.
2. **Operations and Maintenance**: The university will implement conservation and efficiency strategies that reduce consumption of energy, water, and other resources without compromising high quality learning environments.
3. **Greenhouse Gas Emissions**: The university will monitor, report, and strive to reduce its greenhouse gas emissions.
4. **Transportation**: The university will support alternatives to commuting by single occupancy vehicles and encourage students, employees and guests to use alternatives that minimize environmental impact.
5. **Purchasing**: The university will strive to obtain "best value" by balancing, as both appropriate and permissible, life cycle costs and social and environmental impacts when purchasing goods and services. Where both appropriate and permissible, the university will write specific purchasing policies to guide decision--making on frequently purchased items.
6. **Materials Management**: The university will establish and maintain programs that minimize solid waste (including food waste) through reduction, reuse, and recycling.
7. **Hazardous Materials Management:** The university will minimize the use of hazardous materials when possible while recognizing the necessity of some hazardous materials for research, teaching, and operations. The university supports environmentally responsible management and disposal of hazardous material.

**Implementation:**

The university administration will charge appropriate units with responsibility to integrate these principles into policies, plans, programs, procedures, and practices. The Office of Sustainability should make relevant documents publicly available.

**Reporting:**

At least once every three years the Office of Sustainability should make available a public report on the implementation of the Environmental Comprehensive Policy. The Office of Sustainability has responsibility for monitoring and recommending changes to this policy in consultation with the Environmental Issues Committee.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

**Original Source:** UO Policy Statement

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**Equal Opportunity**

**Effective Date:** 11/22/1985

Office of the Vice President for Finance and Administration

vpfa@uoregon.edu

**Policy Statement:**

The Oregon State Board of Higher Education recognizes the importance of appropriate higher education opportunities for all citizens of the state. The Board is committed in its Strategic Plan to recruit and build a more diverse student population and workplace.

It is the Board's intent that women and minority students be appropriately represented in academic programs at the undergraduate and graduate levels. It is also the Board's intent that
women and minorities be appropriately represented in the administrative staff and in the teaching and research faculty.

Institution presidents have primary responsibility for developing and implementing programs to enhance enrollment and graduation of women and minority students and for achieving a diversified workforce by maintaining affirmative action plans; the appropriate social-educational climate; and other relevant conditions, policies, and practices. The Chancellor is responsible for developing and implementing similar plans, conditions, policies and practices in the Board's office. As a matter of law, as well as policy, the Chancellor shall evaluate the performance in these areas of presidents and other officers reporting to him. (See Board's policy on Executive Management, and Evaluation of Chief Administrators.)

The Chancellor shall report to the Board at the December meeting each year concerning the efforts and achievements with respect to equal opportunity and affirmative action objectives in enrollment and employment during the prior fiscal year. Special recognition shall be given in the report to those institutions that have achieved the stated goals or that have made superior efforts to those ends. Attention also will be called to institutions that have demonstrated unsatisfactory progress or efforts.

The Board further intends, as a matter of policy, that minority and women-owned business enterprises have equal opportunity in contracting, subcontracting, and supplying materials for capital construction projects undertaken by the Board.

Cross Reference to Related Policies:
Policy Document
Original Source: OUS Board Policy

Equal Opportunity Statement (Publication of)

Last Updated: 09/14/2004
Effective Date: 05/21/1985
Reason for Policy: To provide official University of Oregon affirmative action text for publications and advertisements, to list exceptions, and to assign responsibility for ensuring the appropriate statement is published.
Vice President for Finance and Administration

Policy Statement:

The complete University of Oregon Policy Statement on Equal Opportunity (provided below) shall appear on all University publications and University advertisements.
The University of Oregon affirms and actively promotes the right of all individuals to equal opportunity in education and employment at this institution without regard to race, color, sex, national origin, age, religion, marital status, disability, veteran status, sexual orientation, gender identity, gender expression or any other consideration not directly and substantively related to effective performance. This policy implements all applicable federal, state; and local laws, regulations; and executive orders. Direct related inquiries to the Office of Affirmative Action and Equal Opportunity, 474 Oregon Hall, University of Oregon, Eugene, OR 97403; telephone (541) 346-3123; TDD (541) 346-0852.

Alternative Statements:

For University Stationery and all position announcements, the following statement shall be used:

An equal-opportunity, affirmative-action institution committed to cultural diversity and compliance with the Americans with Disabilities Act.

For newspaper and journal position advertisements, the following statement shall be used:

EO/AA/ADA institution committed to cultural diversity.

Responsibility:

Responsibility for ensuring that the appropriate statement appears on all publications and in advertisements shall be with the head of the department placing the printing order.

Exclusions and Special Situations:

Exceptions:

1. The Director of University Publications is authorized to use one or the other alternative Equal Opportunity statement shown above to meet special design or space limitations in a publication.
2. At the discretion of the Director of University Publications, the equal opportunity statement may be omitted so long as the publication is not used for recruitment of students or employees.

Revision History:

Supersedes all earlier policies issued on this subject.
05/21/1985 Originally issued
02/03/1993 Reviewed and Recommended for Revision by President's Staff
09/14/2004 Reviewed and Recommended for Revision by President's Staff
Reissued by: The President of the University
02/08/2010 Policy number revised from 1.000 to 01.00.06
Equipment

Last Updated: 04/04/1986
Effective Date: 04/04/1986
Reason for Policy: To identify limitations on use and disposal of University equipment.

Policy Statement:

Individual departments or other units of the University are charged with stewardship responsibility for the equipment under their control. However, ownership of University equipment is vested in the University of Oregon on behalf of the Oregon State Board of Higher Education, and not in any specific unit or department regardless of whether the equipment was purchased with University funds or donated by an external agency or private individual. Such items need not be listed on the University's equipment inventory to qualify as University equipment.

University equipment may be used only in the conduct of University-related activities. Except as required for the proper accomplishment of the University's mission or for the obvious and recognized purposes of an individual unit or department, University equipment may not be borrowed by, or rented or loaned to any person or group for non-University purposes without the prior written approval of the Vice-President for Administration, on the recommendation of the appropriate dean or director.

Department heads and unit directors may loan or rent equipment under their stewardship to other units of the University for University purposes and are free to transfer control of equipment to other University units upon the agreement of both unit directors and in compliance with University inventory control procedures. They also may negotiate with equipment vendors for the trade-in value of equipment they intend to replace in compliance with State Board purchasing policies and procedures.

When an item listed on the University's equipment inventory is no longer needed or when it is judged to be of no value, the Office of Business Affairs shall be notified. The Office of Business Affairs is authorized to declare such equipment surplus or scrap and to determine how it shall be disposed of according to appropriate State Board policies and procedures.

(See also OAR 580-50-035 and FASOM 02.40A[2], 4101, 4102, 4111, 4113, 4150, 4201)

Reviewed and Approved By: President's Staff
Equity Contracting, Purchasing, and Data Reporting Procedures

Policy Number: IV.09.04
Reason for Policy: To articulate a policy aimed at sharing information regarding the University’s use of minority and women-owned and disabled veteran owned businesses, as well as emerging small businesses in contracting and purchasing agreements.
Entities Affected by this Policy: Purchasing and Contracting Services and Design and Construction, which are responsible for producing the report required by the policy.
Responsible Office: Purchasing and Contracting Services: (541) 346-2419 or pcsadmin@uoregon.edu
Design and Construction: capcon@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-9-purchasing-contracting/equity-contracting

Enactment & Revision History:
7/20/18: Revisions approved by University President Michael Schill. Policy number changed to IV.09.04 from OUS 23.
7/1/14: Became a UO policy by operation of law
7/8/11: Approved by the State Board of Higher Education

Policy:

I. POLICY
It is the policy of the University of Oregon (“University” or “UO”) that all businesses, including small, minority and women-owned businesses, can access the maximum practicable opportunity to compete for and be awarded contracts offered by the University. The goal of this policy is to expand economic opportunities for Historically Underutilized Small Businesses (HUBs) by encouraging participation in University contracting and purchasing.

University Policy provides that the University will adopt contracting practices that encourage and promote participation by HUBs. Accordingly, the University requires periodic reports to the President by the Director of Purchasing and Contracting Services and the Director of Design and Construction on the University’s progress to encourage and promote participation by HUBs in the University’s contracting opportunities.

Purchasing and Contracting Services and Design and Construction will execute this policy by conducting targeted outreach efforts aimed at increasing opportunities for a wide range of businesses, including certified HUBs and service disabled veteran owned, minority and women-owned businesses, and disadvantaged businesses that are not currently certified by Business Oregon or have chosen an alternative agency for certification. No provision of this policy provides for or encourages the granting of any unlawful preferences in contracting. University shall implement the provisions of this policy in accordance with the requirements of state and federal law.

II. DEFINITIONS

State Certified HUB: A small business certified by the State of Oregon including Emerging Small Business (ESB), Minority/Woman Business Enterprise (M/WBE), Service Disabled Veteran (SDV) and Disadvantaged Business Enterprise (DBE and ACDBE).

Historically Underrepresented Businesses: Oregon State certified and self-identified firms certified federally or by another state or entity with substantially similar procedures to the State of Oregon.

Management Aspiration: A plan to increase the diversity of a business’ workforce and to subcontract with or purchase from Historically Underrepresented Businesses. The Management Aspiration may include the business’ nondiscrimination practices, subcontracting strategy, workforce diversity plan, and outreach plan to increase participation by Historically Underrepresented Businesses. The University may consider past performance of businesses in regards to workforce diversity and subcontracting plans as part of the Management Plan evaluation. The Management Plan, except for any percentage goals to utilize Historically Underrepresented Businesses, shall become part of the Contract.

Outreach Plan: The University’s plan to increase utilization of Historically Underrepresented Businesses

III. OUTREACH
The University shall develop an Outreach Plan. The Outreach Plan may include elements such as: vendor fairs, small group meetings between Historically Underrepresented Businesses and persons who solicit and enter into contracts for the University, technical assistance for Historically Underrepresented Businesses, and dissemination of resources to University employees with purchasing authority. The Outreach Plan may also include outreach to businesses owned by disabled veterans.

IV. CONSTRUCTION-RELATED SERVICES, PROFESSIONAL CONSULTANTS, AND CAPITAL CONSTRUCTION

A. Retainer Program for Construction Related Services: All contracts with a contract value greater than $50,000 that are awarded under the Retainer Program for Construction Related Services shall require a Solicitation Effort to at least two (2) Historically Underrepresented Businesses.

B. Retainer Program for Professional Consultants: All contracts with a contract value greater than $100,000 awarded under the Retainer Program for Professional Consultants shall require a Solicitation Effort to at least two (2) Historically Underrepresented Businesses professional consultants.

C. CM/GC and Design/Build Capital Construction Projects: All RFPs for capital construction projects and associated professional consultants utilizing CM/GC or Design/Build processes shall include a Management Plan by the proposer as part of the evaluation criteria. At least 10 percent of the total points allocated for evaluation shall be allocated to the Management Plan.

D. For purposes of this section, Solicitation Effort means:
1. Contacting at least two (2) Historically Underrepresented Businesses, if available, individually by appropriate means (letter, fax, e-mail or telephone) to alert them of the contracting opportunity; and
2. Providing the Historically Underrepresented Businesses the same amount of time to respond to the proposal as non-Historically Underrepresented Businesses; and
3. If the University solicits bids without posting an RFP on its website, posting the names of the contractors that the University has chosen to submit bids on the appropriate University website so that Historically Underrepresented Businesses can contact them to provide their services as subcontractors or suppliers; OR
4. If a significant portion of the Contract award to a general contractor in a capital construction project will be subcontracted to other businesses, per the determination of the University, the inclusion of a Management Plan as part of the evaluation criteria. The evaluation of the Management Plan must represent at least 10 percent of the total points allocated for evaluation.

V. PURCHASING OF GOODS OR SERVICES

All Informal and Formal Procurements for the purchase of goods or services under a competitive process shall require a Solicitation Effort to at least one (1) Oregon certified firm.

A. For the purposes of this section, Solicitation Effort means:
1. The University shall contact one Certified HUB vendor if available, by appropriate means (letter, fax, e-mail or telephone) to alert them of the contracting opportunity and provide them reasonable notice to respond.

2. If no Certified HUB vendor are available for the applicable solicitation, Self-identified businesses or firms certified by a state, the federal government or other entities, as available, may be used to satisfy the requirements of this section.

VI. RECORDS

The University shall keep a record of all Solicitation Efforts with its solicitation documents and in accordance with the University’s records retention rules.

VII. EMERGENCY PROCUREMENTS AND OTHER EXEMPTED CONTRACTS

This policy is inapplicable to Emergency Procurements and Special Procurements. This policy is inapplicable to any contract exempted from competitive procurement under existing University policies or rules. Notwithstanding the foregoing, the University will endeavor to contract with Historically Underrepresented Businesses for Emergency Procurements or exempt contracts where practicable.

VIII. ANNUAL REPORT

A. Purchasing and Contracting Services and Design and Construction will submit an annual report on the University’s equity contracting and purchasing efforts to the President’s Office by November 1.

B. The Annual Report shall include data on utilization of Historically Underrepresented Businesses for capital construction projects and goods or services purchases for the most recently completed fiscal year. The Annual Report will also compare utilization to the previous year’s utilization.

1. Utilization data shall be separated into the following categories, when available:
   a. Certified Minority Business Enterprises;
   b. Certified Women Businesses Enterprises;
   c. Certified Disabled Veteran Business Enterprises
   d. Certified Emerging Small Business Enterprises; and
   e. Self-identified HUBs.

2. The Annual Report must include utilization data from the contracts with firms within the categories listed in 1(a), (b), (c), (d) and (e). The Annual Report may include utilization data from contracts with firms within the category listed in 1(d). The Annual Report may also include utilization data from contracts with non-HUB firms that subcontract with Historically Underrepresented Businesses.

3. The Annual Report shall include data on Historically Underrepresented firms that are subcontractors on capital construction projects. Design and Construction shall set out the format for reporting this data.
4. The Annual Reports shall include the total number of Historically Underrepresented Businesses that did business with the University either directly, or as a subcontractor to a general contractor in a capital construction project, during the most recently completed fiscal year.

5. All utilization data shall be reported as a percentage of total covered expenditures and as the total value of the covered contracts.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 9: Purchasing and contracting

Related Resources:


Original Source: OUS Board Policy

Equity Salary Review

Last Updated: 01/31/1986
Effective Date: 01/31/1986
Reason for Policy: To assure equity salary reviews for faculty at least every two years. To assure publication for review criteria.

Policy Statement:

At least every two years the University of Oregon shall adopt procedures to review salaries for equity. These procedures may be revised from time to time as necessary.

Procedures:

The President shall appoint a committee of administrative and teaching faculty charged to design a mechanism to be used for analyzing faculty salaries to identify equity problems. The committee's recommendations shall be reviewed by the President and Vice-Presidents. Once an appropriate mechanism is approved, an understandable summary of its major characteristics shall be published. The analysis shall be conducted in even-numbered years or more often as appropriate. The results of the analysis shall be made available to deans or directors and department heads for their respective facilities.
Expedited Tenure

Policy Number: II.02.04
Reason for Policy: To articulate the university’s position on and processes related to expedited tenure review.
Entities Affected by this Policy: Faculty; those working within promotion and tenure processes
Responsible Office: For questions about this policy, please contact the Office of the Provost and Academic Affairs at provost@uoregon.edu or 541-346-3186.
Enactment & Revision History: 01/30/2018 Enacted by President Schill upon recommendation of the University Senate. (Senate action on 1/17/18 via motion US 17/18-01.)

Policy:

• The expedited tenure process is not appropriate for faculty members or academic administrators who are currently employed and/or under contract at the University of Oregon.

• If a unit faculty votes to hire a new faculty member at the rank of full professor, and votes to recommend indefinite tenure to the candidate based on the candidates’ application materials, and the Provost and the Dean of the relevant School or College agrees with the hiring and tenure recommendation of the unit, then the faculty and the Dean can forward the possible new faculty member’s dossier to the Faculty Personnel Committee for an expedited promotion and tenure review; and

• The expedited review shall be conducted by a subcommittee of the Faculty Personnel Committee (FPC) consisting of five members (with one member selected as chair by the subcommittee) and will include three FPC members from the College of Arts and Sciences (one from each division) and two FPC members from the other schools and colleges. The members of this committee, to be called the Expedited Tenure Review Committee (ETRC), will be elected annually by the FPC. The ETRC will be composed with attention to equity, diversity and inclusion. ETRC members shall recuse themselves from the consideration of tenure cases in
their unit. Vacancies, including those that arise from recusals, will be filled by the FPC chair after consulting the FPC membership; and

• The ETRC will be “on call” through the academic year and the summer term to review cases and make recommendations to the Provost. The ETRC will meet at least once each fall with the Provost to discuss process and standards and select a chair for the year; and

• The ETRC, upon completion of its review, will report their recommendation to the hiring unit, and will provide the compiled tenure dossier, which shall include all information upon which they have made their recommendation, to the hiring unit. Relevant members of the unit, as specified by the unit governance documents, shall have five business days after receipt of the dossier to change their vote for indefinite tenure and to notify the ETRC about any such changes. The ETRC shall consider any changes to the unit tenure vote and either recommend to the Provost that the possible new faculty member should receive indefinite tenure and the rank of full professor or require that the faculty member be reviewed by the full promotion and tenure process; and

• The ETRC will determine what materials should be considered in their review, but such materials must include at a minimum the following: candidate’s cv, all relevant research materials, a quantitative assessment of the candidate’s work and impact if available, and at least five external evaluations, three of which may be letters from application process and at least two of which must be external evaluations (by letter or by a phone call conducted by a member of the ETRC). The latter two evaluators must be selected by the committee from a list of possible evaluators prepared by the hiring department(s) and not including anyone listed among the candidate’s references. The ETRC will carefully document any non-written evaluations for inclusion in the tenure dossier. The ETRC may request other information as it sees fit through the dean of the relevant school or college. Failure of a dean to provide requested information may result in the ETRC requiring the candidate be reviewed by the full promotion and tenure process.

• Materials collected for each review will be available to all members of the FPC and FPC members may provide comments to the ETRC until the ETRC concludes its deliberations and makes its decision on the case.

• The FPC shall be responsible for tracking when an individual is awarded tenure via the expedited process and will include in their annual report to the Senate the number of cases considered by the ETRC and the number of cases in which tenure was awarded via the expedited process.

Chapter/Volume:

• Volume II: Academics, Instruction and Research
• Chapter 2: Appointments, promotion and tenure
Facilities and Operations, Closure Of

Policy Number: IV.07.02

Reason for Policy: To provide standards and procedures for determining when conditions of weather, emergency, or other special circumstances raise questions about the practicality, desirability or need to close down University operations, i.e., classroom instruction, office operations, physical plant operations or any subsection of the University.

Entities Affected by this Policy: All members of the University of Oregon community.

Responsible Office: For questions about this policy, please contact Safety and Risk Services, safety@uoregon.edu or 541-346-3192.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

04/25/2016 Revisions approved by President Schill; policy renumbered from 04.00.03 to IV.07.02

02/08/2010 Policy number revised from 4.000 to 04.00.03

03/06/1984 Approved by President's Staff and Issued by Vice President for Administration
04/23/1982 Originally promulgated

Policy:

The University of Oregon may change its operating status during and surrounding periods of inclement weather or emergencies. When inclement weather occurs, geographic location and elevation can vary conditions significantly. The University of Oregon makes decisions based on its campus conditions, which may not be the same decision by nearby school districts, colleges or universities.

The President of the University designates the Vice-President for Finance and Administration as the administrative officer responsible for the decision about delayed opening or closure and implementation of this policy.
If a change in operating status is warranted, the Vice President for Finance & Administration has three options: a delayed opening, early closure, or a full closure.

Academic and administrative units shall abide by any decision made by central administration regarding operating status. If a unit cannot safely maintain operations, the Dean or Director can choose to open later than the campus wide opening, close earlier than the campus wide closing, or fully close instead of delayed opening or closing early. Deans and Directors are responsible for communicating their status to their own employees. This deviation from the campus wide status must be communicated to the Incident Management Team (IMT).

In the case of inclement weather, the following services and resources are considered essential:

- Campus Planning and Facilities Management
- Central Power Station
- Safety and Risk Services
- Housing and Dining Services
- Information Services
- Research (e.g. Animal care facilities)
- UO Police Department
- Incident Management Team

When it is possible to maintain safe operations, the following campus services will open and provide as many services as possible for the student population: Erb Memorial Union and Student Recreation Center.

DEFINITIONS

Delayed Opening: A university operating status based upon inclement weather or other emergency that cancels classes and events, and suspends all non-essential administrative and academic activities at the Eugene campus in the morning hours of normal operations.

Early Closure: A university operating status based upon inclement weather or other emergency that cancels classes and events, and suspends all non-essential administrative and academic activities at the Eugene campus in the afternoon and/or evening hours of normal operations.

Full Closure: A university operating status based on inclement weather or other emergency that cancels all classes and events and closes all university offices and departments, except select emergency and essential services.

Essential Services and Resources: Services and resources necessary to maintain health and safety and residential and research support functions on campus. Departments and units with designated essential services and resources are responsible for developing their own protocol and procedures for maintaining their essential functions.
Essential Employee: University employee whose duties are required to provide essential services and resources.

RESPONSIBILITIES

Vice President for Finance & Administration (VPFA): Makes final decision regarding the operating status of the university and when to resume normal operations. The VPFA has the responsibility to evaluate extenuating circumstances and scheduled programming with input from the Incident Management Team for services and resources considered essential to fulfill operational needs.

UO-Incident Management Team (IMT): Provides the command and control infrastructure that is required to manage the logistical, fiscal, planning, operational, safety and campus issues related to any and all incidents/emergencies. The IMT monitors the situation and advises the Vice President for Finance & Administration when a decision regarding a change to the operating status is advisable.

Deans and Directors: Within the unit for which they have responsibility, maintain the same operating status that has been declared by the university. When a change in operating status has been declared, maintain a schedule within the unit that is consistent with this policy.

SPECIAL SITUATIONS

Supervisors and faculty should be reasonably understanding and flexible regarding a student’s or staff member's individual needs during inclement weather or an emergency, especially if the student or employee has a long commute to and from campus. A student, faculty or staff member who believes that it is unsafe to travel, or who is faced with unexpected family care responsibilities (such as those created by local school closings), should use his or her judgment and remain at home if that is the most prudent action.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

Related Resources:

Closure Reference Tables.pdf

Facilities Scheduling
Policy Number: IV.07.08
Reason for Policy: To define the scheduling of facilities and outdoor space owned or operated by the University of Oregon.
Entities Affected by this Policy: UO faculty, students, staff, and the general public.
Responsible Office: Office of the Vice President of Finance and Administration: 541-346-3003, vpfa@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-property-facilities-planning-sustainability-0

Enactment & Revision History:

10/31/2017 Policy renumbered from 4.00.05 to IV.07.08 and technical changes made by the University Secretary

7/23/2013 Approved by UO President (following recommendation by University Senate – 4/10/13)

12/28/2010 Revised by President Richard Larivier

02/08/2010 Policy number revised from 4.000 to 04.00.05

10/04/1985 Reviewed and approval recommended by President's Staff

05/01/1977 Promulgated as AM 18.020

Policy:

Definitions:

Facility: Refers to Facilities, including buildings and scheduled outdoor spaces, owned or operated by the university. Scheduling rules and regulations for specific Facilities may vary and must be followed.

Locally Scheduled Facility: Refers to a Facility that is scheduled by a dean, director, or designee.

University Entity: Refers to groups (including colleges, schools, departments, and other university organizational units, recognized faculty groups, recognized student groups, academic
student groups, and self-defined groups of three or more members of the Statutory Faculty, when scheduling any Facility.

Refers to currently employed administrators and staff (including OAs, librarians, classified staff) when scheduling Locally Scheduled Facilities, considered to be part of regular professional activities.

Emeriti faculty may request to schedule Facilities in a manner congruent with the Emeritus Policy.

**Non-University Entity**: Refers to an individual or organization that is not a University Entity.

**Policy Statement:**

1. This policy addresses the use and scheduling of buildings and outdoor space owned or operated by the university (hereinafter "Facilities").
2. University Facilities are reserved primarily for UO activities, including instruction, research, administration, public service, and student activities. Instruction, research, and administration take priority. Consistent with applicable law and policy, when not required for university activities, and subject to other university policies, university Facilities may be scheduled for other uses.
3. Both University Entities and Non-University Entities may schedule a UO Facility.
4. Use of Facilities does not in any way imply that the university endorses, encourages, or approves the purposes, conduct, or messages of the users.
5. The university may charge Non-University Entities an application fee for requesting to schedule the use of Facilities as described under Scheduling Responsibilities.
6. Procedures (including schedule of fees) for scheduling of Facilities and conduct of events will be published on the UO website. This will include a timely appeal process for denied requests.

**Scheduling responsibilities:**

- The University Registrar or designee is authorized to schedule Facilities for UO instruction.
- The UO Scheduling and Event Services is authorized to schedule, and facilitate planning and support, for non-academic use of scheduled university Facilities, not assigned to another administrator by this policy.
- The dean, director, or designee is authorized to schedule each Locally-Scheduled Facility in a manner consistent with this policy.
- All applicable scheduling fees must be approved by the Business Affairs Office and made publicly available on the UO website.
- Requests for scheduling of UO Facilities by Non-University Entities must be made in writing, using the required forms. University Entities may request to schedule Locally Scheduled Facilities via in-person communication, e-mail, or phone. Entities must disclose the general
intended use at the time the user seeks to schedule the facility. Failure to disclose such information may result in denial or cancellation of the reservation.

- Request for use of a Facility must be scheduled sufficiently in advance to allow the appropriate university officials to determine if the use is permissible and to make reasonable preparations for the intended use.
- Entities that request the use of Facilities should endeavor to prevent persons attending the event from damaging the Facilities. Any requester may be required to meet reasonable additional conditions necessitated by the requested use. All health, safety, fire, and other regulations must be observed by users of Facilities.
- The university reserves all concession and catering rights and the right to approve or disapprove the serving of alcoholic beverages, as well as all rights to make audio or commercial video recordings or televise or broadcast any event. Catering information may be found with University Catering. Information regarding the terms and conditions for recordings and broadcasts is located online at the Office of Marketing and Brand Management site.
- Sound policies may be found on the Outdoor Amplified Sound Agreement.
- Overnight events are generally prohibited; exceptions must be expressly authorized in advance by the University Scheduling Manager.
- At all times, any event approval is conditioned upon full compliance with all university policies and all reservation requirements. In order to ensure that an event is consistent with university policies, the university reserves the right to modify or cancel an event, to decide where an event will occur, to move the location of an event, and to take any other action necessary to ensure compliance with university policies and for no other reasons.

Exclusions and Special Situations:

This scheduling policy does not apply to Facilities that are scheduled by the Department of Athletics.

This policy applies to scheduling of all other Facilities for UO and non-UO uses and supersedes any policies that are inconsistent.

Procedures:

1. The University Scheduling Manager will maintain and post on the UO website a manual of procedures and other rules that will guide the operational procedures in relation to (a) request for scheduling, (b) basic and auxiliary fee structure, (c) scheduling options, and (d) management of events in university Facilities and spaces covered under this policy.
2. For scheduling requirements, forms, and fees, an interested party should contact University Scheduling and Events Services, or contact the dean, director, or designee for the Locally-Scheduled Facility.
3. University Entities will not be charged for the scheduling of Facilities and may be charged for use of Facilities. They will not normally be charged for the use of their own Local Facilities when
these are scheduled for activities considered to be part of regular day-to-day professional duties.

4. Non-University Entities may be charged a scheduling request fee, payable prior to approval of the use, as well as appropriate use fees. Additional fees may apply. They are required to execute an agreement for use of Facilities on terms acceptable to the university. Procedures by which Non-University Entities may apply to use Facilities and conduct an event will be published on the UO website.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability

Related Resources:

Forms/Instructions:

1. Request forms for academic and classroom scheduling are found online at the Academic & Classroom Scheduling site.
2. Requests for non-academic uses must be made to the University Scheduling Manager or the dean, director, or designee for the Locally-Scheduled Facility.

Academic & Classroom Scheduling

Outdoor Amplified Sound Agreement

University Catering

University Registrar

UO Scheduling and Event Services

Original Source: UO Policy Statement

Facilities, Naming of

Policy Number: IV.07.01
Reason for Policy: To describe the limitations on and procedures for naming buildings, structures, interior spaces, and exterior spaces, including landscape elements.
Entities Affected by this Policy: General UO community
Responsible Office: For questions about this policy, please contact University Advancement at 541-346-3016 or advops@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-property-facilities-planning-sustainability

Enactment & Revision History:

Amended on February 29, 2016 by President Michael H. Schill. Policy number revised from 07.00.02 to IV.07.01.

Policy number revised from 4.000 to 07.00.02 on February 2, 2010

Revision recommended and approved by the President on October 31, 2006

Originally issued February 17, 1989

Policy:

The naming, or renaming, of a building, structure or external space is considered a major event in the history of the institution, requiring due consideration, appropriate due diligence, and consultation.

Under authority granted by Oregon Revised Statutes, Chapter 352, and Section 1.7.1 of UO Policy I.01.01 – Retention and Delegation of Authority – the Board of Trustees shall be the sole authority allowed to name any university building or outdoor area in recognition of an individual or organization.

The President of the University, by this policy, is authorized to name interior spaces (e.g. classrooms, atria, conference rooms, seminar rooms, lounges, etc.) in recognition of individuals or organizations.

1. NAMING IN RECOGNITION OF A GIFT:

- Buildings and structures may be named or renamed for a donor when a gift provides funding for not less than 50 percent of the portion of the cost which would not have been available from other sources (state or federal appropriations, student fees, bonds, etc.). Some exceptions may be granted.

2. NAMING FOR AN INDIVIDUAL NOT IN RECOGNITION OF A GIFT:
• Naming opportunities are generally reserved for donors. However an individual's name may be affixed to a building, part of a building, an interior space, or a landscape element in posthumous recognition of unusually meritorious service to the University or to society at large.
• Normally, a period of at least one year shall have elapsed between the individual's death and the proposal for naming.
• Exceptions to the requirement of posthumous recognition may be granted only upon approval by the Board of Trustees.

3. PROCEDURAL REQUIREMENTS

• Suggestions for naming any building, part of a building, interior space, or exterior space will be made through the Vice President for Advancement to the President. The vice president may receive recommendations from and shall consult with appropriate others (e.g. provost, dean, department chair, director).
• Suggestions for naming in recognition of unusually meritorious service should include a description of the activities and circumstances that warrant consideration as unusually meritorious. While "unusually meritorious service" could be operationalized in many different ways, for the purposes of this policy, unusually meritorious service is likely to describe remarkable activities, circumstances, and/or experiences of individuals that directly served to advance or provide inspiration in advancing the values and mission of the University.
• Pursuant to this policy, the President shall make a recommendation on naming a building or external space, or any space named after a living individual, to the Board of Trustees for its approval. The President may make a final decision on the posthumous naming of any internal space. On naming suggestions involving entire buildings or large open spaces, the President will consult formally in confidence with the Faculty Advisory Council. On naming of a smaller, or more local scale, the President may consult confidentially with any advisory groups that he or she feels is appropriate.

Chapter/Volume:

• Volume IV: Finance, Administration and Infrastructure
• Chapter 7: Property, facilities and planning; sustainability

Faculty Career Support Program

Responsible Office: For questions about this policy, please contact the Office of the Senior Vice President and Provost at (541) 346-3186 provost@uoregon.edu.
Enactment & Revision History: Became a University of Oregon policy by operation of law on July 1, 2014.
Former OUS Internal Management Directive 4.001.

Policy:

(1) Each institution shall develop and maintain a faculty career support plan through appropriate institutional procedures that provide for input from appropriate faculty and institutional bodies.

(2) Institution programs shall include:

(a) Objectives;

(b) Periodic evaluation of faculty, including consideration of appropriate performance indicators;

(c) Specific delegations of responsibilities to academic administrators, peer groups, and individual faculty members;

(d) Specific steps that will be taken to provide career support for faculty members, taking into account stage in career, career development needs, identified performance strengths, and any areas identified for improvement;

(e) The manner in which faculty compensation is related to the results of the periodic evaluation and career support needs of individual faculty members.

Chapter/Volume:

Original Source: Internal Management Directive

Faculty Records Policy

Reason for Policy: This policy outlines certain matters pertaining to faculty records, including restrictions, access, confidentiality, location and custody, permanence, duplication, disposal, and fees for copies.

Entities Affected by this Policy: All UO faculty and those who interact with, manage or hold faculty records.

Responsible Office: For questions about this policy, please contact Academic Affairs at 541-346-3081.

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 3, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 571 Division 30.

Policy:

A. Authority

This Policy concerning faculty records conform to and are governed by ORS 351.065 and the policies of the University of Oregon (University).

B. Definitions

(1) "Directory Information" is that information generally needed in locating a particular academic staff member, including information found in the University Catalog, Time Schedule of Classes, and Telephone Directory.

(2) "Records of Academic Achievement" are limited to the information as to the number of credits earned toward a degree or in post-doctoral work, and certificate(s), diploma(s), license(s), and degree(s) received.

(3) "Salary Information" shall include the rate of pay and terms and conditions of employment.

(4) "Personal Records" are all other records containing information concerning an academic staff member, apart from those identified above.

Personal records include but are not limited to: Information kept by the University, college, or school, department or division concerning a specifically identifiable faculty member and furnished by the staff member or by others at the University's, college's or school's, department's or division's, or at the staff member's request. Personal records include but are not limited to: information as to discipline, counseling, membership activity, other behavioral records, professional preparation and experience, professional performance (e.g., assignment and workload, quality of teaching -- including records tabulated from students' classroom survey evaluations -- research, and service to the institution), personnel data relating to such matters as promotions, tenure, leaves, retirement credits and the like, and professional activities external to the institution, including but not limited to, awards, recognition, research activity, or travel.

C. Faculty Records – Restrictions on Use

(1) Directory Information, Records of Academic Achievement, and Salary Information, as defined within Section B, may be released upon request and without the faculty member's consent.
(2) Personal records, as defined in Section B, are hereby designated as confidential in order to protect privacy rights in an adequate educational environment. Access to personal records shall be restricted as hereinafter set forth in Sections E, F, G, and H.

D. Faculty Records – Restrictions on Content

(1) Only such records as are demonstrably and substantially relevant to the educational and related purposes of the University, college or school, division or department, shall be generated and maintained.

(2) No faculty member shall be required to give -- although the staff member may voluntarily provide -- information as to race, religion, sex, political affiliation or preferences, except as required by valid state or federal laws, rules, regulations, or orders. In those instances in which the faculty member is asked for such self-designation for any purpose (including federal requests for information), the request shall state the purpose of the inquiry and shall inform the individual of the right to decline to respond. Except as the faculty member makes the foregoing information available, there shall be no designation in faculty personal records as to the faculty member's race, religion, sex, or political affiliation.

E. Personal Records – Restrictions on Access

(1) Personal records (except privileged psychological and medical records which are subject also to additional restrictions on access) shall be available only to University personnel such as faculty administrators, students and others serving on official institutional committees or in other official institutional capacities who have a demonstrably legitimate need for particular information in order to fulfill their official, professional responsibilities.

(2) Contents of personal records shall also be available to the faculty member who is the subject of the records as herein provided, in Section F and for research purposes as provided in Section G.

(3) Personal records may not be released to any other person or agency without the faculty member’s written consent, unless upon receipt of a valid subpoena or other court order or process or as required by valid state or federal laws, rules, regulations, or orders.

(4) Upon receipt of a subpoena or other court order or process seeking access to faculty personal records, the recipient, if legally permissible, must take reasonable efforts to notify the subject faculty member and must notify the President or his designated representative prior to any institutional responses. The latter will determine whether or not appropriate University personnel should appear in court to test the validity of the subpoena or court order or process.

(5) The appropriate Vice President shall have the authority to determine the legitimacy of any disputed request for access to the personal records of a faculty member.
F. Personal Records – Access by Subject Faculty Member

(1) Each faculty member shall be provided full access to his or her personal records, as defined in Section B as designated confidential in Section C and maintained according to the provisions of Sections H and I, except as limited below in this Section F. Such records shall be made available for inspection or copying at a reasonable time and place upon request to the custodian of said records.

(2) Evaluative statements submitted in confidence by individuals prior to July 1, 1975, or prior to employment of the faculty member if after July 1, 1975, to the University, college or school, division or department, either at the request of the faculty member or at the request of the President or a Vice President, Dean, Division or Department Head, concerning the subject faculty member's teaching or other professional performance, scholarship, or service, and supplied with the understanding that the substance of the evaluative statement will be available to the subject faculty member upon request, shall be maintained as part of the faculty member's personal records, but the identity of the evaluator shall not be revealed to the subject faculty member.

(3) Upon the request of the subject faculty member, if employed prior to July 1, 1975, the full text of evaluative statements supplied prior to July 1, 1975, shall be made available to him or her by the appropriate Vice President, Dean or Department Head except that portions of the text which would serve to identify the contributor shall first be excised by a three-person subcommittee of the Faculty Personnel Committee (or three faculty members acting as its designees) and placed in the confidential file permitted by University policy. Also upon request of the faculty member, the same subcommittee shall examine the contents of the faculty member's confidential file to verify that it contains only those excised portions defined in this section. The committee shall have the authority to require that any other material be removed from the confidential file. Upon request of the faculty member, the same subcommittee shall examine the contents of the faculty member's closed personal records to verify that the staff member has been given the text of all statements therein, and if not, they shall provide the faculty member with a statement of the substance thereof.

(4) Confidential letters or other information received by the institution, school, department, or division after July 1, 1975, prior to the employment of a faculty member, shall be placed in the evaluation files relating to the faculty member. If the applicant is not employed, the confidential information submitted concerning the applicant shall remain confidential. If an applicant who is employed requests access to his or her files, the anonymity of the contributors of confidential preemployment letters and other preemployment information shall be protected. The full text shall be made available by the appropriate Vice President, Dean, or Department Head, except that portions of the text which would serve to identify the contributor shall be excised and retained in the confidential file permitted by University policy.

(5) A faculty member shall be entitled to submit, for placement in his or her files, evidence rebutting, correcting, amplifying or explaining any document contained therein and other material which the member believes might be of assistance in the evaluation process.
(6) A copy of the regular written evaluation of the faculty member made by the supervising administrative officer, shall be given to the faculty member, and a copy of the evaluative statement, duly signed by the faculty member signifying that the staff member has been given a copy thereof shall be placed in the faculty member's personal records. Each such regular written evaluation shall contain or have attached to it a statement to the effect that:

(a) At the faculty member's option the evaluative statement may be discussed with the evaluating administrator and that;

(b) The substance of any confidential evaluative statements in the closed portion of personal records shall be made available to the faculty member upon request and that;

(c) The faculty member may have entered into the staff member's personal records a rebuttal, refutation, or explanation of any regular written evaluation or any confidential evaluative statement therein.

(7) Any evaluation received by telephone shall be documented in each of the faculty member's files by means of a written summary of the conversation with the names of the conversants identified.

(8) Except as provided in ORS 351.065, the University and its subdivisions when evaluating its employed faculty members shall not solicit or accept letters, documents, or other materials, given orally or in written form, from individuals or groups who wish their identity kept anonymous or the information they provide kept confidential.

(9) If the institution, school, department, or division solicits or accepts student evaluations of the classroom or laboratory performance of a faculty member, such evaluations or surveys shall be conducted anonymously. The record of reports tabulated from student evaluations shall be placed in at least one of the evaluation files defined in University policy. All survey instruments from which evaluation data are obtained shall be delivered to the faculty member. No other evaluative material shall be accepted from students unless the students are first clearly informed that the faculty member will have access to such material and that the anonymity of the student cannot be preserved.

(10) The appropriate Vice President shall be the person to whom requests for information shall be addressed under University policy concerning personnel actions affecting categories of faculty members where such actions appear to have relevance to the case of the faculty member making the request for information. The supplying of such information may be limited where the burden of complying with such requests would unreasonably impede the normal functioning of University business.

G. Personal Records – Access for Research Purposes
Information about faculty members for research purposes may be provided, contingent upon the existence of adequate provisions to conceal from the person(s) doing the research, the identity of the individual faculty members whose personal data or information are being included in the research. Research requests may also be limited where the burden of complying with such requests would unreasonably impede the normal functioning of University business. If the confidentiality of faculty personal records would be jeopardized in any way by the release of the information for research purposes, the written consent of the faculty member must be obtained prior to the release of information. All such requests for information must be submitted to the Vice President for Academic Affairs and Provost, who will obtain the approval of the appropriate faculty committee on human research before releasing any information from personal records for research purposes.

H. Personal Records – Location and Custody

(1) All faculty personal records shall be kept within the Vice Presidential, College or School division, or department offices in which they are utilized.

(2) Each Vice President, Dean, Director, or Department Head shall be the official custodian of the personal records contained within the operating unit, unless another person is specifically designated, in writing, by such Vice President, Dean, Director, or Department Head, to assume his responsibility.

(3) The custodian of personal records shall maintain them in a manner which shall insure their confidentiality and security.

(4) Any person, including administrative and clerical personnel, seeking access to personal records for authorized purposes, shall first secure the consent of the custodian.

(5) The term "file" as used in this section is understood to mean a physical repository containing comprehensive personal records relating to a faculty member's qualifications, competence, and performance in his or her professional capacity. The number of files relating to the evaluation of a faculty member, or to each component of the separate assignments of faculty members with split or joint appointments, shall be limited to a total of three, except for a file designated pursuant to University policies for the maintenance of material properly held confidential or excised from other records. All files shall be kept in designated and accessible places.

I. Personal Records – Permanence, Duplication, and Disposal

(1) The individual faculty member's personal record shall be maintained only for the minimum period of time required to serve the basic official functions for which the records were generated.

(2) The permanent retention of faculty personal records shall be limited to those which the President, the University Archivist, or the State Archivist shall determine to be of long-range value to the individual faculty member, to the University, or to the public.
(3) Duplication of permanent faculty personal records shall be permitted only when such records are required to serve the official functions of the office which maintains them and when the custodian has given his consent.

(4) Duplicate permanent records, evaluative statements and other similar personal records not designated for permanent retention shall not be maintained for a period longer than ten years without the approval of the President or the President's designee. All such records which have been maintained for a period of twenty years shall be disposed of in such a manner as to protect their confidentiality.

J. Fee for Copies

Where a faculty member requests copies of materials under Sections F and G, the University may charge a reasonable fee, not to exceed the actual cost of providing the material.

Chapter/Volume: Oregon Administrative Rule

Faculty: Appointment and Promotion of Instructors and Senior Instructors

Last Updated: 05/25/1984
Effective Date: 05/25/1984
Reason for Policy: To describe the terms and conditions of appointment, evaluation, promotion, leave privileges, seniority status, and salary adjustments for faculty members with the rank of Instructor and Senior Instructor in tenure-related and non-tenure related positions.

Policy Statement:

The following policies, which apply only to the ranks of Instructor and Senior Instructor, supplement the policies contained in Oregon Administrative Rule 580-20-005 and the policies contained in the University of Oregon Faculty Handbook, Fifth Edition (1983).

Policy on Appointment and Promotion of Instructors in Non-Tenure-Related Positions (Effective July 1, 1984)
For faculty members who are appointed with the rank of Instructor and whose selection was made from a candidate pool of local applicants, rather than as a result of a national search, the following conditions will apply to their appointments:

1. The initial appointment will be for one year and, if service is considered fully satisfactory, subsequent appointments as Instructor may be made until the faculty member has served eighteen terms (counting only those terms in which the appointment has been at 0.5 FTE or above). During the year in which the faculty member will attain eighteen terms of service at .5 FTE or above, a thorough review will be conducted by the department and/or dean to determine if a recommendation to continue the appointment of the faculty member is to be made to the Provost. (The criteria by which the faculty member will be evaluated should be appropriate for the responsibilities of the position and should be clearly defined at the time of first appointment by the department.) If a recommendation to continue is made and approved by the Provost, the faculty member will be promoted to the rank of Senior Instructor without tenure. If a recommendation is made not to continue the appointment of the faculty member, timely notice of termination will be given and no further appointments will be offered the faculty member.

2. Following promotion to Senior Instructor, the faculty member thereafter will be given at least two-year appointments if service is considered fully satisfactory and a suitable position is available (see 3. below).

3. Following promotion to Senior Instructor, the faculty member thereafter will be assigned seniority by cumulative years of service at .5 FTE or above as an Instructor and Senior Instructor in the department.

The department head is responsible for designating positions that are to be offered at the rank of Instructor or Senior Instructor. Those positions designated at the rank of Senior Instructor will be offered at no less than .5 FTE for each appointment period. When an appointment or appointments are offered by the department, school, or college, the seniority ranking of the Senior Instructors who are qualified for the particular position will determine the order in which they are given the opportunity to accept such appointments. The FTE for positions with the rank of Instructor will be determined for each appointment at the discretion of the department head.

4. A faculty member in a non-tenure-related position with the rank of Instructor or Senior Instructor may be a candidate for a tenure-related position for which a national search is conducted.

5. A faculty member in a non-tenure-related position with the rank of Instructor or Senior Instructor will be eligible for consideration for sabbatical leave, and will be eligible for leave without pay. A leave taken without pay will not affect the departmental seniority of the Senior Instructor.
6. A faculty member in a non-tenured-related position with the rank of Instructor or Senior Instructor will be eligible for salary adjustments at the same time all other faculty members are considered for salary adjustments.

Policy on Appointment and Promotion of Instructors and Senior Instructors in Tenure-Related Positions (Effective July 1, 1984)

1. Appointment or Promotion to Rank of Senior Instructor

Oregon Administrative Rule 580-20-005 (2)(c) states:

"Senior Instructor": This rank may be used for the appointment or promotion of staff members who have special skills or experience needed in the instructional programs of the institution, but who would not normally be appointed or promoted to professorial ranks. Promotion to the rank of senior instructor will not be made effective before the end of the third year of service. Appointment or promotion to the rank of senior instructor may be made with or without indefinite tenure. Appointment to this rank does not preclude subsequent advancement in rank under appropriate conditions. Because the University of Oregon is dedicated to maintaining its position as a major research as well as an instructional institution, it is expected that the number of faculty members who will be considered for indefinite tenure at the rank of Senior Instructor will be very limited.

2. Establishing a Tenure-related Position

When an academic department determines that the appointment of a faculty member at the rank of Instructor or Senior Instructor in a tenure-related position would benefit its overall academic program and can be funded within the department's budget, the department head and/or dean should obtain the approval of the Provost to establish such a position. If approval is given, the department must then conduct a national search to establish an applicant pool from which the selection of the faculty member may be made. Under exceptional conditions, a regional search may be conducted with the approval of the Provost.

3. Consideration for Tenure

The appointment to a tenure-related position may be made at either the rank of Instructor or Senior Instructor, and consideration for tenure at the rank of Senior Instructor may be given no earlier than three years following the initial appointment, except with the written approval of the Provost.

Issued by: Vice President for Academic Affairs and Provost
Date: 05/25/1984
Revision History: 02/08/2010 Policy number revised from 3.120 to 02.01.01
Original Source: UO Policy Statement
Faculty: Hiring of Tenure-Related Faculty Without Terminal Degrees

Last Updated: 09/08/1999
Effective Date: 09/08/1999

Reason for Policy: To establish the terms and conditions of appointment for tenure-related faculty who have not completed their terminal degree. The proposed action is consistent with the desires to ensure that teaching faculty holding the rank of Assistant Professor actually possess a terminal degree, and that the tenure clock for Assistant Professors not start until they have received their terminal degrees.

On occasion it is both necessary and appropriate to extend offers of appointment to prospective faculty before they have formally received their terminal degree. In most cases this involves hiring of the new faculty member in the spring followed by awarding of the degree at the end of spring or during the summer. Although many successful examples of this process exist, there are cases in which faculty have been hired into tenure-related positions and have subsequently had conferral of their degree delayed.

Policy Statement:

If, at the time of the initial hire, the faculty member has not been awarded his or her terminal degree, the individual shall be issued a tenure-related contract using the rank modifier "Acting". The transmittal letter shall contain the following paragraph:

"It is anticipated that you will have completed the requirements for your [degree name] degree and will be able to provide this office with a statement or certification from the granting institution of the completion of the degree requirements prior to September 16, [start first year]. (This institution will accept the statement or certification in lieu of actual conferral in recognition of the fact that in some instances actual conferral can be delayed.) The "Acting" designation will be removed upon completion of the [degree name] requirements. Should completion of the requirements not occur by September 16, a one-year, fixed-term contract will be issued to you for the period of September 16, [start first year]. Continuation of this appointment beyond June 15, [end first year] is contingent upon actual conferral of the degree by [end first year]."

The following statement shall be included on the initial contract:

"Continuation of this contract beyond the end of the first academic year is contingent on receipt of the [degree name] degree by [date of end of the end of the first year of the contract]. The "Acting" designation will be removed upon completion of the [degree name]."
If the individual completes the degree requirements and is issued a certification or statement of completion, the tenure-related contract remains in place. Should an individual who is issued the one-year fixed-term contract receive the degree during the first academic year, and upon the recommendation of the department and the dean, a tenure-related contract with a start date of September 16, of the second academic year will be issued, and the tenure clock will commence effective that date.

Reviewed and Approved By: President's Staff
Date: 09/08/1999
Issued by: President
Date: 09/08/1999
Revision History: 02/08/2010  Policy number revised from 3.140 to 02.01.14
Original Source: UO Policy Statement

Faculty: Hiring of Women and Minority Faculty Members

Last Updated: 02/07/1986
Effective Date: 01/22/1986
Reason for Policy: To guide decision making in hiring faculty when the finalists include women or members of ethnic minorities.

Policy Statement:

The University of Oregon endorses special positive efforts to facilitate the hiring of women and/or members of ethnic minorities specifically to give them the fullest possible consideration in terms of the broadest appropriate criteria. Among these criteria there must be recognition of the value to the University in having minorities and women on its faculty. Their presence on the faculty will help University of Oregon students to develop as educated men and women who will make their contributions in our complex, racially and ethnically diverse society. The University also affirms the primary role of the faculty in selecting new faculty members.

Procedures:

1. In a search for a new faculty member at the point where a small list of finalists has been selected, the following consideration shall be taken into account and acted upon as appropriate. If there are minorities or women included on this list, then the best qualified of them shall be chosen, unless it is determined that some other candidate is demonstrably better qualified for the position or that no candidate is adequately qualified. The purpose of this procedure is to guard against the use of a closely divided departmental judgment, or one based on a genuinely small difference perceived among candidates, in order to choose a white man over a woman or
minority applicant. While a department's final choice made on the basis of overall quality and value to the department is paramount, it is the University's policy to do everything possible to assure a maximum opportunity for consideration of minorities and women.

2. When a proposed new appointee to a faculty position is a minority person or a woman, the person chairing the meeting considering the candidate should first seek to determine the views of the individual faculty members on the professional qualifications of the candidate, i.e., their best judgment of the candidate's substantive merit for the position. If it becomes apparent that a majority of the faculty group favor appointing the candidate, then even if a substantial number may be opposed to the candidate (and notwithstanding to the possibility that the group might be prepared to exclude the candidate from further consideration out of deference to the opinions of those opposed), the person chairing the meeting shall ask that no final negative decision be made until the matter has been discussed with the Dean of the school or College and with the Provost.

Further, no communication to the candidate or to outside parties regarding the decision shall be made until these discussions have been completed. So that the successful completion of the hiring process will not be impeded, these consultation shall be conducted as expeditiously as possible.

This review requirement does not suggest that the Dean or Provost will generally reverse the department's action, nor that their academic judgment will be substituted for that of the department. What it does mean is simply that the Dean and Provost will be cognizant of situations which, on the basis of careful examination, may be used both to bolster the University's affirmative action program and, at the same time, to bring excellent new faculty to the University.

Reviewed and Approved By: President's Staff
Date: 02/07/1986
Issued by: Presidential Memorandum to the Faculty
Date: 01/22/1986
Revision History: 01/22/1986 Originally promulgated as a Presidential Memorandum to the Faculty
02/07/1986 Reviewed and Approval Recommended by President's Staff and Issued by the President
02/08/2010 Policy number revised from 3.140 to 02.01.15
Original Source: UO Policy Statement

Faculty: Initial Hire Salary Factors

Last Updated: 01/31/1996
Effective Date: 01/31/1996
**Reason for Policy:** To identify and to record the factors influencing the amount of initial hire salary. To identify and locate the three official files maintained for each faculty member.

_**Academic Affairs**_

_Doug Blandy_

**Policy Statement:**

The factors actually used in determining the salary of a new academic employee at the University of Oregon shall be recorded and placed in the faculty member's file.

**Procedures:**

After the successful applicant has accepted the position at an agreed upon salary, the dean/director, department/unit head or program/institute director shall write a statement to accompany the request for the faculty member's Notice of Appointment that is sent to the Vice-President. The statement shall describe the factors that were used in determining the amount of the hiring salary for the successful applicant. The amount of the total salary that was offered and accepted shall be stipulated and if the salary exceeds the established minimum salary for the position, the factors used in determining the salary shall be specified. The statement shall be reviewed by the Vice-President and a copy placed in the faculty member's institutional personnel files. The faculty member shall be informed by the department/unit need or dean/director that the hiring salary information has been placed in these files which are open to him/her at any time upon request.

Three official files are maintained at the University of Oregon for each faculty member: (1) in the dean/director's office files, (2) in the Office of Resource Management and (3) in the Office of Human Resources. The faculty member's file maintained in the dean/director's office is the one to which a faculty member normally seeks access.

*Reviewed and Approved By:* President's Staff  
*Date:* 01/10/1986  
*Issued by:* President  
*Date:* 01/31/1996  
*Revision History:* 02/08/2010 Policy number revised from 3.130 to 02.01.08  
*Original Source:* UO Policy Statement

**Faculty: Internal Candidates, Guidelines for Search Processes**

*Last Updated:* 08/07/1991  
*Effective Date:* 08/07/1991
**Reason for Policy:** To define the proper role within the University's search processes of candidates who are currently University employees.

**Academic Affairs**
**Doug Blandy**

**Policy Statement:**

When the University seeks to fill a position through a local, regional, national, or internal search process, any of the University's current employees who meet the published qualifications and are interested in the position are encouraged to apply for it. Participation as a candidate makes participation in the candidate review and evaluation process improper, however. Therefore, internal candidates must observe the following guidelines:

1. Individuals who accept appointment to a search committee and participate in any of its deliberations may not enter that process later as a candidate. If, however, the search fails to find a suitable candidate, a member of the search committee may accept a temporary appointment to the position on an acting basis.

   If after an unsuccessful search, a second search, effort is commenced, a member of the first search committee may stand as a candidate, so long as he or she does not become a member of the second search committee.

2. Internal candidates should not participate in the evaluation of other candidates. However, an internal candidate who is asked by another candidate to submit a recommendation may do so, but should disclose her or his own candidacy to the other candidate, and allow that person to withdraw the request. Any such references submitted should include notice of this disclosure and of the candidate's own status in the search.

3. An internal candidate should not participate in any meeting, presentation, or other event at which another candidate is being evaluated. This is not to say that an internal candidate may not attend a meeting of his or her own discipline or profession if interviews will be conducted there. Rather, the candidate should not attend those sessions at which other candidates may be performing or being interviewed.

4. When an internal candidate is officially informed that she or he will not be considered further as a candidate within the search process, she or he may begin to participate as a non-candidate within the search process.

5. An internal candidate, who is asked to give any kind of evaluative comments for another candidate by a member of the search committee or by anyone else involved in the selection process, should decide on the grounds of his or her own candidacy.

6. This policy should not be allowed to disenfranchise units from participating in the search process. Therefore, when a candidate, who because of his or her current position would have
represented a unit in the evaluation process, is unable to take part, an alternate participant should be identified and asked to represent the unit.

7. This policy is not intended to require changes in the traditional internal selection processes for department heads, program directors, or other internally determined leadership positions. Examples are if department heads are traditionally elected, or if the responsibility for certain administrative processes is rotated, or when the unit has some other process than one in which candidates "apply," so long as these local processes have the ongoing approval of the members of that unit.

Reviewed and Approved By: President's Staff
Date: 08/07/1991
Issued by: President Brand
Revision History: 10/04/2016 Policy name updated for clarification (formerly: "Faculty: Internal Candidates for Instructional and Administrative Academic Positions")

02/08/2010 Policy number revised from 3.120 to 02.01.02

Original Source: UO Policy Statement

Faculty: Internal Candidates, Guidelines for Search Processes

Last Updated: 08/07/1991
Effective Date: 08/07/1991
Reason for Policy: To define the proper role within the University's search processes of candidates who are currently University employees.

Policy Statement:

When the University seeks to fill a position through a local, regional, national, or internal search process, any of the University's current employees who meet the published qualifications and are interested in the position are encouraged to apply for it. Participation as a candidate makes participation in the candidate review and evaluation process improper, however. Therefore, internal candidates must observe the following guidelines:

1. Individuals who accept appointment to a search committee and participate in any of its deliberations may not enter that process later as a candidate. If, however, the search fails to find a
suitable candidate, a member of the search committee may accept a temporary appointment to the position on an acting basis.

If after an unsuccessful search, a second search, effort is commenced, a member of the first search committee may stand as a candidate, so long as he or she does not become a member of the second search committee.

2. Internal candidates should not participate in the evaluation of other candidates. However, an internal candidate who is asked by another candidate to submit a recommendation may do so, but should disclose her or his own candidacy to the other candidate, and allow that person to withdraw the request. Any such references submitted should include notice of this disclosure and of the candidate's own status in the search.

3. An internal candidate should not participate in any meeting, presentation, or other event at which another candidate is being evaluated. This is not to say that an internal candidate may not attend a meeting of his or her own discipline or profession if interviews will be conducted there. Rather, the candidate should not attend those sessions at which other candidates may be performing or being interviewed.

4. When an internal candidate is officially informed that she or he will not be considered further as a candidate within the search process, she or he may begin to participate as a non-candidate within the search process.

5. An internal candidate, who is asked to give any kind of evaluative comments for another candidate by a member of the search committee or by anyone else involved in the selection process, should decide on the grounds of his or her own candidacy.

6. This policy should not be allowed to disenfranchise units from participating in the search process. Therefore, when a candidate, who because of his or her current position would have represented a unit in the evaluation process, is unable to take part, an alternate participant should be identified and asked to represent the unit.

7. This policy is not intended to require changes in the traditional internal selection processes for department heads, program directors, or other internally determined leadership positions. Examples are if department heads are traditionally elected, or if the responsibility for certain administrative processes is rotated, or when the unit has some other process than one in which candidates "apply," so long as these local processes have the ongoing approval of the members of that unit.

Reviewed and Approved By: President's Staff
Date: 08/07/1991
Issued by: President Brand
Revision History: 10/04/2016 Policy name updated for clarification (formerly: "Faculty: Internal Candidates for Instructional and Administrative Academic Positions")
Faculty: Merit Increase Factors

Policy Number: II.03.04
Reason for Policy: To provide faculty members complete information about evaluation factors considered when merit increases are authorized.
Entities Affected by this Policy: Unrepresented faculty
Responsible Office: Office of the Senior Vice President and Provost: 541-346-3186, provost@uoregon.edu
Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-3-f...

Enactment & Revision History:
Revisions approved by the University President on February 1, 2018 and policy renumbered to II.03.04

02/08/2010 Policy number revised from 3.120 to 02.01.03

Issued by President Miles Brand 1/31/1986

Policy:

The University of Oregon shall advise its faculty of factors to be considered in awarding merit increases.

All departments and units must have merit raise policies consistent with provost guidelines governing how available merit pool money will be distributed to eligible faculty members who meet or exceed expectations for teaching; research, scholarship, and creative activities; and service. Department and unit merit raise policies must be approved by the provost or designee.

If a faculty member believes that the announced evaluation procedures or criteria for determining merit increases do not adequately take into account the full range of professional activities that comprise that faculty member's performance, the faculty member may consult with the department/unit head or dean/director to seek clarification and/or resolution of the faculty member's concerns. If not satisfied with the results of this discussion, the faculty member may
seek further clarification and/or resolution from the Provost, or designee to whom the dean/director is responsible or invoke the applicable grievance procedures.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 3: Faculty, general

Related Resources: NA
Original Source: UO Policy Statement

Faculty: Non-Tenure Track Faculty (NTTF)

Last Updated: 11/17/2007
Effective Date: 11/12/2007

Preamble:

The University of Oregon (UO) sustains a faculty congruent with its standing as a major public research university and as a member of the AAU. The UO expects a commitment to excellence in teaching, research, and service from all of its faculty members and it must embrace the duty of creating faculty appointments that readily permit pursuit of academic excellence. As is the case nationally, the UO makes faculty appointments in two groups—tenure-related faculty and non-tenure-track faculty. The purpose of this document is to provide a comprehensive description of the policies, procedures, and practices that define and affect the appointment and employment of non-tenure track faculty (NTTF) at the University of Oregon.

All non-tenure track faculty, whether involved in instruction or research, are considered to be members of the University of Oregon faculty and will be afforded professional and social standing in the University community commensurate with faculty status and the duties and responsibilities of their appointments. The specific policies, procedures, and practices articulated below are effective July 1, 2007 with the intention of creating transparency and increased consistency in NTTF appointments by the end of the 2007-08 academic year.

The role of non-tenure track faculty (NTTF) in a research university like the UO is a topic of intense discussion across the U.S. The issues are complex, and often perplexing, as universities work through the intersection of missions, costs, status and standing, egalitarian instincts versus academic hierarchy, and many other matters, all of which affect higher education in general and the UO specifically. There are many places in which these issues are discussed. One resource of particular importance is a policy paper produced by the American Association of University Professors (AAUP): Contingent Appointments and the Academic Profession [http://www.aaup.org/AAUP/pubsres/policydocs/conting-stmt.htm].[1]
The AAUP policy paper raises one class of issue that is not addressed in this document. The AAUP paper includes recommendations on the proportion of faculty appointments that reasonably can be made as non-tenure track appointments: at most 15% of the total number of faculty appointments for the institution and no more than 25% NTTF for any given academic unit. Current UO practice exceeds this recommendation, and it will be important for the UO to examine this issue and those related to it in the near future. The Academic Affairs committee did offer its advice that bringing UO appointment practices into its own appropriate alignment with the AAUP recommendations represents a worthy goal for a public research university. This plan includes some ideas intended to support this direction.

Academic Affairs
Doug Blandy

Policy Statement:

Background. Systematic institutional review of NTTF appointments and employment practices began in AY 2001-02 with the formation of an ad hoc Senate committee charged to look broadly at UO practices and policies for NTTIF.[2], [3] In 2002, the ad hoc committee was changed to a permanent standing committee, and this committee conducted a number of open faculty forums and town hall meetings, completed a survey of NTTF, and generated a set of recommendations it passed forward to the Office of the Vice President for Academic Affairs in 2004-05.[4] In January 2005, the Office of Academic Affairs appointed an implementation group of NTTF, deans, senior tenured faculty, and administrative support professionals to examine the Senate recommendations and produce a set of concrete implementation recommendations for academic and administrative review and final action. These implementation recommendations have been discussed and reviewed through multiple iterations by the academic deans, the senior leadership of the University, the standing Senate Committee, and the administrative offices that manage the details of UO appointment processes. This document represents the formalized outcome of this extensive and collaborative process.

Issues. There is a set of academic and employment issues that have been at the core of the efforts to examine and improve the professional standing and conditions of employment for NTTF. These have included:

1. Transparency: making the policies, procedures, and practices that define NTTF appointments and conditions of employment more readily transparent to both NTTF and to department heads and others charged with making or supporting those appointments.
2. Consistency: ensuring that NTTF appointments are managed in consistent ways across the schools and colleges of the UO, while recognizing the appropriateness of specific differences in those academic units.
3. Evaluation, promotion, and re-appointment of NTTF: creating a transparent and consistent set of practices in evaluating NTTF along with improved practices in the promotion and re-appointment of NTTF colleagues.

4. Rank and title: bringing consistency and coherence to the assignment of rank and titles to NTTF appointments.

5. Standing: bringing clarity to the standing of faculty holding NTTF appointments in matters of University governance as well as school or college level governance and department or program level governance.

6. Access to resources and opportunities: bringing clarity and transparency to NTTF access to UO faculty resources and opportunities.

7. Salary and compensation: the explicit inclusion of NTTF in salary improvement efforts for the UO.

8. Coordination of school/college efforts with the Office of Academic Affairs: it is essential that efforts to improve NTTF appointments and conditions of employment in the schools and colleges be coordinated with central efforts to create transparency and consistency across the UO.

9. Keeping resource issues in plain sight: it is essential to proceed recognizing the resource issues that shape addressing NTTF matters.

10. Transitions: it is essential that colleagues who currently hold NTTF appointments are held harmless by the changes presented in this document.

Statement on the Value of NTTF at the University of Oregon

The University of Oregon employs a significant number of faculty in non-tenure related appointments, primarily, but not exclusively, devoted to instruction. The University affirms the importance to its mission of these appointments and so embraces the following working principles to guide its employment and support of NTTF:

- The University includes and respects NTTF as integral contributors to the instructional and research missions of the institution.
- All NTTF, whether involved in instruction or research are considered to be members of the University of Oregon faculty and should be afforded professional and social standing in the University community commensurate with faculty status and the duties and responsibilities of their employment.
- The University at all levels of leadership is committed to providing positive working conditions for NTTF.
- The University will provide clear written policies and procedures on hiring, terms of employment, evaluation, and professional development of NTTF.
- UO supports the development of best practice recommendations through collaborative efforts between Academic Affairs, schools and colleges, departments, and our NTTF colleagues.

NTTF Appointments
All NTTF academic appointments fall within the set of unclassified appointments. Overall, there are three kinds of unclassified appointments at the UO: officers of instruction, officers of research, and officers of administration. NTTF fall only in the two faculty classifications of officers of instruction and officers of research.

NTTF appointed as **Officers of Instruction** hold appointments that are primarily or exclusively instructional appointments. This means that the appointments require instructional activities: teaching academic courses, preparation of such courses, associated coordination meetings on the curriculum and content of courses and the academic program they are part of, and advising and mentoring of students within those courses. Such appointments do not have a requirement to engage in research, though career instructional NTTF might be engaged in the teaching mission in nationally visible ways and some instructional NTTF do choose to engage in research, scholarship, and creative practice. Typically, such appointments are made within an academic department (e.g. Dept of History) or program (e.g. Program in Creative Writing), with approvals from the relevant academic dean and final approval by the Vice Provost for Academic Affairs.

NTTF appointed as **Officers of Research** hold appointments that are primarily or exclusively research appointments. This means that the appointments require research activities: supporting research in some cases, conducting research activities, initiating and carrying out projects, pursuing and securing external funding, and all other activities that further the research mission of the UO. Such appointments do not have a requirement to engage in instruction, though there may be some mentoring of students as part of the operation of a grant or a research laboratory. Some NTTF research appointments are made in one of the research centers or institutes, with approvals by the director of the relevant center or institute and final approval by the Vice President for Research. Other NTTF research appointments are made by the academic departments and programs, with approvals from the academic dean and final approval by the Vice Provost for Academic Affairs.

Congruent with AAUP recommendations, selection of an NTTF appointment should be appropriately justified at the time the appointment is proposed. In appointing NTTF either as Officers of Instruction or Officers of Research, the UO will do so with consideration of whether the appointment should be made as a non-tenure-track appointment (NTTF appointment) or as a tenure-related appointment (professorial appointment).

**Appointment Process.** Currently, most NTTF appointments, whether instructional or research, are fixed term appointments with a specific contract duration and no promise of continuation beyond the date specified in the contract. Still, there has been a long-standing practice to re-appointment many NTTF year after year, as well as to appoint others in more strictly temporary appointments. These are usually tied to enrollment fluctuations, external funding support or other temporary conditions. At this point in time the UO will more concretely and transparently categorize the academic appointments of NTTF into two classes: Career NTTF appointments and adjunct NTTF appointments.

NTTF will continue to be appointed following the existing appointment processes published elsewhere [http://appointments.uoregon.edu/index.htm](http://appointments.uoregon.edu/index.htm) with a few changes. Career NTTF
appointments will require a national search; adjunct appointments do not require a national search, though this is not precluded.

Under no conditions will it be possible to convert an NTTF appointment into a tenure-related professorial appointment without a new and national search.

Adjunct appointments will not ordinarily be converted into career appointments no matter how long or how well an adjunct has served. A change in appointment from adjunct NTTF to career NTTF ordinarily requires a national search. Academic Affairs will work with the academic deans and departments and programs to consider whether a career NTTF appointment should be pursued whenever an adjunct NTTF appointment has accumulated more than nine consecutive terms, exclusive of summer appointments (or its equivalent for the Law School) at .50 FTE or greater.[5]

Re-Appointment Process. All NTTF appointments are fixed-term appointments and none are tenure related. For each fixed-term appointment, the UO issues a contract with a specific end date for that contract. Please note also that a decision not to continue a contract is not a "for cause" proceeding and the department is not required to provide a reason for not continuing a contract.

Career NTTF Appointments. In many cases there are NTTF whom a department or program intends to continue to re-appoint as long as there is a need and resources to do so and as long as the performance of the appointed NTTF continues to meet a standard of excellence[6] appropriate to a major research university. Such appointments are common at the UO: long-term instructors of foreign languages, long-term instructors of composition in the Department of English, long-term math instructors, or long-term research appointments, for example. The UO will make its commitment to these long-term faculty more transparent and more consistent across schools, colleges, and departments and programs in the following ways during fiscal year 2008 for all new career NTTF:

- Career NTTF appointments require a national search (with the exception of those researchers who are named in an external funding award): local or regional searches will not be used to appoint career NTTF.
- Career NTTF appointments will be eligible for promotion as described below.
- Career NTTF appointments will be eligible for all regular faculty salary increases and will be included among those faculty whose salaries and compensation are addressed by the Senate White Paper of 2000.
- Career NTTF are eligible to participate in University governance in accordance with University Senate legislation; currently, this includes only officers of instruction employed at .50 FTE or greater who are determined by their academic unit (relevant CAS division or professional school/college) as eligible for the purpose of voting in University elections and serving on elected University Committees and/or the University Senate.
- Under most circumstances, career NTTF will be offered contracts of at least one year in duration.
• Career NTTF appointments will be structured to be renewable based on excellence in performance and available funding but without the need for a new search (those named in external funding award will require proof of continued named in award status).
• Career NTTF appointments are eligible for timely notice after a period of probationary service (three years of service at FTE ≥ .50 with the exception of those on funding contingent contracts). During the first three years of appointment, a career NTTF appointment is considered a probationary appointment and the C-contract will not yet include provision of timely notice. At contract renewal at the beginning of the fourth year of service (the 10th term of service at .50 FTE or greater), the career NTTF will become eligible for timely notice, following provisions for timely notice included in the UO Faculty Handbook. See [http://academicaffairs.uoregon.edu/handbook/Chapter03.html](http://academicaffairs.uoregon.edu/handbook/Chapter03.html).
• While it is not always a requirement on departments, academic departments appointing career NTTF are encouraged to inform individuals with as much advance notice as possible if circumstances make impossible the continuation of an appointment.
• Career NTTF appointments are distinguished from other academic appointment through the use of a specific contract type: C-contracts. Only career NTTF will hold C contracts inclusive of those on funding contingent contracts and those that do not carry timely notice.

**Adjunct NTTF Appointments.** In some cases there is a need for temporary academic appointments either to deal with short-term fluctuations in enrollments, for research appointments that are not expected to exceed three years, or to bring in special expertise from the professional world. Some appointments are made to handle unexpected enrollment increases (for example, enrollment increases in Spanish) or as a replacement for a course (replacing the teaching of a faculty member on leave for one term). Some appointments bring to campus a practicing professional who will teach a course or two and then return to his or her professional practice (for example, a sitting judge might be brought to teach a course in the Law School). Such appointments are temporary in nature and there is generally no intent or plan for such appointments to be renewed. The UO will make its commitment to these short-term faculty more transparent and more consistent across schools, colleges, and departments and programs in the following ways during fiscal year 2008 for all new adjunct NTTF:

• Adjunct NTTF appointments do not require a national search.
• Adjunct NTTF appointments are not eligible for promotion.
• Adjunct NTTF appointments are renewable for up to three years, if so indicated during the search process, after which a new search is required (exceptions may be granted for those who hold annual FTE < .50).
• Adjunct NTTF appointments are not eligible for the regular faculty salary increase process, rather departments and programs will determine salary or a per course wage.
• Adjunct NTTF appointments are not eligible to participate in University governance.
• Adjunct NTTF appointments are not eligible for timely notice.
• Adjunct NTTF appointments will include the modifier "Adjunct" in the title of the person holding the appointment.
Adjunct appointments will be distinguished from other academic appointments through the use of a specific contract type: D or E contracts. Only adjunct appointments will hold D or E contracts.

The use of the modifier "Adjunct" to designate FTE < .60 will be discontinued.

**Transition.** The distinction drawn here between career NTTF and adjunct NTTF follows closely existing practice in making NTTF appointments at the UO. There are many NTTF who hold enduring appointments as instructors or as research scholars with the reasonable expectation that these appointments will continue contingent upon excellent performance, continued funding, and continued programmatic need. There are many others who hold appointments that are strictly temporary and who do not expect the appointment to continue after its completion. But there also are NTTF who hold appointments in which they do not know where they stand, where they are re-appointed term-by-term and for a number of years. It is these appointments in particular that are vaguely defined and which these changes are intended to clarify. NTTF who hold current appointments will transition into the new appointment system as follows:

- NTTF appointed on or before September 16, 2004 (August 15, 2004 for the Law School) and who have held continuous appointments at .50 FTE or greater will be counted as career NTTF unless the appointment was clearly made as an adjunct (meaning the modifier "adjunct" was included in the title of appointment).
- NTTF appointed later than September 16, 2004 (August 15, 2004 for the Law School) will be counted as career NTTF if the appointment was made through a national search.
- NTTF appointed later than September 16, 2004 (August 15, 2004 for the Law School) through a pool search or a modified pool search will be counted as adjunct appointments.
- If a department determines that extenuating circumstances make the above assignments inappropriate in a particular case, the Office of Academic Affairs will consider those extenuating circumstances when determining whether a particular position should be designated as a "career" or "adjunct" appointment.

**Rank & Title**

It is in this area that the greatest changes will occur. Rank will be determined by the definition of the appointment (its expected duties and responsibilities) at the time the search is advertised for all non-pool searches.

Some of these changes may not be effective in Fall 2008 because they may require a change in relevant Oregon Administrative Rules (OARs) under which the UO operates. This section describes current practice and the pending directions rank assignments will take in the near future.

There are two kinds of recommendation the changes here respond to. First, the Senate NTTF Committee had recommended creation of some rank structure in which NTTF who are engaged in graduate education are recognized for this with appropriate appointments. Second, there has been a felt need in some academic settings for a three-level system of appointments for career
related NTTF, analogous to the three-level professorial ranks. The changes below reflect both of these recommendations.

**Officers of Instruction.** Instructional appointments in current practice involve a single rank series with just two levels: Instructor and Senior Instructor. These appointments did not readily admit of a role in graduate education or more extensive activities than extensive undergraduate course instruction. Consequently, there was widespread, but inconsistent practice, in using modifiers of the rank of assistant professor (Visiting Asst Professor or Adjunct Asst Professor) for these other kinds of assignments. The changes below create two kinds of instructional appointment, Instructors and Lecturers, each with three levels of appointment. It is not possible to move from the instructor series to the lecturer series without a new and national search.

It is important to note that these changes, in particular the addition of a second level of senior appointment and the proposed use of the rank lecturer, are likely to require changes in Oregon Administrative Rules (OARs).

Instructor Series: Instructor, Senior Instructor I, Senior Instructor II. The instructor series will be used for unclassified instructional appointments whose functions are devoted exclusively or primarily to undergraduate instruction. Such appointments certainly will include advising and mentoring expectations congruent with creative and engaged undergraduate instruction, including the possibility of involvement in design and development of courses and the curriculum in which they are emplaced. Depending on the particular formulation of the assignment, the appointment will require the MA or its professional equivalent and may or may not require the terminal degree in the field. Appointments in the instructor series will ordinarily require the terminal degree for any instruction of upper division courses (300-level or 400-level courses) though an academic dean and the vice provost may approve limited exceptions.

It is expected that most NTTF instructional appointments will remain within the rank series of instructor. For example, the large numbers of professional instructors responsible for foreign languages, composition, introductory mathematics, undergraduate music instruction, undergraduate art instruction, undergraduate business or journalism courses will continue to be appointed within the instructor series.

Lecturer Series: Lecturer, Senior Lecturer I, Senior Lecturer II. The lecturer series will be used for unclassified instructional appointments whose functions include significant responsibilities for graduate level instruction. The appointment may also include upper division undergraduate instruction. Such appointments must include significant mentoring and advising responsibilities and a significant measure of responsibility for graduate education. Appointments in the lecturer series will always require the terminal degree (or its professional equivalent for certain adjunct appointments), but the holding of a terminal degree in itself does not constitute an argument for appointment in the lecturer series.

It is expected that relatively few appointments will be made at the rank of lecturer since such appointments depend on engagement in graduate education and most appointments directed at graduate education should include research expectations and the development of a concomitant
professorial appointment. Still, it is possible to describe some instances in which an appointment as lecturer will be appropriate. One, the rank of lecturer is appropriate for an appointment of the director of a clinical program, who will supervise graduate students in clinical practice, teach certain graduate level courses in the clinical area, provide leadership and coordination with the external professional setting, and may, if approved separately by the Graduate School, participate in the supervision of graduate student exams, theses, and dissertations. Two, the rank of lecturer is appropriate for an appointment of a specialist in some area where there is a substantial set of courses needed for graduate training but the courses do not constitute an area of departmental research focus.

For each series there are three levels of appointment. In parallel with appointments in the professorial series, the three levels of appointment permit review and evaluation of the incumbent twice during the career with a promotion in rank and an associated salary increase for successful promotions.

**Transitions.** While for most appointments the changes described here will have no immediate or long-term impact, it is the case that the UO is moving away from the use of professorial rank for NTTF appointments. This will have little effect on career appointments across the university and on adjunct appointments within the College of Arts and Sciences. The greatest impact will be in professional school appointments of temporary or adjunct faculty from the professional world. It would mean that a practicing architect would be appointed as an adjunct instructor if the duties of that appointment were strictly directed at undergraduate instruction and as an adjunct lecturer if the duties of the appointment were devoted to graduate education. Appointment of an adjunct to a professorial rank would be restricted to those who hold such an appointment at another institution [institutional parity] or in recognition of some unusual standing in the professional world an exception could be proposed by the relevant dean and approved by Academic Affairs.

**Officers of Research.** Research appointments in current practice involve a two rank series [Research Assistant and Research Associate] each with two levels: Research Assistant and Senior Research Assistant and Research Associate and Senior Research Associate. As described elsewhere, and consistent with ongoing practice, it is not possible to move from the research assistant series to the research associate series without a new and national search.

Research Assistant Series: Research Assistant, Senior Research Assistant I, Senior Research Assistant II. A research NTTF appointed at the rank of research assistant shall have earned a bachelor's or master's degree. Research assistants conduct research under the direction of a tenure-related faculty member or a research associate. Appointment is typically made by principal investigator of a university grant or contract, with the approval of the appropriate dean and Vice Provost for Academic Affairs. For appointments to conduct research within a research center or institute, approval is through the Vice President for Research. Otherwise, it is through the administrative structure of the principal investigator's home department.

Research Associate Series: Research Associate, Senior Research Associate I, Senior Research Associate II. A research NTTF appointed at the rank of research associate shall have an earned doctoral degree (or the highest professional degree in the field plus appropriate
experience). Research associates conduct research independently. Appointment is made by the principal investigator of a university grant or contract, with approval by the appropriate dean and vice president. In many cases, research associates may serve as principal investigators, with approval from the Vice President for Research, on grants they initiate and pursue within the academic unit or research unit of which they are part.

For each series there are three levels of appointment. In parallel with appointments in the professorial series, the three levels of appointment permit review and evaluation of the incumbent twice during the career with a promotion in rank and an associated salary increase for successful promotions.

**Rank Modifiers.** There are several rank modifiers whose use will now be made more consistent both internally to the UO and with national practice.

**Adjunct.** With one exception, the modifier adjunct will be used for all temporary appointments regardless of FTE. This replaces past practice in which the modifier adjunct was used only for temporary appointments with FTE < .60. The one exception is for appointments of post doctoral research associates for which no modifier will be used.

**Visiting.** The modifier visiting will be used only for an appointment that is both temporary and replaces the full range of duties of a tenure-related faculty member/career NTTF or has been invited to campus to collaborate with a UO researcher. Visitors will hold employment at an external institution either private or public. A typical use of this modifier occurs when a tenure-related faculty member is away on leave or sabbatical and the department completes a national search (required) for a one-year replacement who will teach courses at all and any level within the department, be actively engaged in the mentoring of graduate students even on this short-term basis, and will be expected to conduct research and engage with colleagues on research matters. Another example in the research arena is a faculty colleague invited to campus for up to a year to collaborate on a research project or work on a specific technique. A sabbatical replacement appointed only to replace teaching should be appointed as an adjunct. An individual appointed to a visiting position will hold the rank they hold elsewhere.

**Clinical.** It is now possible to use the modifier clinical for academic appointments that are devoted to clinical practice and training.

**Titles.** While in most cases the assignment of rank has been straightforward, in past practice in some cases, titles were used to confer a kind of de facto rank. This practice will be discontinued. Titles will follow consistent practice across academic appointments, uniting rank with the academic unit (or in some case major sub-unit) and any special assignment. Examples would include: senior instructor of mathematics, instructor of Spanish, senior instructor of ESL and associate director of the American English Institute, adjunct instructor of art, visiting lecturer in law, adjunct clinical lecturer in communication and speech disorders.
**Transition.** All currently assigned titles will remain in force for the duration of a colleague's appointment unless he or she agrees to a change.

**Salary and Compensation**

The deans will continue to work with departments to set NTTF salaries that are competitive with the market in the respective disciplines. Academic Affairs will work with Institutional Research and the Vice President for Finance and Administration to establish and maintain appropriate comparative institutional data on NTTF salaries similar to that maintained for tenure-related appointments. Implementation of this effort will take some time as the data needed is not uniformly managed across our comparator institutions.

The University of Oregon will include career NTTF appointments in the faculty appointments covered and addressed by the Senate White paper document on faculty salaries and compensation.

Salaries for adjunct NTTF appointments will be set competitively, though departments will continue to be permitted to contract with adjuncts on a per course basis.

The University supports and encourages, where feasible and appropriate, the creation of NTTF appointments with FTE \( \geq 0.50 \) that permit access to university benefits. The University does not support a practice of appointing NTTF at FTE levels less than \( 0.50 \) merely to preclude benefits. Aggregate appointments across two or more departments with FTE \( \geq 0.50 \) will receive benefits with OPE costs split proportionally across the units.

**Evaluation and Promotion**

All career NTTF will be evaluated on an annual basis beginning Fall 2008. During academic year 2007-08, departments are expected to develop a set of criteria for their NTTF appointments along with an evaluation process, submit these to their academic dean for review and approval, before final approval by the Vice Provost for Academic Affairs or the Vice President for Research (for center and institute appointments).

While the final details and structure of NTTF evaluation should be left to the immediate academic unit in which the appointment is made, there are some general guidelines to follow. NTTF in instructional appointments should have student course evaluations completed for all courses taught and ideally they should undergo at least one peer review of teaching each year. NTTF in research appointments should be evaluated for the quality of the effort expended and the outcomes of their contributions to the research program. In both kinds of cases, NTTF should be asked to discuss their efforts and performance with their immediate supervisor at least once each academic year.

Career NTTF are eligible for promotion; adjunct NTTF are not eligible for promotion. The university will continue to use its existing process for NTTF promotion. Career NTTF will be
eligible for promotion to the first senior level after accumulating 18 terms (consecutive or not) of service (or its equivalent for the Law School) at .50 FTE or greater. There will be a departmental review of the NTTF performance against department criteria previously approved at the school or college level and the university level, a review by the dean of the academic unit in which the department is located, and a final review and decision by the Provost or her delegate. The first level review, from initial appointment to its corresponding Senior appointment, is a required review and will be an "up-or-out" review, meaning that the successful candidate will be promoted and an unsuccessful candidate provided timely notice and a terminal, non-renewable contract. Current practice at the UO is inconsistent and not all academic units have conducted such promotion reviews. The academic deans will be asked to review all career NTTF appointments, identify which have NTTF who are due for consideration for promotion, and implement a plan for a timely and appropriate review for promotion.

Promotion to the second level (Senior II) parallels the process for promotion to full professor. This promotion is elective and does not involve an "up-or-out" decision. Candidates ordinarily would be reviewed during their sixth year after promotion to Senior (18 terms at FTE ≥ .50)

Standing

Standing refers to a faculty member's eligibility to participate in academic decision-making and professional development opportunities as determined by that person's rank within the university. At present the standing of NTTF at each level of institutional activity—department or program, school or college, and university—is vague and underspecified. For example, many NTTF do not know if they may sit on committees or vote at meetings or whether they are eligible for professional development funds. During the next academic year, each unit will clarify the standing of NTTF in its domain, particularly of its career NTTF.

During the current year, the larger university should consider and review NTTF standing at the university level to clarify, among other things, NTTF eligibility to vote in university elections, serve on university committees, and participate in faculty development opportunities.

Duties, Responsibilities, and Conditions of Appointment. Academic units will be encouraged to produce a written document that outlines the general duties and responsibilities of its NTTF appointments. The Office of Academic Affairs will provide a template for this purpose and support to departments as they produce a local document. NTTF will always be included in new faculty orientation activities as has been the practice the past two years.

Access to Grievance and Dispute Resolution

Consistent with current institutional rules and practice, all NTTF have access to both informal and formal means of resolving disputes and grievances. Those processes are detailed in the existing Faculty Handbook [http://academicaffairs.uoregon.edu/handbook/Chapter03.html - I] and in the Oregon Administrative Rules [http://arcweb.sos.state.or.us/rules/OARS_500/OAR_571/571_003.html].
[2] The final report of this first Senate committee is found at: http://www.uoregon.edu/~uosenate/dirsen012/Instr.html.

[3] In its inception the Senate focus was on non-tenure track instructional faculty, hence NTTIF. UO efforts in this area have since expanded to include non-tenure track faculty holding appointments as officers of research, thus the change in acronym to NTTF.

[4] The recommendations put forward by the Senate committee are found at: http://www.uoregon.edu/~uosenate/dircom/NTTIF-report15May04.html.

[5] This dovetails with the constraint that adjunct appointments require a new search after three years of renewal. Since a search is required in any case, this moment is an appropriate time for the department to consider whether it ought to be making a career NTTF appointment, with an appropriate search (national if yes, a career appointment; regional if no, an adjunct appointment).

[6] The delimitation of what constitutes excellence in NTTF performance is based on departmental standards and expectations, reviewed and approved by the relevant dean or director, and by the Vice Provost for Academic Affairs (or the Vice President for Research for center or institute appointments).

Revision History:

This policy was not included in the Policy Library when existing policies were reformatted into the new Policy Library. The following history of the policy has been created to support the inclusion of this policy. (2/13/2012)

History & Documentation:

Non-Tenure-Track Faculty (NTTF)

University of Oregon Document on Policies, Procedures, and Practices

November 12, 2007

Beginning in 2001-02, the University began a systematic review of policies and practices governing non-tenure track faculty (NTTF) employment. The initial Senate ad hoc committee was made a permanent standing committee which conducted a number of open faculty forums and town hall meetings, completed a survey of NTTF, and generated a set of recommendations passed forward to the Office of the Vice President for Academic Affairs in 2004-05.
In January 2005, an implementation group of NTTF, deans, senior tenured faculty, and administrative support professionals examined those initial recommendations and produced a set of concrete implementation recommendations which were discussed and reviewed through multiple iterations by academic and administrative constituencies and the University Senate. The resulting document on policies, procedures, and practices was approved and has been in place as policy at the University of Oregon since November 2007.

Since the promulgation of the policy in 2007,

- designation of NTTF as career or adjunct has been implemented;
- as part of the implementation process, a number of NTTF were eligible for and received salary increases;
- the standing Senate Committee on NTTF has worked to further clarify guidelines and procedures for evaluation and promotion; and
- revisions to OAR 580-020-0005 governing academic ranks were developed, reviewed, and approved by the Oregon State Board of Higher Education on January 6, 2012, allowing full implementation of the policy, including Senior II ranks and a Librarian series.

Advisory Groups:

Senate ad hoc NTTF committee (2001-02)

Senate standing committee on Non-tenure track Instructional Faculty (2002-present)

NTTF Faculty Committee (2005-2007)

Excerpts documenting policy adoption and implementation congruent with applicable practice at the time (bold added for emphasis). Excerpts appear in reverse chronological order.

Memo from Co-chair of NTTF Committee (07-08) to members of the committee dated June 17, 2008 Re: Recap of Meeting, 6/9/08 with Russ Tomlin

"I met with Russ on Monday, 6/9/08 to let him know what we had done as a committee during 07-08 and to discuss with him the status of the implementation of the revised NTTF policy.

Russ outlined the progress that has been made as follows:

Step 1 – revisions of the NTTF policy were sent to the President's Small Executive Staff committee whereby the revised version was adopted as policy for the UO going forward."
Step 2 – During the current year's reappointment process, each NTTF is being evaluated with regards to appropriate status – Career or Adjunct 00 and issued an appropriate contract if being reappointed."

Memo from Vice Provost for Academic Affairs to Vice Provost for Community Engagement, dated April 24, 2008

"The attached documentation provides concrete guidelines in support of implementation of the new NTTF policy document, posted on the web at http://academicaffairs.uoregon.edu/nttf/NTTF-Policy.pdf. The NTTF policy specifies in general terms how current NTTF appointments will transition to the updated system for current NTTF appointments."

Academic Affairs policy email to deans dated January 22, 2008

"As you will recall the new NTTF appointment guidelines are now in effect and will cover all upcoming renewals. I have attached a spreadsheet for your review on which can be found all current NTTF appointments."

Minutes of the University Senate Meeting – November 14, 2007

"Vice President van Donkelaar, human physiology, explained that the intent of the motion is to formalize a practice concerning the membership of non-tenure related faculty (NTTF) on the voting faculty for the purpose of standing for election to the University Senate and to serve on university committees and councils. The vice president noted that the policy recently implemented by Vice Provost Tomlin concerning NTTF recommended voting faculty status for career NTTF, defined as having at least a .50 FTE appointment and at least three years of continuous university service. Some academic units previously have included NTTF as part of the voting faculty, but others have not. The motion is to standardize the practice of including career NTTF as eligible members of the voting faculty, and the mechanism to do so is to amend the governance charter language. The additional necessary clause is in bold type in the text of the motion."

Minutes of the University Senate Meeting – October 10, 2007

"Vice President Paul van Donkelaar gave notice of motion to include career non tenure track faculty representation in the University Senate, which would align with implementation of a new policy for career non-tenured related faculty (NTTF) members. Career NTTF are identified as employed at .50 FTE or greater for at least three years. Many schools and colleges already identify NTTF faculty members as members of the voting faculty for serving on the senate or university committee purposes. (See http://www.uoregon.edu/~uosenate/dirsen078/US078-5.html)"

Original Source: UO Policy Statement
Faculty: Overload Compensation

Last Updated: 10/04/1985
Effective Date: 09/12/1985
Reason for Policy: To call attention to the Oregon University System directive defining overload compensation, and implementation guidelines.

Policy Statement:

Procedure:

Overload compensation is any compensation, other than an administrative stipend, paid to a faculty member for additional services for campus sponsored addition to full-time salary.

1. The following activities are typical sources of overload compensation:

   a.- continuing education  c.- consulting
   b.- extension service  d.- seminars and similar services

2. Activities involving overload time shall not exceed more than one day in a seven day week on an average or its equivalent during the academic year or other period of appointment.

3. All overload compensation and the income and expenses of the activities for which the compensation is to be paid shall be channeled through the regular institution accounting processes.

4. Regular on-campus classes as well as time spent in support of grant and research activities shall not be allowable activities for overload compensation except under extraordinary or emergency circumstances.

5. Overload compensation will not be based on the number of students per class or any similar ratio except for correspondence or independent study courses.

6. Institution Presidents may not delegate approval of overload compensation requests below the level of a college, school or division dean or equivalent officer.

7. Overload compensation amounts will be determined by the campus President.
8. Presidents, Vice-Presidents, Deans and other equivalent level officers are not eligible for overload compensation.

Revision History: 09/12/1985 Promulgated by Chancellor
10/04/1985 Reviewed and Approval Recommended by President's Staff
Reissued by President
02/08/2010 Policy number revised from 3.130 to 02.01.18
Original Source: UO Policy Statement

Faculty: Parental Accommodation Policy for Officers of Instruction

Last Updated: 06/21/2010
Effective Date: 06/21/2010
Academic Affairs

Reason for Policy: Policies that provide consistent family accommodation practices for childbearing and childrearing responsibilities are fundamental to an equitable and productive work environment, contributing broadly to a healthy educational community. In support of gender equity, this policy sets forth minimum institutional requirements for reduced workload to assist faculty members in balancing professional and family responsibilities when a child has been added to the family through birth or adoption.

This policy enhances the existing benefit of full paid leave, covered by accrued and borrowed sick leave, by adding the new benefit of a term or semester of modified duties for parenting leave for birth or adoption for officers of instruction.

Recognizing the less flexible nature of teaching responsibilities and the need to provide family accommodation policies to recruit and retain faculty members, this policy applies to tenure-related or career NTTF faculty members. It is the hope of the Provost's Task Force on Gender Equity that this policy will provide a step toward a broader family accommodation policy for all UO employees.

¹ In the case of the Law School, which is on a semester system, this new benefit would entail a semester of modified duties.

academicaffairs@uoregon.edu

Definitions:
Modified duty for an eligible faculty member is defined as a release from teaching responsibilities for tenure-related faculty and a one-course reduction for eligible instructors, with full pay status, for a set period of time following birth or adoption. During this time, the eligible faculty member will continue to conduct scholarly work, student advising, research, and other professional responsibilities, including departmental and university service as applicable to his or her position description.

Paid parental leave for faculty is defined as the period of time an eligible faculty member is relieved of all responsibilities while receiving full salary and benefits following birth or adoption. This leave runs concurrently with all applicable federal and state leave designations.

Policy Statement:

PAID PARENTAL LEAVE FOLLOWING THE BIRTH OR ADOPTION OF A CHILD:

Upon request of the faculty member, a paid leave will be granted following the birth or adoption of a child. During such leave, full salary will be continued immediately following the birth of the child or adoption by the faculty member who is using his/her accrued sick leave.

- Following giving birth to a child, the mother uses her accrued sick leave up to a maximum of 12 weeks. In the event that she does not have sufficient accrued sick leave, advanced sick leave may be borrowed for the remainder of the first six weeks from date of birth per OAR Sick Leave 580-021-0040 (5). Based on the timing of the birth or adoption, this paid leave may extend into a second term or semester, in which case this paid leave extends into the term or semester designated for modified duties.
- Following the birth of a child, the parent who has not given birth may use all accrued sick leave as applicable. Based on the time of the birth, this paid leave may extend into a second term or semester, in which case this paid leave extends into the term or semester designated for modified duties.
- Following the adoption of a child, paid parental leave is similarly granted with any accrued sick leave to be used as applicable. Faculty may not borrow sick leave in the case of adoption. Should accrued sick leave be exhausted, the faculty member may continue on unpaid leave status. The department head will consult with the appropriate dean regarding arrangements for replacement teaching and/or related needs and funding.

These leave options do not constitute a change to existing sick leave policy.

MODIFIED DUTIES STATUS FOLLOWING BIRTH OR ADOPTION OF A CHILD:

In addition to the paid parental leave described above, an eligible faculty member has the option to take up to one term or semester of modified duties at full pay status. Modified duties status provides full or partial release from classroom and classroom-related teaching responsibilities (see definition of modified duties) at full pay following birth or adoption, without using accrued
or advanced sick leave. This constitutes an extension of the existing leave policies regarding birth or adoption.

Because faculty members cannot borrow sick leave for a health condition other than their own, Unearned Sick Leave Advance is only an option for biological mothers. The advance can only be borrowed for the first six weeks from the date of birth as this is the period of time the mother is considered incapacitated for a normal delivery. Therefore, the amount that can be borrowed would be 240 hours based on a 1.0 FTE, less sick leave hours accrued at the onset of the leave. See the relevant Oregon Administrative Rule: https://hr.uoregon.edu/policy/leaves/sick-leave-oar for further information on Sick Leave Advance.

**Exclusions and Special Situations:**

To be eligible for paid parental leave and/or modified duties as described in this policy, a faculty member must be employed .5 or more FTE in a tenure-related or career NTTF appointment.

When both parents are eligible faculty members, either parent is eligible to receive paid parental leave. The other parent may request leave as allowed under the applicable state and federal Family Leave Acts. Alternatively both parents may arrange to split paid parental leave.

Both parents are eligible to receive modified duties status as described in this policy.

**Procedures:**

The department head or other appropriate academic administrator is responsible for arranging for teaching replacements for both parental leave and the term or semester of modified duties.

Funding for both paid parental leave following adoption when accrued sick leave has been exhausted and for the coverage of classes affected by the teaching reduction during modified duties will be borne by departments, in consultation with the appropriate deans.

The university and its colleges expect that faculty members giving birth or adopting children will routinely use this benefit. Use of this benefit shall not adversely affect the faculty member's standing or salary in any manner.

Any release from or reduction of teaching responsibilities does not mean that the faculty member will be required to carry more than a normal load before or after the leave.

Because the timing of births and adoptions is not easily accommodated by academic quarters or semesters, the implementation of modified duties needs to be flexible. Department heads should consult with the appropriate dean regarding any questions or issues that arise regarding implementation.
Faculty: Promotion and Tenure Files - Access to Information in the Closed Portion

Last Updated: 09/08/1999
Effective Date: 09/08/1999
Reason for Policy: To define the proper procedure and timing for release of information contained in a promotion/tenure file for which the candidate has waived his or her right of access.

Policy Statement:

Faculty undergoing review for promotion and/or the granting of indefinite tenure should have knowledge of the general content of their dossier, as well as of the recommendation by their dean, prior to review at the university level. Furthermore, they should be given the opportunity to respond to information that may be inaccurate, misinterpreted or lacking in clarity. This policy allows for release of such information while maintaining the commitment of confidentiality to external referees and others preparing reports and recommendations.

After the dean has formulated a recommendation, but before the dossier is forwarded to the Office of Academic Affairs, the dean or associate dean, if so designated, will meet with the candidate. At this meeting:
1. Faculty shall be given an oral summary of the contents of his or her file and the recommendations made to date, including that of the dean. The oral summary should include relevant information presented in the departmental report, the general content of the outside letters, and the recommendation by the Dean's Advisory, or Personnel, Committee.

2. If the faculty member has not waived his or her right of access, he or she may examine all the contents of the dossier that are open as defined by the formal statement of waiver.

3. If the faculty member has waived his or her right of access, and if requested by the faculty member, the dean shall provide a written version of the oral summary. This document, typically no more than 1-2 pages in length, should accurately reflect the oral summary, and should not be an item-by-item summary of any report, evaluation or letter contained in the dossier.

4. If the candidate believes that his or her record has been misinterpreted, misunderstood, or is incomplete, he or she may submit to the Office of Academic Affairs a written statement of rebuttal. This document will be added to the dossier for review at all subsequent levels.

5. Redaction or substantive summary of material is not undertaken at the school/college level, or provided to faculty during or immediately after his or her meeting with the dean.

Faculty who have waived their right of access may request redacted versions of reports by elected faculty personnel committees and/or substantive summaries of any closed part of the file, but only following a negative decision by the Provost. A proper summary (abstract) is interpreted to mean document-by-document, not a general summary, with the condition that editing and abstracting will maintain the confidentiality of sources who submitted their evaluations with assurance of confidentiality in accordance with the candidate's waiver statement. Substantive summaries shall be prepared by the Office of Academic Affairs and reviewed by a member of the Faculty Personnel Committee.

Reviewed and Approved By: President's Staff
Date: 09/08/1999

Issued by: President
Date: 09/08/1999

Revision History: 02/08/2010 Policy number revised from 3.145 to 02.01.16

Original Source: UO Policy Statement

Faculty: Promotion Salary Statement
Last Updated: 01/31/1986
Effective Date: 01/31/1986
Reason for Policy: To assure regular dissemination to faculty of information regarding salary increases granted upon promotion.

Policy Statement:

The University of Oregon shall determine and publish the salary increase amounts that accompany promotions in rank.

Procedures:

A statement that outlines the institutional promotional salary increases applicable to each academic rank shall be distributed to all faculty members at least every two years. In the event that changes are made in the amounts of salary increases that accompany promotions, an announcement of these changes shall be sent to all faculty members. A copy of this statement will be included in the materials sent to new faculty members.

Reviewed and Approved By: President's Staff
Date: 01/10/1986
Issued by: President
Date: 01/31/1986
Revision History: 02/08/2010  Policy number revised from 3.130 to 02.01.06
Original Source: UO Policy Statement

Faculty: Rights and Privileges of Emeritus Faculty

Last Updated: 05/01/2012
Effective Date: 05/01/2012
Preamble: The University of Oregon values and encourages the continuing academic and intellectual engagement of its emeritus faculty. It therefore strives to support and recognize such faculty who wish to continue contributing to their academic disciplines in ways beneficial to the University and the community.

This Policy Statement sets forth, in general terms, the rights and privileges of the University's emeritus faculty.

Reason for Policy: To describe the non financial benefits available to emeritus and retired faculty.

Academic Affairs
Policy Statement:

A. Appointment to Emeritus Status

The University will award emeritus status to any faculty member retiring after at least five years at the highest rank available to her/his appointment type; provided, however, that any faculty member retiring, or contracting to retire, before December 31, 2014 will not be subject to the foregoing five-year requirement.

The Provost or her/his designee--in consultation with the appropriate dean, department head, or director--may award emeritus status to a retiring faculty member without regard to the foregoing standard.

Emeritus status, if awarded, normally will become effective immediately upon a faculty member’s retirement. Deans, department heads, directors, and the Provost or designee will strive to complete all necessary paperwork by that time.

Emeritus faculty will be listed in the University Bulletin, in the appropriate school or department.

The Provost or designee, with consent of the Faculty Personnel Committee, may withhold or withdraw emeritus status for good cause, defined as any act that would justify dismissal for cause of an active, tenured faculty member.

B. Participation in Faculty Governance

An emeritus faculty member may introduce and address motions in the Faculty Senate and Faculty Assembly, as provided by the Constitution and bylaws adopted by those bodies.

An emeritus faculty member also will retain full governance rights--including voting rights--within her/his school or department whenever on the University payroll and serving actively in an instructional or research capacity. In addition, a school or department may, if it wishes, grant such rights to emeritus faculty at other times.

C. Use of University Facilities and Resources

The University will provide, insofar as reasonably possible, working space and academic services to emeritus faculty so they may continue their academic activities. Deans, department heads, and directors will be responsible for assigning such space and services, considering, among other criteria, the likelihood an emeritus faculty member will make sustained, productive use of them.
An emeritus faculty member also may apply for University financial support for research, travel to professional meetings, and the like. Again, deans, department heads, and directors will rule on such applications, considering always the typically higher priority of regular, active-duty faculty members.

D. Additional Privileges

The University’s Human Resources Department regularly compiles a list (http://hr.uoregon.edu/benefits/retirement/university-services-available-retired-unclassified-employees) and provides descriptions of all privileges extended to retired employees. Currently, these privileges include such items as staff-rate class enrollments, discounted athletic tickets, and free campus parking when not on the University payroll.

In order to encourage the continuing academic and intellectual contributions of emeritus faculty, the University will make every reasonable effort to continue granting to such faculty free campus parking whenever they are not on the University payroll.

Reviewed and Approved By: Robert Berdahl, Interim President
Date: 05/01/2012
Issued by: Academic Affairs
Date: 05/01/2012
Revision History: 02/02/1991 Originally issued
02/08/2010 Policy number revised from 3.130 to 02.01.10
04/11/2012 Revised and approved by UO Senate
05/01/2012 Revision approved by Robert Berdahl, Interim President <signed copy>

Original Source: UO Policy Statement

Faculty: Salary Adjustments

Last Updated: 01/31/1986
Effective Date: 01/31/1986
Reason for Policy: To assure that a record of the components comprising any salary adjustments is available in each faculty member's personnel file.

Policy Statement:
At the University of Oregon, each component of a faculty member's salary adjustment shall be recorded and placed in a faculty member's files.

**Procedures:**

When an adjustment of any kind is made to a faculty member's salary, a written list of the components which comprise the adjustment shall be placed in the faculty member's institutional personnel files. This shall stipulate the amount of increase assigned to each component of the total salary adjustment, i.e., promotion, across-the-board, merit, equity, and special stipend, including any adjustment made for the purpose of retaining the faculty member at the University.

If a faculty member is assigned less than the percentage established for an across-the-board increase for fully satisfactory service, the reason(s) for assigning a lower-than-standard percentage increase shall be placed in the personnel file. If a salary decrease is recommended for a faculty member as a disciplinary sanction, an explanation of that action shall be placed in the faculty member's files.

The Office of Resource Management shall be responsible for transmitting the statement of the components comprising the total salary adjustment for inclusion in each faculty member's files.

**Reviewed and Approved By:** President's Staff  
**Date:** 01/10/1986  
**Issued by:** President  
**Date:** 01/31/1986  
**Revision History:** 02/08/2010 Policy number revised from 3.130 to 02.01.07  
**Original Source:** UO Policy Statement

**Faculty: Salary Information Provided to Finalist Candidates**

**Last Updated:** 01/31/1986  
**Effective Date:** 01/31/1986  
**Reason for Policy:** To assure that applicants who are finalist for faculty positions are informed of the minimum salary and/or salary range as well as the factors determining the initial hire salary.

**Policy Statement:**

The finalist applicants for an academic position at the University of Oregon shall be informed of factors to be considered in determining the hiring salary.
Procedures:

All finalist applicants for an academic position shall be informed of the minimum salary and/or the salary range for the position. This shall be done no later than at the time the applicant(s) are invited to visit the campus for an interview, or shall be conveyed earlier in response to an applicant's inquiry about the salary.

Prior to the interview the applicant(s) shall be informed also of the factors that will be considered in determining the hiring salary if the salary to be offered should exceed the minimum salary. The information about the factors to be used in determining the hiring salary shall be conveyed to the applicant(s) by the department/unit head or program/institute director after consultation with the dean/director. Any factor that is considered in determining the hiring salary, such as quality of the applicant's academic performance, the quality of the applicant's teaching, research, and service record at another institution, the applicant's expected contribution to the University's mission, or the prevailing market conditions in the discipline, including market factors related to competition resulting from an applicant's minority status, shall be evaluated in accordance with written criteria that the department, program, or unit had established for the particular position in advance of announcing the position opening. A file of information documenting prevailing market conditions shall be maintained by each College, School, or Division.

Reviewed and Approved By: President's Staff
Date: 01/10/1986
Issued by: President
Date: 01/31/1986
Revision History: 02/08/2010 Policy number revised from 3.130 to 02.01.11
Original Source: UO Policy Statement

Faculty: Special Stipends

Last Updated: 01/31/1986
Effective Date: 01/31/1986
Reason for Policy: To establish basis for identifying and recording special stipends for specific assignments and/or time periods.

Policy Statement:

The University of Oregon shall identify separately and record in the faculty member's personnel record any administrative or other special stipends which are to continue only for the time during which the special circumstances occur.

Procedures:
The amount of any special stipend that is to be added to a faculty member's total compensation for assuming administrative or other duties shall be determined by the dean/director in consultation with the appropriate Vice-President, stipulating the position's title (if appropriate), the period of the appointment, and the amount of the special stipend to be paid during the period of the appointment. When signed by the Vice-President, a copy of the appointment request shall be filed in the faculty member's institutional personnel files. Salaries of administrators (without identified stipends) who return to teaching at the University shall be negotiated.

Reviewed and Approved By: President's Staff
Date: 01/10/1986
Issued by: President
Date: 01/31/1986
Revision History: 02/08/2010 Policy number revised from 3.130 to 02.01.12
Original Source: UO Policy Statement

Faculty: Tenure Extension of Probationary Period Because of New Baby or Childbirth or Adoption

Last Updated: 02/01/2000
Effective Date: 02/19/1985
Reason for Policy: To describe the conditions under which the probationary period for tenure consideration may be extended for faculty members with parental responsibilities for a new baby or child.

Policy Statement:

A faculty member who has assumed responsibility through birth or adoption for a new baby or child may be able to continue to fulfill assigned instructional responsibilities without taking extended sick leave or leave without pay. Parental responsibilities for a new baby or child, however, may lessen a faculty member's scholarship for a period of time. In acknowledgement of this possibility, the University, at the request of the faculty member, will consider entering into a special agreement to extend the probationary period for one year before mandatory consideration for indefinite tenure is given. In cases deviating from normal full-term childbearing, a faculty member can request a similar extension which may be granted at the discretion of the Provost. Requests for an extension may be made for each new baby or child.

Procedure, Period of Leave, and Rescission of Agreement: A faculty member who requests an extension of the tenure probationary period must initiate the request no later than twelve months after birth or adoption of a new baby or child. The request should be addressed to the
Provost. Any request for leave without pay that is combined with a request to suspend the tenure clock under this policy shall in no case lead to a suspension exceeding twelve months, as specified above. The agreement for the extension of the probationary period may be rescinded by the faculty member at any time by submitting written notice to the Provost.

**Exclusions and Special Situations:**

This policy will apply only to those non tenured faculty members who are in regular tenure-related, fixed-term appointments. The Rules provide that the tenure probationary period may be altered "in individual cases (where) there is a specific written agreement between the institution and the faculty member".

Reviewed and Approved By: President's Staff
Date: 02/01/2000
Revision History: 02/19/1985 Promulgated
10/04/1985 Revisions reviewed and approval recommended by President's Staff
February 2000 Revisions reviewed and approval recommended by President's Staff
Reissued by Vice President for Academic Affairs and Provost
02/08/2010 Policy number revised from 3.130 to 02.01.05
10/05/2010 Changed Title from Extension of Tenure Probationary Period Because of New Baby or Childbirth or Adoption
Original Source: UO Policy Statement

**Family Housing Governance**

Policy Number: III.02.02
Reason for Policy: This policy outlines matters relating to Family Housing & University Apartments (FHUA) governance within the University.
Entities Affected by this Policy: All resident leaseholders and household members
Responsible Office: For questions about this policy, please contact University Housing at 541-346-4277.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-2-housing-residence-life/family-housing-governance

Enactment & Revision History:

Revisions approved by the President and policy renumbered on September 20, 2017.
Technical revisions enacted by the University Secretary on September 3, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 22, Sections 0020-80.

Reviewed by FHUA RLC July 25th, 2016

Policy:

A. Authority

Under the powers granted in ORS Chapter 352, the University has promulgated UO Policy establishing rules and regulations for student housing. Under this authority, the President of the University of Oregon has promulgated UO Policies to govern family housing.

B. Family Housing & University Apartments Community Advisory Board

(1) This policy creates the Family Housing & University Apartments Community Advisory Board (CAB) for family housing units and complexes at the University of Oregon.

(2) The CAB will review, advise upon, and recommend family FHUA policy as specified in this policy:

(a) Purposes of the Board. The CAB shall provide a vehicle for deliberate, systematic discussion, review, and dialogue in matters relating to FHUA among representatives of family housing residents, University Housing, faculty, and other students;

(b) Composition, Presiding Officer, and Selection of Members:

(A) The CAB shall be comprised of the following members:

(i) Two Spencer View area residents

(ii) One Graduate Housing residents

(iii) One East Campus area residents

(iv) Residence Life Coordinator (RLC) of FHUA;
(B) The Chairperson of the CAB shall be a member of the CAB in good standing and shall be elected by a majority vote of the entire CAB.

(c) Notification of Non-Emergency Action. When able, prior to a non-emergency action by University Housing, Housing will make efforts to inform the CAB of the impending action and solicit feedback from CAB members. Such areas might include

(A) Changes in rental rates in excess of a standardized across-the-board five percent annual increase. Individual East Campus unit rent adjustments may be implemented, after the unit is vacated, to recover renovation costs or to achieve rental parity with similar type units;

(B) Changes in the terms of the leases or rental agreements;

(C) Budget Reports. University Housing shall provide to the CAB at least annually for its review and comment the University Housing budget allocated to the respective FHUA areas.

(d) Procedures of the CAB. Procedures of the CAB will be gathered in a guiding operational document (CAB constitution).

(e) Individual residents shall retain their existing rights to interact directly with the University, including requests for additional services or expression of grievances.

F. Emergency Action

University Housing may act on its own initiative without notification of the CAB when time does not permit such notification. A notification of all emergency actions shall be sent to the chairperson of the CAB as soon as practicable.

G. Management Responsibilities

(1) The following matters shall be deemed exclusively management responsibilities and shall neither be delegated to resident organizations nor be subject to consultation with the CAB:

(a) Routine maintenance and repair, including preventative maintenance, restoration of damaged or destroyed elements or facilities, or anticipatory replacement of obsolete or high-maintenance existing equipment;

(b) Assignment of units to residents by the University and eviction within established policies;

(c) Eligibility for residing in FHUA facilities;

(d) Ensuring compliance with established fire, health, and safety regulations;
(e) Sanctioning non-compliance with city, county, state and federal laws and regulations, and policies promulgated by the University of Oregon as legally and functionally appropriate;

(f) Purchase of equipment, supplies and furniture

(2) The administration of the respective FHUA areas shall be conducted in accordance with rules or policies set forth by the University of Oregon pursuant to Oregon law and shall abide by all regulations respecting health, sanitation and safety as described by state law or local or city ordinances.

H. Delegation

The President of the University hereby delegates authority to the organizations and individuals designated in UO residence hall and family housing policies to carry out the provisions and responsibilities of these policies.

Chapter/Volume:
- Volume III: Administration of Student Affairs
- Chapter 2: Housing and residence life

Related Resources: NA
Original Source: Oregon Administrative Rule

Family Housing Rental Rates, Fees, Charges and Eligibility

Policy Number: III.02.04
Reason for Policy: This policy outlines matters relating to family housing available at the University.
Entities Affected by this Policy: Those living in University family housing and UO employees who work with family housing related matters.
Responsible Office: For questions about this policy, please contact University Housing at 541-346-4277.

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-2-housing-residence-life/family-housing-rental-rates-fees
Policy:

A. Rental Rates, Fees and Other Charges

1. Monthly rental rates for Spencer View Apartments, Graduate Village and East Campus Family Housing are published annually following review and approval by the Vice President and the UO Board of Trustees (or designee).
2. Security deposits, charges for late payment of rent, and other miscellaneous fees, fines and penalties as specified in the University’s family housing leases are published annually as a subsection of Special Fees, Fines, Penalties, Service Charges, UO Policy 571.060(A).

B. Family Housing Eligibility and Lease Terms

1. Eligibility for University-operated family housing shall be defined in the Family Housing/Apartments Lease agreement.
2. Eligibility to lease Family Housing/Apartments shall be determined by considering:
   a. That the essential mission of University Housing is to provide housing for matriculated University students;
   b. That within its available stock of housing, the University should attempt to provide an appropriate housing option for as many students as possible;
   c. That University Family Housing/Apartments may constitute a significant financial benefit to its tenants;
   d. That many University students are the parents of minor children;
   e. That the housing needs of graduate and undergraduate students often vary;
   f. That appropriate housing options in the surrounding community for some students may be limited.
3. Other non-financial lease terms for Family Housing/Apartments shall be determined by the Director of University Housing.
4. The provisions of leases developed pursuant to this policy, except for the monthly rent charges, may be waived in unusual circumstances. Tenants, or would-be tenants seeking a waiver should submit a request on a petition form through the Student Housing Portal. Such a decision is
within the sole discretion of these University officials. In making their decision, these officials shall objectively balance the needs, capabilities, circumstances, extenuations and responsibilities of the student along with the administrative practicalities, fiscal needs, safety and welfare requirements and evenhandedness obligations of the University.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 2: Housing and residence life

Related Resources: NA
Original Source: Oregon Administrative Rule

Family Relationships and Employment

Reason for Policy: This policy outlines matters pertaining to appointments to positions at the University of Oregon as it relates to family relationships and such employment.

Entities Affected by this Policy: All UO employees and candidates for employment.

Responsible Office:

For questions about this policy, please contact Human Resources at 541-346-3159.

Enactment & Revision History:
Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 4 Section 0005.

Policy:

Family Relationships and Employment

Appointments to positions at the University of Oregon (University) shall be based upon merit as determined by job-related qualifications:

(1) Discrimination in favor of candidates who are related to persons involved in, or with an effective influence upon, the selection process is prohibited:
(a) However, relatives of individuals already employed by the University may not be denied equal employment opportunity or advancement in employment on the basis of family relationships. For the purposes of this policy relatives includes spouse, child, stepchild, parent, grandparent, grandchild, brother, sister, son-in-law, daughter-in-law, brother-in-law, sister-in-law, aunt, uncle, niece, nephew, mother-in-law, and father-in-law;

(b) No members of the faculty or administration shall participate in making recommendations or decisions involving the employment, compensation, promotion, leave of absence, grievance adjustment, termination, or in the supervision of their relatives without prior permission of their immediate supervisor.

(2) In unusual circumstances a Vice President may consider an appointment of a member of a prospective or current employee's family to a position for which there was no search. In such cases:

(a) An ad hoc committee will be convened by the Vice President to be composed of the Director of Affirmative Action, the chair of the Equal Employment Opportunity Committee, and one or more faculty representatives from the affected department;

(b) The committee so convened shall consider whether the appointment furthers the University’s affirmative action goals, and whether the individual considered is of the quality of the University of Oregon faculty;

(c) After its consideration, the ad hoc committee will consult with and advise the appropriate Vice President with whom the final appointment decision rests.

(3) An employee who has a grievance under this policy may invoke the University's grievance procedures including, if appropriate, referral to the Committee on Equal Employment Opportunity, as provided under OAR 571-003-0010. [Note: OAR 571-003-0010 did not exist at the time of the governance transition on 7/1/14, so there is no UO policy number replacing this reference.]

(4) A non-employee questioning the application of this policy may contact the Office of Affirmative Action, which shall provide information regarding available recourse.

(5) Nothing in this policy shall be construed to prevent the employment or advancement in employment of more than one member of a family in the same department or administrative unit, provided the decision to employ or advance has been made in accord with the other sections of this policy.

Chapter/Volume:
Original Source: Oregon Administrative Rule
Fellowships: Payment of Uncompensated Salary and Other Personnel Expenses (OPE) on Major Fellowships

**Last Updated:** 06/30/1993  
**Effective Date:** 06/30/1993

**Reason for Policy:** To describe the terms and conditions under which the University will provide salary and OPE not furnished by major faculty fellowships when the faculty member requests such augmentations. Many prestigious faculty fellowship programs provide only for the direct salary of the faculty member and do not cover fringe benefits. In many cases, the fellowships are limited to an amount that covers only a portion of the full faculty salary. These fellowships do, however, permit the faculty member to pursue full-time research during the period of the fellowship, and the University wishes to encourage faculty members to seek and accept these fellowships.

**Policy Statement:**

The University will provide uncompensated salary and OPE on major faculty fellowships according to the following terms:

1. During a sabbatical year, the fellowship is expected to cover the portion of a faculty member's salary not provided by the University. The University will provide 100% of OPE for the faculty member's designated annual salary. The faculty member is eligible for this support every sabbatical year.
2. During a non-sabbatical year the University will provide up to 30% of the faculty member's designated annual salary to cover the difference between the salary support awarded by the fellowship and the regular salary. The University will provide 100% of the OPE for the designated annual salary. The faculty member is eligible for this support once between sabbatical years. With the approval of the appropriate dean and department head, this support may be received immediately before or after a sabbatical leave.

The University will provide uncompensated salary and OPE according to the terms above when the following conditions are met:

1. The faculty member holds a tenure-related appointment of at least .50 FTE
2. The fellowship award period is for at least a full academic term.
3. The total salary compensation paid to the faculty member during the period of the fellowship does not exceed the faculty members usual University salary compensation for that period. This does, not preclude proper additional salary as from consulting, summer salary payments, or special overload payments.
4. The fellowship compensation is paid to the faculty member through the University payroll system as salary using an appropriate account to be established for that purpose.
5. The fellowship leave is approved by the faculty member's dean and department head.
6. The fellowship is one that is intended to support the faculty member's activities appropriately related to research, scholarship, or augmentation of teaching expertise, and it is considered by the Provost to be in the best interests of the University that the faculty member accept the fellowship. Examples of fellowships that might be eligible include:

- Fulbright Scholar
- John Simon Guggenheim Memorial Foundation
- Kellogg Foundation
- National Endowment for the Humanities or Arts

The Provost may make exceptions to this policy when he believes that doing so is in the best interests of the University and the Faculty member requesting an exception.

The University's coverage of OPE costs ensures that the faculty member receives continued health insurance and worker's compensation coverage, continues participation in tax-deferred programs and the 6% tenure-reduction program, and receives credit towards accrued sabbatical time and PERS retirement benefits. The faculty member will also continue to have social security contributions withheld from each paycheck.

Reviewed and Approved By: President's Staff
Date: 06/30/1993
Issued by: President
Revision History: 02/08/2010 Policy number revised from 3.130 to 02.01.09
Original Source: UO Policy Statement

Finance and Business Affairs

Responsible Office: For questions about this policy, please contact the Office of the Vice President for Finance and Administration at (541) 346-3003 or vpfa@uoregon.edu.
Enactment & Revision History: Became a University of Oregon policy by operation of law on July 1, 2014.

Former OUS Internal Management Directive Section 6.

Policy:

SECTION 6 - FINANCE AND BUSINESS AFFAIRS
Accounting Policies

6.001 Assignment of Responsibility

Subject to review and modification by the Chancellor or the Board, the Vice Chancellor for Finance and Administration shall be responsible for:

(1) Developing detailed regulations applicable to creation and maintenance of accounting policies, records, and reports.

(2) Providing central fiscal and accounting services, including payroll accounting, property accounting, and disbursement of state, federal, and all other funds under Board control.

(3) Auditing and reviewing institutional and other unit accounting procedures and records to assure conformity with statutes, Administrative Rules, Board policies, and accepted accounting principles and procedures.

(4) Preparing accounting and other financial reports, including a comprehensive, annual report of Department assets, liabilities, reserves, income, expenditures, and balances.

6.002 Institutional Responsibility

The institutions and other Department administrative units shall maintain accounting records and related documentation in such form and detail as required by the Office of Administration and may maintain additional records deemed essential to effective institutional administration.

6.003 System of Accounting Records and Reports

Department accounting records and reports shall be in conformity with generally accepted accounting principles for higher education institutions and hospitals and shall be designed to meet institutional requirements for information to facilitate effective management and to discharge the Department's fiduciary responsibility to the people of the state.

6.004 Cash Funds (Repealed 06/18/14)

6.005 Cash Receipts

Cash receipts shall be deposited promptly in accordance with requirements established by the Vice Chancellor for Finance and Administration.
6.006 Working Funds

The Vice Chancellor for Finance and Administration must authorize the use of revolving funds and petty cash funds, as necessary, for Department activities. Prior approval for deposit of such funds in commercial banks must be obtained from the Vice Chancellor for Finance and Administration.

6.008 Disbursements

The Vice Chancellor for Finance and Administration shall establish procedures to assure that Department funds are paid out only for lawful purposes and in accordance with Board policies.

Budget Policies

6.050 Institutional Responsibility

In accordance with instructions from the Vice Chancellor for Finance and Administration or a designee, the institutions, divisions, and statewide services shall provide detailed descriptions of their biennial plans and programs and the resources required for them.

6.051 Special Requirements

(1) All auxiliary enterprise and service activities shall be budgeted separately from Education and General activities and shall receive no subsidy from state funds, except as otherwise permitted by Board Administrative Rule or established by Board's Office fiscal directives. However, joint use of auxiliary facilities for instruction and related activities may be accounted for by means of proportionately funded support from Education and General Services resources.

(2) Alumni associations may be subsidized only to the extent of providing office space and funds to maintain alumni records necessary for Department requirements.

6.052 Budget Development Process

The Chancellor shall review the biennial budget requests developed by the institutions, divisions, and statewide services, conferring with other Department personnel as necessary, before submitting recommendations for Board consideration.

6.053 Annual Operating Budget--Board Approval
(1) No funds appropriated or limited in their expenditure by the Legislature may be authorized for disbursement by an institution, division, or statewide service, unless approved by the Board as a part of the annual budget plan, except as delegated to the institution or public service executives or the Chancellor.

(2) Transfers between funds or institutions not anticipated in the budget require Board approval unless otherwise delegated to the Chancellor for approval.

6.054 Annual Operating Budget Planning

(1) Consistent with legislative appropriations and Executive Department allotments, the Vice Chancellor for Finance and Administration shall develop plans for the annual operating budget pursuant to Board policy and the Chancellor's instructions.

(2) Institutions, divisions, and statewide services shall provide such assistance in developing the annual operating budget as the Executive Vice Chancellor deems necessary.

6.056 Annual Budget Adjustments

(1) Each president, division head, or statewide service executive is personally responsible for maintaining expenditures within limits established by the annual operating budget approved by the Board.

(2) Presidents, division heads, and statewide service executives may make transfers within budget accounts.

(3) Presidents, division heads, and statewide service executives may make transfers between budget accounts provided that such transfers do not exceed the total budget authorization of the institutions and divisions and provided that they conform to budget limitations.

(4) The Chancellor is authorized to:

(a) Determine the distribution of unallocated Board funds reserved for designated purposes.

(b) Reallocation budgeted allocations among institutions when required to accommodate changes in accounting processes, implement revised fiscal policies, make corrections, or other such adjustments which contain no policy or program decisions requiring Board consideration.
(c) Allocate adjustments in the appropriations and expenditure limitations approved by legislative authority.

(d) Approve reductions in budget plans when resources are projected to be inadequate to support authorized expenditure levels.

6.057 Balances in Budget Accounts (Repealed on 12/10/14)

6.058 Equipment Replacement Account (Repealed on 12/10/14)

6.060 Education and General Facilities Maintenance and Repair—Guidelines

Beginning with fiscal year 1987-88, and for each year thereafter if the Legislature provides the funds, each institution shall budget in its annual operating budget, in a separate -050- account entitled Facilities Maintenance and Repair, an amount no less than three-quarters of 1 percent of its Education and General Building replacement value as reported for Restoration Fund purposes. The funds so budgeted cannot be transferred from this account or expended for any purpose other than facilities maintenance and repair without prior approval by the Board. Unobligated budget balances remaining at the close of a fiscal year may be carried forward for facilities maintenance purposes to the next fiscal year; however, any balance carried forward cannot be considered as a part of the three-quarters of 1 percent maintenance and repair requirement for that fiscal year.

Investment Management

6.105 Assignment of Responsibility (Repealed 06/18/14)

6.110 Voting Stock Ownership (Repealed 06/18/14)

6.115 Custody of Board Securities (Repealed 06/18/14)

6.125 Delegation of Investment Authority (Repealed 06/18/14)

6.130 Reports on Investments (Repealed 06/18/14)

6.140 Endowment Fund Investments (Repealed 06/18/14)

6.141 Accounting (Repealed 06/18/14)

6.205 Application of Policies and Procedures

The policies for licensing, patents, educational and professional materials development, and registration of copyrights apply to all Department of Higher Education employees whose work-related assignments, regardless of location, might enable them to develop new knowledge which was conceived purposely or fortuitously. The policies also apply to other persons using institutional facilities, personnel, or other resources.

6.210 Definitions

(1) Inventions or technological improvements to which these policies apply include any new and useful process, machine, device, manufacture, or composition of matter, and any new and useful improvements.

(2) Educational and professional materials to which these policies and procedures apply are those used or distributed primarily for the formal or informal instruction or education of professional or general students. Such materials may result from the instructional, research, or public service activities of employees.

(3) Materials to which these policies and procedures apply are exemplified by:

   (a) Writings, lectures, study guides, books, textbooks, journal articles, glossaries, laboratory manuals, proposals, musical or dramatic compositions, listings, tables, charts, graphs, figures, manuals, codes, software, unpublished scripts, and programmed instructional materials.

   (b) Video and audio recordings, live video and audio broadcasts, cassettes, tapes, films, filmstrips, slides, transparencies, and other reproductions and visual aids.

   (c) Computer programs and computer-assisted courseware.

(4) Inventor(s) means the individual(s) who first conceived the idea, invention, or technological improvement.

(5) Author(s) means the individual(s) responsible for primary subject-matter guidance and development of educational and professional materials.

(6) Material is said to be in the public domain if it is not protected by common law or statutory copyright and, therefore, is available for copying without infringement.
(7) Publication occurs when by consent of the copyright owner, the original or tangible copies or phonorecords of a work are sold, leased, loaned, given away, or otherwise made available to the general public, or when an authorized offer is made to dispose of the work in any such manner, even if a sale or other disposition does not in fact occur.

(8) The term "owner" refers to the party who owns or controls the copyright and who has the right to sell, assign, distribute, or license the use of such material.

(9) Board- and institution-assisted effort is individual effort that involves institution and Board support in the form of significant personnel time, facilities, or other resources.

(10) Sponsored effort is institution-assigned effort, and assignment, among others, to conduct research and to develop materials, with substantial or all of the personnel time, facilities, or other resources for the assignment being provided by the institution and Board, or an outside sponsor such as a federal agency or private corporation.

6.215 Rights to Inventions, Technological Improvements, Educational, and Professional Materials

(1) The Board reserves the ownership rights to all institutional work-related inventions, and to educational and professional materials developed with institutional resources, including the right to a free and irrevocable license for usage, and if desired, the licensing for use by others. The foregoing does not preclude an institution employee from granting copyright privileges to the publisher of a scholarly or professional journal when no compensation or royalty is involved.

(2) Educational and professional materials shall be considered as having been developed in the course of employment in those cases when the individual was employed for the specific purpose of preparing or producing the material, or was specifically directed to develop the material as part of general employment duties and responsibilities.

(3) Lecture notes and other materials prepared by academic staff in connection with a teaching assignment and with only incidental use of institutional facilities, funds, staff, and other resources normally shall be viewed as flowing from individual effort and initiative and shall not be construed as having been produced in the course of discharging the obligations of employment.

(4) Funds and facilities provided by governmental, commercial, industrial, or other public or private organizations, but administered and controlled by the institution
and Board, shall be considered to be funds and facilities provided by or through the institution and Board.

(5) If it is determined that inventions or materials developed are not related to work or to an assigned project and that development involved no or minimal use of institutional funds or facilities, or that the material developed is incidental to the individual's work assignment, or that the institution and Board have no right, vested interest, or claim in an invention, and the institution decides to forego the licensing or patenting of an invention or the publishing and copyrighting of the material, the president or designee may recommend to the Vice Chancellor for Finance and Administration or a designee that the Board's interest and rights be waived, and that a statement be issued which waives any institution or Board claim. Such a waiver may be granted only if pre-existing commitments to sponsoring agencies have been cleared. Upon receipt of such waiver, the inventor or author shall be free to take such further steps as desired. In the case of an invention, however, the institution has usually provided substantial laboratory, supply and equipment support. Therefore, the president or designee will normally recommend the execution of a limited release only after the institution has exhausted efforts to license or patent the invention. This release enables the inventor to exploit the invention and recover reasonable exploitation, licensing, and patenting costs related thereto and a sum up to $10,000 out of the royalty income receipts, with the inventor and the Board sharing equally in the balance of the net royalty income.

(6) Except as provided above, the ownership rights to all forms of educational and professional material in the form of books, musical or dramatic composition, architectural designs, paintings, sculptures, or other works of comparable type developed by institution and Board employees, either in conjunction with or aside from their employment, shall accrue to the author, unless the material is prepared in compliance with contractual provisions or as a specific work assignment, or significant institutional and Board resources were utilized. An academic staff person's general obligation to produce scholarly works does not constitute such a specific institution or Board assignment.

6.220 Research and Development of Inventions and Materials with Outside Organizations

(1) In accepting grant and research funds from governmental, nonprofit and commercial agencies, the institution and researcher shall agree to the conditions in the agreement with the sponsoring agency pertaining to licensing, patent policies, and ownership of all copyrightable material conceived and developed in the course of work required by the agreement. Such agreements shall normally include provisions enabling the institution to publish the findings of research and rights to take title to patentable inventions, discoveries, and educational and professional materials arising from the work performed. In the absence of such agreement or terms, the products shall be the property of the institution and Board.
(2) At the time any sponsored assignment is made and when inventions, new
technology, or materials subject to copyright may be expected to be produced,
affected institutional staff are to be advised of copyright limitations and rights to
inventions imposed by extramural sponsors as well as institutional and Board
policies and procedures regarding the same.

(3) In cases where it appears in the interest of the Board, institution, inventor, and
sponsor, and upon the recommendation of the president or designated administrator,
the Vice Chancellor for Finance and Administration or designee may grant rights to
the sponsor, including the right to acquire a proprietary interest in and to any
invention or patent developed during the sponsored research project.

(4) When an invention is developed in the course of sponsored research, the sponsor
may be granted a non-exclusive license for its own use and, only if appropriate, an
option to acquire a limited term, royalty-bearing, exclusive license to such invention.

6.225 Disclosure of Inventions and Copyrightable Materials

(1) Employees and any other persons who conceive or develop inventions or
technological improvements while engaged in activities utilizing institutional
resources shall report the findings on a Department of Higher Education standard
disclosure form to, and confer with, the institutional committee, or person
designated by the president to administer licensing, patent, educational and
professional materials development and copyright policies and procedures. The
purpose of the disclosure of an invention or materials developed is to enable the
institution to determine potential for licensing, patenting, publishing, and registering
of copyright, and the equities of the inventor, author, institution, and Board.
Disclosure of details of an invention that might jeopardize the licensing or patent
potential may be delayed until the committee or president designee has acted.

(2) If it is determined that the Board and institution have vested interest and claim in
an invention, the inventor shall enter into a standard Department of Higher
Education Licensing and Patent Assignment Agreement. The agreement shall be
prepared initially at the institution.

6.230 Agreement To Assign Rights

(1) As part of the acceptance of the Notice of Appointment, each academic
employee is obligated to comply with conditions of employment including
agreement to assign rights to inventions conceived and materials developed while
employed by the institution.

(2) In cases where a Notice of Appointment is not used, and the employee's work
involves potential for discovery or invention, the employee shall execute a standard
6.235 Administration of Policies and Procedures

(1) The Board delegates to the Vice Chancellor for Finance and Administration or designee authority to work with each president or designated administrator to obtain licensing, production, and publishing agreements and patents, develop and approve forms used in administering licensing and patent policies, and execute all types of agreements, waivers, releases, and net royalty distribution agreements.

(2) Each institution and the Board reserve the sole right to make agreements with sponsoring agencies and to include therein provisions regarding ownership and disposition of rights in inventions and materials deemed to be in the interest of the institution, Board, and public.

(3) The president is responsible for informing employees regarding Board licensing, patent, educational, and professional materials development, and copyright policies and procedures. The president may delegate this responsibility to a committee or an administrator.

(4) The duties of the president, committee or a designated administrator shall be:

(a) To protect confidentiality of the inventor's or author's disclosure.

(b) To counsel with the inventor or author, examine the invention or materials disclosure, and appraise the equities of all concerned parties. If it is determined that the institution and Board have no rights, vested interest, or claim, the committee or administrator shall recommend that the president seek a release or waiver for the inventor or author.

(c) To counsel with the inventor or author concerning Board policies and procedures applicable to the invention or material, and with policies of sponsoring agencies, if any, and to assist with compliance.

(d) To recommend to the president options for maximizing public, Board, institution, and inventor or author benefits when seeking licenses, patents, and publishing agreements. Such action shall be preceded by the execution by an inventor of a Licensing and Patent Assignment Agreement initiated at the institution.

(e) To recommend to the president appropriate action pertaining to the invention or material within 60 days after its disclosure.
(5) When institutional facilities are utilized on a reimbursable basis to develop educational or professional materials or to conduct research on an invention, an agreement shall be prepared and recommended by the president or designee to the Vice Chancellor for Finance and Administration or designee. Such agreement shall be executed in advance of use of the facilities and shall set forth the understanding regarding the use of facilities, ownership rights, and financial arrangements.

6.240 Determination of Equities

In determining equities relating to ownership rights in an invention or material, institutional personnel and the Vice Chancellor for Finance and Administration or designee shall follow these guidelines:

(1) Consideration shall be given to the equity of all parties in light of circumstances surrounding the development of the new knowledge.

(2) If an invention or material is deemed to be the result of joint efforts, an agreement shall be reached among the inventors or authors, institution, and Board for distribution of any royalties. The total of net royalty income paid to all inventors or authors shall not exceed the maximum percentage of net royalty income that Board policy allows to be distributed to a single inventor or author.

(3) In the event an agreement cannot be reached regarding the amount of equity of each party and subsequent distribution of net royalty income, the president shall recommend resolution to the Vice Chancellor for Finance and Administration after having taken affirmative steps to assure thorough consideration of the equities of all parties.

6.245 Commercialization of Inventions

(1) The Board encourages the president to assist the invention commercialization process to the extent that the invention contributes toward fulfillment of the institution's mission. Resource allocation for licensing, patenting, and technology transfer, however, is the responsibility of the president.

(2) The president, designee, or appointed committee shall counsel with inventors to determine how to make the invention available to industry and the public in an effective and non-discriminatory manner, to obtain reasonable royalties for use in furthering institutional education and research objectives, and to reward the inventor through participation in net royalty income received.

(3) When feasible, the president or designated administrator shall recommend that the Vice Chancellor for Finance and Administration grant non-exclusive, royalty-bearing licenses to all qualified organizations. Exclusive licenses may be
recommended if it is determined that such a license is required in the best interest of the public, Board, institution, and inventor in order to encourage marketing and eventual public use of the invention.

(4) Before granting an exclusive license, a bona fide effort shall be made by the institution to apprise qualified organizations known to be interested in the subject matter of the invention and in developing the invention through a non-exclusive license.

(5) When it is deemed appropriate to grant an exclusive license, the length of exclusivity shall be limited to that time deemed necessary to provide the licensee with the necessary incentive and opportunity to market the product and recover developmental costs, usually not more than five years from the date of first commercialization of the invention, or the issuance of a patent, whichever comes first, and a non-exclusive license for the life of the patent. Exclusive licenses may include the right of the licensee to sublicense others. The Vice Chancellor for Finance and Administration and the Chancellor may approve exceptions to the length of exclusivity, when justified and recommended by the institution.

(6) Licensing and sponsored research agreements shall include provisions:

(a) Prohibiting the use of the name of the researcher, institution, and Board, either directly or implied, in any advertising relating to the commercialization of the product or process or in supporting evidence provided in prospectus literature, and the use of any statements which imply approval of the licensee's or sponsoring agency's marketing techniques, business objectives, or relationships with wholesalers, retailers, or consumers. Exceptions to this policy require Board approval.

(b) Indemnifying the institution against any and all claims, demands, damages, costs, and other related items arising from the manufacture, use, or sale of the licensed invention or process, and, whenever possible, from any liability for damages resulting from a final judicial determination that such commercial utilization of the invention constitutes an infringement of any third party patent.

(c) Allowing the institution to produce and use the invention or process for its own educational or research purposes.

(d) Allowing the institution and inventor to publish the findings of research and to continue with research related to the process or invention including publication of future findings.
(e) For receiving or examining accounting records maintained by the licensee and any sub-licensees.

(f) For removing licensing rights and terminating the agreement should the licensee fail to develop and market the product within a reasonable time.

6.250 Distribution of Royalties

(1) The Vice Chancellor for Finance and Administration or designee, upon the recommendation of the president, shall act on behalf of the Board to conclude agreements to share net royalty income accruing to the Board from licensing and patent agreements, and from the sale, lease, or licensing of materials outside the institution.

(2) Agreements involving the sharing of net royalty income shall be initiated in writing at the institution and recommended by the president or designee to the Vice Chancellor for Finance and Administration or designee for review and approval. In determining disposition of income, due consideration shall be given to the equity of all parties in the light of all circumstances surrounding the development of the invention or material.

(3) Prior to distribution of any royalty income, the Vice Chancellor for Finance and Administration or designee shall require deduction from gross royalty income, of all institutional expenses and reasonable costs incurred in developing the invention or material, expenses incurred in enforcing or defending any patent, copyright litigation, licensing, interference, and marketing costs attributable to the invention or material, as well as any other expenses deemed necessary to recoup.

Gross royalty income minus all such costs and expenses constitutes net royalty income.

(4) The maximum net royalty income that may be distributed to the inventor shall be 40 percent of the first $50,000 of net royalty income received by the Board, 35 percent of the next $50,000, and 30 percent of all additional net royalty income.

(5) The maximum net royalty income that may be distributed to the author shall be 50 percent of the net royalty income received by the Board.

(6) Net royalty income received by the Board, less the amount distributed, if any, shall be dedicated to the institution of the inventor, or author, subject to the limitation of ORS 351.250. The use made of such net income shall be at the discretion of the president, subject to Board-established budget policy.
(7) If the originator and developer of an invention or author of material cannot be determined, or if the inventor or author waives any claim to net royalty income, the percent share of royalties intended for such person may be distributed, upon recommendation of the president or designee, to the originating department, laboratory, or center at the institution.

6.255 Copyright Registration Procedures

In establishing copyright registration procedures, institutional personnel and the Vice Chancellor for Finance and Administration or designee shall follow these guidelines:

(1) All educational and professional materials developed with significant Board and institution-assisted effort shall be registered for copyright, at the option of the institution and Board, in the name of the institution and Board. The institution and Board shall provide for disclosure of appropriate credits and shall counsel with participating employees regarding presentation of materials.

(2) Educational and professional materials developed with minimal Board- or institution-assisted effort should be registered for copyright, if at all, in the name of the author. The author and the president or his designated representative will agree upon the cost of institutional support for such effort, and the author will reimburse the institution for such costs out of royalties received from the registered materials.

(3) Materials developed under sponsored assignments should be registered for copyright, if at all, in the name of the institution and the Board, with appropriate acknowledgment to the author. The institution and author are obligated to adhere to any publication rights included in agreements made with grant or contract sponsors.

(4) Educational and professional materials developed solely by individual effort shall be registered for copyright, if at all, in the name of the author. All rights, including those to royalties, reside with the author.

Financing Reserves for Repair or Replacement of Depreciable Assets of Auxiliary Enterprise and Other Self-Liquidating Activities

6.350 Building/IOTB Repair and Equipment Replacement Reserves for Auxiliary Enterprises and Other Self-Liquidating Activities

(1) Auxiliary enterprises and other self-liquidating activities shall maintain building/IOTB repair and equipment replacement reserves for the purpose of funding the cost of repairs or replacement of depreciable assets. Such reserves should be sufficient to promote the efficient and effective operation of the related operating unit, avoid significant fluctuations in fees charged for services, and
minimize the potential for unanticipated financial shortfalls that may impact the other funds of the institution.

(2) Each auxiliary enterprise and other self-liquidating activity shall determine the appropriate level of repair reserves for buildings and improvements other than buildings (IOTBs) and equipment replacement reserves based on a capital asset management plan (Plan) that is prepared/updated at least annually and approved by the institution’s vice president for finance and administration or designee. The Plan required under this provision will be based on a minimum five-year planning horizon and will assess the repair or replacement needs of each asset or asset class and include an analysis of the annual funding necessary to accumulate the funds required to execute the plan. When preparing/updating the Plan, consideration should be given to the availability of interest earnings on reserves of auxiliary enterprises in order to maximize the benefits of setting aside reserve funds. The Plan required under this section must be retained for audit purposes.

(3) Each auxiliary enterprise and self-liquidating activity with capital assets of $150,000 (recorded cost) or more will prepare and retain the capital asset management plan (Plan) referred to in section (2) above. Should the Plan indicate the need for building/IOTB repair and/or equipment replacement reserves, a fund should be established for those purposes (if not already established) and funded accordingly. Institution-specific policies will determine whether activities with less than $150,000 (recorded cost) of capital assets will prepare a Plan and establish and fund any reserves.

(4) Generally, building/IOTB repair and equipment replacement reserves may not be used for any other purpose than to repair or replace capital assets used in the operation of the related auxiliary enterprise or other self-liquidating activity. Consideration should be given to statutory requirements (see section (6) below), applicable federal cost requirements, and the source of funding before authorizing the use of building/IOTB repair and equipment replacement reserves for any other purpose. Authorization for such other use may only be granted by the institution’s vice president for finance and administration or designee and must be documented and retained for audit purposes.

(5) Pursuant to ORS 351.615, only building repair and equipment replacement reserves of auxiliary enterprises may be credited to the Higher Education Auxiliary Enterprise Building Repair and Equipment Replacement Fund (Fund). Reserves for the repair or replacement of other depreciable assets (IOTBs) of auxiliary enterprises may not be credited to the Fund. Monies deposited in the Fund may not be used for any other purpose than for the repair and alteration of auxiliary enterprise buildings and the replacement of auxiliary enterprise equipment. No repair/replacement reserves of service departments or any other self-liquidating activities may be credited to the Fund.
(6) Except as otherwise provided, exceptions to the requirements of sections (1) through (5) may be granted by the Vice Chancellor for Finance and Administration or designee.

Fiscal Management of Auxiliary Enterprises and Other Self-Liquidating Activities

6.500 Policy for Education-Related Business Activities

The primary mission of the institutions within the Oregon University System is the creation and dissemination of knowledge. To carry out this mission, institutions do engage in education-related business activities, i.e., activities which enhance, promote, or support instruction, research, public service, or other education-related activities where goods or services being sold or rented are directly and substantially related to an educational or research program.

The Board affirms that all institution education-related business activities shall meet the following conditions:

A. The activity is deemed to be an integral part of, and directly and substantially related to, the fulfillment of an institution's instructional, research, public service, or other education-related mission.

B. The activity is operated for the primary benefit of the students, staff, and faculty associated with and served by the institution or its affiliated units. The activity is needed to provide goods or services at a reasonable price, on reasonable terms, and at a convenient time and location. Sales or rental of services and products to on-campus visitors and campus conference participants are considered incidental to the purpose of these activities.

Some typical products, services, and facilities provided at or in close proximity to an institution to meet the needs of its constituents are instruction-related materials; housing and food services; student health services; and athletic, cultural, and recreational activities; including the facilities where such products and services are provided.

In furtherance of education-related business activities, institutions shall provide for the following:

(1) When determining whether any particular education-related business activity should be provided by an institution, institutional presidents or their designees shall consider whether the activity is currently and adequately provided by private businesses. If the services of private businesses are considered adequate but the activity is nevertheless deemed important to be provided by the institution, the institution president or designee shall state in writing its justifications for providing
the activity. A copy of the statement shall be submitted for review to the Vice Chancellor for Finance and Administration or designee.

(2) To ensure recovery of direct costs of engaging in the education-related business activities, institutions shall charge students, faculty, staff, campus conference participants, and the public to participate in institutional events, for the purchase of the goods or services, and for the rental of any facilities. An institution president may waive charges for selected education-related business activities.

(3) An institution may make its services and facilities available to nonprofit or community organizations without recovering all direct costs, provided there is sufficient inventory or capacity. An institution may also make its services and facilities available to for-profit community businesses and organizations provided there is sufficient capacity and availability. Charges to profit-making organizations shall cover the direct and indirect costs of the use of the facilities and services provided. Services, products, and facilities may similarly be provided to federal, state, and political subdivisions, subject to negotiated charges, terms, and conditions.

(4) An institution may promote and market in off-campus public media only those services and events which are of interest to the general public, such as cultural presentations, intercollegiate athletics contests, and educational programs.

(5) Following approval by the institution president to provide goods, services, and facilities referenced above, the institution shall adopt a fee schedule or, in cases where prices fluctuate, a pricing markup policy for those services, products, and facilities.

6.510 Responsibilities and Authorities

(1) The Vice Chancellor for Finance and Administration, or designee, is responsible for establishing and maintaining Systemwide fiscal policies and monitoring and reporting processes; and reporting to the Board as needed regarding compliance with fiscal policies and fiscal results.

(2) Each institution president, or designee, is responsible for establishing and maintaining institution-specific fiscal policies and monitoring and reporting processes; reporting to institutional management and the Chancellor’s Office as required regarding compliance with fiscal policies and fiscal results; and strategic planning and operational management.

6.520 Budgeting for Auxiliary Enterprises and Other Self-Liquidating Activities

(1) Each institution shall prepare and submit budgets for auxiliary enterprise and other self-liquidating activities (housing, student centers, intercollegiate athletics,
health services, parking, bookstores, other rentals, other auxiliaries, service departments, designated operations) as a part of the annual operating budget development process.

(2) The budgets shall be prepared based on the flow of economic resources measurement focus as required for financial reporting by the Governmental Accounting Standards Board.

(3) The budgets shall conservatively anticipate income from user fees and other sources to provide for all operating expenses (including depreciation) and for the establishment and maintenance of bond sinking funds, including the repayment of any outstanding obligations, the establishment and maintenance of building/ITOB repair and equipment replacement reserves, and the elimination of prior year cash overdrafts and/or negative net asset balances, subject to policies governing service departments approved by the institution’s federal cognizant agency. If income has been or appears likely to be insufficient for these purposes, the proposed budget shall identify the sources from which needed resources are required to eliminate such deficiencies.

(4) If any auxiliary enterprise or other self-liquidating activity ends a fiscal year with a cash overdraft, a negative working capital position, or a negative net asset balance, the institution will submit a revised budget plan for eliminating the cash overdraft(s), the negative working capital position, and/or the negative net asset balance(s) to the Vice Chancellor for Finance and Administration or designee for approval. If the Vice Chancellor for Finance and Administration or designee determines that the cash overdraft(s), negative working capital position, and/or negative net asset balance(s) are material, the revised budget plan will be submitted to the Board for approval after consultation with institution management.

(5) Exceptions to the requirements of sections (1) through (4) may be granted by the Vice Chancellor for Finance and Administration or designee.

Chapter/Volume:
Original Source:
Internal Management Directive

Financial Aid to Students, General Policy

Enactment & Revision History:

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

3.010 Encouragement of Financial Assistance

To ensure maximum student access, the institutions shall provide financial assistance to students to the extent possible by encouraging gifts and grants for scholarships, loans, and other financial aids from government and private sources, and by developing and maintaining tuition remission scholarship programs from tuition revenues generated.

3.015 Assistance for Out-of-State Study

The Chancellor’s Office shall assist Oregon students to avail themselves of special study and student exchange programs out of state in accordance with provisions of agreements with the Western Interstate Commission on Higher Education (WICHE) and other applicable student exchange agreements.

Chapter/Volume:
Original Source: Internal Management Directive

Financial Irregularities

Reason for Policy: The University of Oregon is committed to the highest standards of moral and ethical behavior. Employees of the UO are expected to report known or suspected financial irregularities. Oregon University System Policy requires the institution to designate an administrator responsible for reporting known or suspected financial irregularities to the Oregon University System Internal Audit Division in accordance with institutional policy. The University of Oregon has established a Financial Irregularities Advisory Committee to:

Ensure that OUS Financial Irregularities Policy is followed
Contact and consult with Internal Audit regarding known or suspected financial irregularity as appropriate
Ensure that appropriate institutional communications occur and appropriate actions are taken when a financial irregularity is detected
Advise and assist Responsibility Units in instances of known or suspected financial irregularities
Members of the Financial Irregularities Advisory Committee are individuals within the institution whose involvement in the implementation of this policy may be necessary, collectively or individually, depending on the specific situation.

Employees reporting known or suspected financial irregularities in good faith must feel safe and protected from retaliation. The University of Oregon and the Oregon University System will make every effort to provide an environment free from retaliation. The Whistleblowers Protection Law defined in ORS 659.545 protects employees disclosing fraud in good faith. Employees found to have been making frivolous claims under the policy will be subject to disciplinary action.

The purpose of this policy statement is to provide a formal protocol for communicating and reporting known or suspected financial irregularities to relevant parties. Responsibility Units are responsible for guiding the implementation of the University of Oregon policy on Financial Irregularities at their level and may wish to adopt policy or procedure that provides specific guidance on the appropriate lines of communication within the unit. Such policy and procedure should clearly state the boundaries of authority and responsibility, and the lines of communication. All University of Oregon employees should read this policy.

**Entities Affected by this Policy:** All university employees.

**Responsible Office:** For questions about this policy, please contact the Office of the Vice President for Finance and Administration at (541) 346-3003 or vpfa@uoregon.edu.

**Website Address for this Policy:**

http://policies.uoregon.edu/financial-irregularities

**Enactment & Revision History:**

Technical revisions enacted by the University Secretary on 8/3/2015.

Policy number revised from 9.000 to 06.00.09 on 02/08/2010.

Issued by the Vice President for Administration on 11/21/2002.

**Policy:**

**Definitions:**

**Financial Irregularities** are an intentional misstatement or omission of information related to financial transactions that are detrimental to the interests of the campus. These may include violations of relevant Federal, State or Campus laws, rules and procedures. These acts include,
but are not limited to: embezzlement, fraud and forgery or falsification of reports, documents, or computer files to misappropriate assets.

**Suspected Financial Irregularity** is a reasonable belief or actual knowledge that a financial irregularity is occurring or has occurred.

**Institutional Designated Administrator** is the individual designated by the institution to serve as a point of contact for known or suspected financial irregularities.

**Responsibility Unit** is a recognized functional or budgetary unit within the organizational structure of the institution.

**Unit Administrators** are appointed by the president or designee. They include: Vice Presidents; Provost; Vice Provosts; Deans; Directors; Division and Department heads; as well as other managers authorized to determine and assign duties to University employees. Authority and responsibility for management of financial matters is vested in Unit Administrators.

**Financial Irregularities Advisory Committee** is a standing committee consisting of the following membership and other staff as deemed appropriate or necessary:

- Vice President for Finance and Administration
- Vice President for Academic Affairs
- University of Oregon General Counsel
- Director of Human Resources
- Director of Public Safety
- Director of Business Affairs

**Timely** generally means at the time someone becomes aware of a known or suspected financial irregularity. The Oregon Department of Administrative Services Employee Dishonesty Policy states that a report must be made immediately but not later than 90 days after discovery.

Policy Statement:

All employees of the University of Oregon are expected to report known or suspected financial irregularities within their Responsibility Unit at the time they become aware of the incident. The Responsibility Unit is responsible for forwarding the report to the Institutional Designated Administrator in a timely manner. The Institutional Designated Administrator is responsible for ensuring that appropriate and timely communication occurs with the Financial Irregularities Advisory Committee, Responsibility Unit Administrators and OUS Internal Audit Division. All parties involved must handle the reporting and investigating with utmost confidentiality and objectivity.

Procedures:
1. Employee believes a financial irregularity has occurred

When an employee believes a financial irregularity has occurred the employee is expected to report such instance with all relevant information at the time they become aware of the incident. The normal reporting protocol is as follows:

- Employee reports to Responsibility Unit according to the Responsibility Unit's policy or procedure.
- Responsibility Unit reports known or suspected financial irregularities to the Institutional Designated Administrator.

In the event Responsibility Unit Administrators are suspected to be involved or have not taken appropriate action employees are expected to contact the Institutional Designated Administrator.

2. Evaluation of appropriate measures

The Institutional Designated Administrator is responsible for contacting and consulting with the Financial Irregularities Advisory Committee, Responsibility Unit Administrators and the Office of Internal Audit as appropriate to determine course of action including but not limited to:

- Determining if further investigation is warranted.
- Determining who should appropriately conduct further investigation.
- Conducting the investigation.
- Determining appropriate contacts and communications with relevant internal and external parties.

3. Completion

- Internal Audit will report results of investigation to institution management.
- Internal Audit will ensure relevant system and external reporting requirements are met.
- Institutional Designated Administrator will ensure appropriate institutional communication occurs.
- Institution management will determine appropriate corrective or disciplinary actions based on report findings and recommendations including but not limited to seeking loss recovery.

 Procedure Summary

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<tr>
<th>Responsible Party</th>
<th>Responsibility</th>
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<td>Role</td>
<td>Actions</td>
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<tr>
<td>Employee</td>
<td>Report known or suspected financial irregularity within Responsibility Unit or to other parties as appropriate.</td>
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<tr>
<td>Responsibility Unit</td>
<td>Report known or suspected financial irregularity to Institutional Designated Administrator.</td>
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<td>Provide data for investigation procedures as necessary.</td>
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<tr>
<td>Institutional Designated Administrator</td>
<td>Ensure UO Financial Irregularities Policy is followed.</td>
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<td>Contact and consult with Financial Irregularities Advisory Committee, Responsibility Unit Administrators and Internal Audit regarding known or suspected financial irregularity and appropriate measures.</td>
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<td>Assist Internal Audit in investigation.</td>
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<td>Complete or provide data for investigation procedures as necessary.</td>
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<td>Ensure appropriate institutional communications occur.</td>
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<tr>
<td>Financial Irregularities Advisory Committee</td>
<td>Advise, inform and assist Institutional Designated Administrator, Internal Audit and relevant parties as appropriate.</td>
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<tr>
<td>Office of Internal Audit</td>
<td>Ensure UO Financial Irregularities Policy is followed.</td>
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<td>Consult with Institutional Designated Administrator and relevant campus representatives regarding appropriate measures.</td>
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<td>Complete investigation procedures as necessary.</td>
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<td>Report results of investigations to institution management.</td>
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<td>Ensure relevant system and external reporting requirements are met.</td>
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Firearms

**Policy Number:** IV.05.05  
**Reason for Policy:** Oregon Revised Statute 352.113 grants the Board of Trustees of the University of Oregon (the “Board”) broad authority over the institution’s property. Additionally, ORS 352.029 states the Board “manages the affairs of the university by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the governing board by law, or that are implied by law or are incident to such powers, rights and duties.”

Pursuant to this authority to manage its affairs and control its property—and in recognition of its obligation to provide a safe environment to its students, employees, visitors, vendors, and patrons—the University of Oregon (“University”) promulgates the following internal policy governing firearms for the University.

**Entities Affected by this Policy:** Entire campus community, including students, faculty, staff and visitors.  
**Responsible Office:** For questions about this policy, please contact the Office of the Vice President for Finance and Administration: (541) 346-3003, vpfa@uoregon.edu

**Website Address for this Policy:**  
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Technical revisions made by the University Secretary on May 9, 2016.  
Became a UO policy by operation of law on July 1, 2014.  
Approved by the State Board of Higher Education March 2, 2012.
Policy:

PRINCIPLES/GUIDELINES/PROCEDURES

A. Control by University of its Premises Regarding Students, Employees, Contractors, Event Attendees, and Users of University-Owned or Controlled Property

Subject to the exceptions stated in paragraph (C) below, the following persons are prohibited, at all times, from possessing a firearm on University-owned or controlled property, whether or not that person possesses a concealed handgun license:

1. Any person with student status, including, but not limited to full-time, part-time, non-admitted, or any person auditing a course at the University;
2. Any person employed by the University;
3. Any person, whether individually or as an agent of an entity, with whom the University has a business relationship, including, but not limited to independent contractors or vendors under contract with the University. The University, as appropriate, is encouraged to include a contractual clause identifying this obligation in all of its contracts, but this obligation is binding whether or not such a clause is included. Exceptions may be made when the possession of a firearm is required for the discharge of the duties under the contract or business relationship. Examples include, but are not limited to armored car service to ATM machines within the campus boundary;
4. Any person attending an event, including but not limited to athletic events, performances, lectures or speeches, which require a ticket for admission. The University is encouraged to include a contractual clause identifying this obligation on all of its tickets, which function as licenses to attend an event on University-owned or controlled property, but this policy is effective regardless of the existence of such clauses; and
5. Any person leasing, renting, or reserving University-owned or controlled property. The University is encouraged to include a contractual clause identifying this obligation in all contracts with such persons, but this policy is effective regardless of the existence of such clauses.

B. Control by the University of its Premises Regarding Others

Subject to the exceptions stated in paragraph (C) below, no person may possess a firearm on or in the following places on University-owned or controlled property, whether or not that person possesses a concealed handgun license:

1. University buildings or buildings owned or controlled by the University; and
2. University sports or performance venues or sports or performance venues owned or controlled by the University; and,
3. University institution work places or work places owned or controlled by the University.
C. **Exceptions**

The University authorizes the following exceptions to its Policy on Firearms:

1. Possession by on-duty law enforcement officers licensed with the Oregon Department of Public Safety Standards and Training or equivalent state or federal authority authorized to license the possession of firearms by law enforcement officers;
2. Possession by any person participating in an institutionally-recognized or sanctioned U.S. military program, including, but not limited to Reserve Officer Training Corps (ROTC), provided that safety protocols established by such program for the possession and secure storage of firearms have been approved by such program and are followed;
3. Possession by residents within a family housing dwelling or any other living arrangement governed by Oregon landlord-tenant law. Residence halls and other living arrangements not governed by Oregon landlord-tenant law are expressly excluded from this exception. Possession of firearms by such residents outside the dwelling is subject to the restrictions of this policy; and
4. Possession by persons in compliance with any institution policy that provides for the transportation and/or safe and secure storage of unloaded firearms in order for a student or employee to have access to a firearm for hunting or target shooting, or for academic research, so long as the policy:
   a. minimizes the presence of the firearms on University-owned or controlled property; and,
   b. restricts the presence of firearms on University-owned or controlled property in such cases to those instances in which the person wishing to possess the firearm on University-owned or controlled property demonstrates a need, as reasonably required by the institution, to possess or transport the firearm on or across University-owned or controlled property for such hunting or target shooting or academic research; and,
   c. requires that such firearms be unloaded except in connection with an institution-sanctioned target-shooting event.
5. Possession by persons engaged in public safety or campus police training, where authorized.
6. The president of the University is authorized to make a temporary exception to this policy on the showing of good cause or necessity.

D. **Review**

1. This policy will be reviewed from time-to-time, but no less than once a biennium, for amendment or revision.

**Chapter/Volume:**
- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services
Flexible Work Arrangements

Policy Number: V.04.02
Reason for Policy: This policy provides guidance related to flexible work arrangements as established between an employee and the university wherein the time or location of work performed is different from the customary schedule or work location. Flexible work arrangements can serve to enhance levels of employee satisfaction, while meeting the needs of the unit.

Entities Affected by this Policy: This policy applies to officers of administration and classified staff.

Responsible Office: For questions about this policy, please contact the Office of Human Resources (HR) at uoelr@uoregon.edu or (541) 346-3159.

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-4-workplace/flexib...

Enactment & Revision History:

Enacted by the university president on January 6, 2020.

Policy:

When consistent with operational needs and other eligibility considerations (see Flexible Work Arrangements Procedures), the university supports flexible work arrangements as stated in this policy.

Flexible work arrangements are based on the specific needs of the unit—either on an ongoing basis or at a particular time—and the ability of the individual employee to work effectively in a flexible work arrangement. An approved flexible work arrangement does not reduce expectations regarding an employee’s performance, and does not serve as a precedent for a future arrangement within a department or unit. Employee-requested flexible arrangements are a privilege, are revocable, and should not be an expectation of employment.

The university is an organization with work environments that vary widely and require specific staffing to function effectively. Flexible work arrangements are not appropriate for all positions, times of year, or campus settings. Additionally, health, safety, privacy/security, technology concerns and limitations, and other relevant considerations may preclude a flexible work arrangement. Flexible work arrangements that reduce duties or total working hours must follow
HR processes and include a reduction in FTE. These types of arrangements may impact benefit eligibility and/or tax obligations.

In some circumstances a flexible work arrangement may help expedite an employee’s return to work from a leave of absence. Employees out on protected leave should not be expected to work, regardless of any flexible work arrangement that may be in place.

Employees with flexible work arrangements remain subject to applicable university policies and procedures, collective bargaining agreements, and federal and state laws.

**Types of Flexible Work Arrangements:**

Types of flexible work arrangements include:

A. **Flexible Schedule**

   A flexible schedule refers to an arrangement that permits variations in starting and departure times, but does not alter the total number of hours worked in a work week.

B. **Compressed Work Week**

   A compressed work week refers to a schedule wherein the total number of hours worked each week are conducted in less than five (5) full workdays. The most common compressed schedule is four 10-hour workdays per week.

C. **Telecommuting**

   Telecommuting refers to an arrangement that allows an employee to work at home or from another off-site location for a specified number of hours per week.

D. **Reduced Work Week (Part-time)/ Reduced Work Year**

   A reduced work week or reduced work year is an arrangement that allows an employee to reduce their time commitment to the university on a permanent or temporary basis (e.g. reduction from 1.0 FTE to .75 FTE or a 12-month to 9-month appointment). Consultation with an Employee Labor Relations representative is required to determine feasibility, duration of time, and impact on pay, benefits, and/or taxes, as well as to determine if there are other policies that may apply to the request.

E. **Job Sharing**
Job Sharing refers to a form of regular part-time work in which two people share the responsibilities of one regular full-time position. Job responsibilities, tasks, and hours may be split evenly or unevenly between the two individuals. Consultation with an Employee Labor Relations representative is required to determine feasibility, duration of time, and impact on pay and benefits, as well as to determine if there are other policies that may apply to the request.

**Conditions of Employment:**

Generally, performance expectations do not change as a result of flexible work arrangements. Employees with flexible work arrangements are generally subject to the same criteria and process for performance evaluation as would apply without the flexible work arrangement. HR and individual units, however, may implement practices and provide training specific to flexible work arrangements as long as such practices are consistent with university policies and procedures.

Employees with flexible work arrangements remain subject to applicable university policies and procedures, collective bargaining agreements, and federal and state laws. For example, all non-exempt employees must document (via timesheet, time and attendance system, etc.) actual hours worked and leave used, take required meal and rest periods, and have overtime pre-approved by their supervisor.

Nothing in this policy limits the university’s ability to determine, based on all relevant considerations, an employee may be required to work outside of normal business hours, telecommute, or otherwise alter their work hours or location. When such changes are necessary, the university will implement such changes in accordance with applicable policies, procedures, and collective bargaining agreements.

**Modifying Flexible Work Arrangements:**

The supervisor, in consultation with their unit and University HR, may modify an employee’s flexible work arrangement, up to and including returning to the unit’s usual and customary working hours and/or location, without an employee’s consent, where such a change is needed to meet operational needs. The reason for the modification should be communicated, in advance, to the employee and appropriate revisions should be made to the Flexible Work Arrangement agreement. A supervisor’s modification of the arrangement, up to and including defaulting back to the unit’s normal working hours and/or location is not considered discipline.

Before modifying or discontinuing a flexible work arrangement that was granted for medical reasons, the department must consult with the ADA Coordinator to ensure that the change does not violate the ADA.

**Chapter/Volume:**

- Volume V: Human Resources
Related Resources:

- Flexible Work Agreement Forms
- Flexible Work Arrangements Procedures
- Telecommuting Guidance
- Workplace Accommodation Process
- Injuries, Claims and Insurance
- Telecommuting Guidance
- Safety & Risk Services
- Information Security
- Safer Computing Guide
- Safe Computer Checklist
- Acceptable Use Policy

Original Source: UO Policy Statement

Fraud, Waste, and Abuse Reporting

Reason for Policy: This policy sets forth guidelines for reporting known or suspected fraud, waste and abuse at the University of Oregon.

Entities Affected by this Policy: All University of Oregon employees.

Responsible Office: For questions about this policy, please contact the Office of Internal Audit at audit@uoregon.edu or (541) 346-6541.

Website Address for this Policy:

http://policies.uoregon.edu/fraud-waste-and-abuse-reporting-0

Enactment & Revision History:

Technical amendments made by the University Secretary on August 3, 2015.

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

Former OUS Internal Management Directive.

Policy:
DEFINITIONS

Suspected fraud, waste, or abuse is a reasonable belief or actual knowledge that fraud, waste, and/or abuse is occurring or has occurred. Concerns may include but are not limited to the following functional categories:

- Academic & Student Affairs
- Accounting & Financial
- Athletics
- Human Resources
- Information Technology
- Research
- Risk and Safety
- University Health Centers
- Other

Campus management includes the president, vice presidents, provost, vice provosts, deans, directors, and division/department heads, as well as other managers authorized to determine and assign duties to university employees.

RESPONSIBILITIES

All employees of the University of Oregon shall report known or suspected instances of fraud, waste, and/or abuse. Matters can be reported to campus management (see definition above), the Office of Internal Audit, or through a UO hotline. Campus managers who receive notice of suspected or known fraud, waste, and/or abuse are required to report such matters to the Office of Internal Audit. When employees do not feel comfortable discussing these matters directly with the Office of Internal Audit or campus management, reporting can be made through the UO hotline:

UO Hotline: 855-388-2710
or https://secure.ethicspoint.com/domain/media/en/gui/41097/index.html

UO contracted with EthicsPoint, an independent, third-party vendor, to provide this confidential and anonymous telephone and Internet system for reporting concerns. EthicsPoint reports concerns received on the hotline to the Office of Internal Audit, which coordinates investigation efforts of reported concerns in conjunction with necessary campus and external parties as deemed appropriate.

Employees who identify themselves and make a good faith report of suspected fraud, waste, or abuse are protected from retaliation, in accordance with (ORS 659A). UO will maintain confidentiality for employees reporting suspected irregularities, misconduct, safety issues, or other concerns to the extent possible under the law.
In accordance with ORS 297, the Secretary of State Audits Division http://www.sos.state.or.us/audits/ is notified of all complaints and confirmed losses that are in excess of $100.

Chapter/Volume: None
Related Resources: None
Original Source: Internal Management Directive

Freedom of Inquiry and Free Speech

Last Updated: 07/01/2010
Effective Date: 07/01/2010
Academic Affairs
Reason for Policy: To describe University policy and commitment regarding free speech and freedom of inquiry.
Doug Blandy

Policy Statement:

The University of Oregon values and supports free and open inquiry. The commitment to free speech and freedom of inquiry described in this policy extends to all members of the UO community: Faculty, staff, and students. It also extends to all others who visit or participate in activities held on the UO campus.

Free speech is central to the academic mission and is the central tenet of a free and democratic society. The University encourages and supports open, vigorous, and challenging debate across the full spectrum of human issues as they present themselves to this community. Further, as a public institution, the University will sustain a higher and more open standard for freedom of inquiry and free speech than may be expected or preferred in private settings.

Free inquiry and free speech are the cornerstones of an academic institution committed to the creation and transfer of knowledge. Expression of diverse points of view is of the highest importance, not solely for those who present and defend some view but for those who would hear, disagree, and pass judgment on those views. The belief that an opinion is pernicious, false, and in any other way despicable, detestable, offensive or "just plain wrong" cannot be grounds for its suppression.

The University supports free speech with vigor, including the right of presenters to offer opinion, the right of the audience to hear what is presented, and the right of protesters to engage with speakers in order to challenge ideas, so long as the protest does not disrupt or stifle the free exchange of ideas. It is the responsibility of speakers, listeners and all members of our
community to respect others and to promote a culture of mutual inquiry throughout the University community.

Access to UO facilities and space is governed by a complementary policy, Scheduling Use of UO Facilities.

Exclusions and Special Situations:

The UO recognizes the contribution made by the University of Michigan policy statements and practice guides in this formulation of UO Policy.

Forms/Instructions:

Scheduling Use of UO Facilities.

Who is Governed by this Policy: All staff, faculty, students, and visitors at the University.
Who Should Know This Policy: Anyone who visits or participates in activities held on the UO campus.
Reviewed and Approved By: Richard W. Lariviere, President
Date: 12/28/2010
Issued by: Senior Vice President and Provost
Date: 06/07/2010
Revision History:

Revision 1:

In January 2010, the Provost charged a work group, led by Russ Tomlin, to review and revise the current Campus Speakers policy. The work group included representatives from the faculty (Margie Paris-Law, Tim Gleason-SOJC), administration (Brian Smith-VPFA, Kathie Stanley-VPSA, and Beverlee Stilwell-Provost Office) and General Counsel (Randy Geller). The workgroup was also supported administratively by Pam Palanuk and Marilyn Skalberg.

The workgroup developed a draft policy that was discussed with the Faculty Advisory Council, the Deans, and Leadership Council. The draft policy was posted for comment on both the Provost's and Senate websites.

The final version incorporating revisions based on the ensuing feedback was reviewed and adopted by the Senate with minor revisions at its last meeting of May 26, 2010. The policy was approved by the Executive Leadership Team on June 7, 2010.

12/28/2010  Approved by President. <signature document>

Original Source: UO Policy Statement
Fund Raising

Reason for Policy: This policy outlines certain regulations pertaining to fund raising on campus, for university purposes, with university resources, and similar matters.

Entities Affected by this Policy: All students and employees of the UO

Responsible Office: For questions about this policy, please contact Student Life at 541-346-3216 or University Advancement at 541-346-3016.

Enactment & Revision History:

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

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

Former Oregon Administrative Rule Chapter 571 Division 11.

Policy:

A. Fund Raising, Generally

All solicitation of funds from students for whatever purpose is prohibited unless authorized by the chief executive of the University of Oregon (University):

(1) Fund raising refers to activities which intend to raise monies through the solicitation of donations, the charging of admission, or the selling of goods and/or services. The authority to approve or disapprove all activities and requests involving solicitation of funds or fund raising for whatever purpose on the University campus is vested in the University President. The reference to selling of goods and/or services herein pertains only to sales by and for the direct benefit of the University, or its divisions, departments or units.

(2) For student groups, the University President has delegated fund raising authority as outlined in Policy 571.011(B).

(3) The campus mail service may be used only for University fund drives authorized by the University President or the President's authorized representative.

(4) The University President has authorized participation by University employees and students in the annual fund drive of the Lane County United Appeal. The President has also authorized fund drives by the University of Oregon Development Fund, with donations to be designated for general purposes of the Fund or for any specific purpose of the Fund.
(5) Each University administrative unit may charge admission for cultural activities assigned to its field of responsibility presented in facilities assigned to that unit. Other University fund raising activities by administrative units must receive the prior approval of the responsible dean or vice president. Employee groups shall apply to the Director of the Erb Memorial Union for approval of fund raising activities.

(6) In order to eliminate duplication of effort, deans, department heads, and employees shall obtain approval from the Director of Development before approving or engaging in fund raising off the campus.

(7) All funds received by University administrative units shall be deposited in appropriate accounts under regulations issued by the Director of Business Affairs. Information concerning the administration of gifts to the University and to the University of Oregon Development Fund may be obtained from the Director of Business Affairs.

(8) Sales of products at designated campus locations may be held at times scheduled and approved by the Director of the Erb Memorial Union. Persons or groups selling products at non-authorized times and locations may be subject to eviction proceedings or other penalties.

B. Fund Raising on Campus by Student Groups

(1) For the purpose of this Policy, the term "fund raising" shall refer to those events and activities by student groups which raise monies through the solicitation of donations, the charging of admission, or the sale or exchange of products or services. The reference herein to the sale or exchange of products or services is not intended to include instances of commercial solicitations or commercial transactions as described in UO Policy 571.050.0030even if the sale or transaction is consummated by one or more members of a student group.

(2) The authority to approve or disapprove all activities in requests involving the solicitations of funds or fund-raising from students for whatever purpose is vested in the University President by applicable policies (see UO Policy 571.011(A)).

(3) No student organization shall engage in fund raising except pursuant to prior approval in compliance with these regulations.

(4) The University President hereby delegates his approval authority for student fund raising as follows:

(a) All fund raising on the premises, grounds, and in the facilities of the Erb Memorial Union (EMU) shall require the prior approval of the Director of the EMU. The EMU Director may subdelegate in writing all or part of such approval authority to the EMU Board or to the President of the Associated Students of the University of Oregon (ASUO);
(b) For all other student fund raising activities on the campus, recognized and registered student organizations shall apply to the Director of the EMU for approval. Authority for approval of such activities may be delegated to the ASUO President by the Director of the EMU in writing;

(c) The University President reserves the right to revoke and/or exercise any of the powers herein delegated if at any time the University President determines that the responsibilities delegated have not been met. The EMU Director shall also reserve the right to revoke and/or exercise any of the powers subdelegated if at any time the EMU Director determines that the responsibilities subdelegated have not been met.

(5) All student fund raising activities shall comply with the following restrictions:

(a) The application must state a description of the event, the purpose of the event, where the funds will go, and specifically, the use to which funds will be put;

(b) The time and place of the event must be scheduled by the sponsoring group with the University Scheduling Officer at the EMU;

(c) Except in respect to lectures or appearances of individuals or groups on the campus officially sponsored by the University for the educational and cultural development of students, funds raised shall not be paid to or retained by any individual. This shall not prevent the leasing of space at the University to sellers of personally handicrafted non-food items, the sale of which adds to the educational and cultural development of students;

(d) The only acceptable uses to which funds raised on campus by students or student groups may be put are:

(A) For the cultural and educational enrichment of the University community;

(B) For the benefit of the student fundraising organization, in line with its statement of purpose filed at the time of registration or recognition as a student organization or as thereafter updated; or

(C) For donation to legitimate charitable organizations. The decision of the legitimacy of a specific charitable organization rests with the EMU Director or, upon delegation, with the ASUO President.

(e) Except for lease of retail space (see IMD 7.160), facilities located on University property shall not be used for the purpose of private gain (see IMD 7.155) [Editor’s Note Only: OAR 580-050-0035 was no longer in existence as of the governance transition of 07-01-14];

(f) The use of facilities must comply with the Oregon State Board of Higher Education statement respecting partisan political activities, September 8, 1970.
the Board has said, and now reiterates, that the facilities, equipment, supplies, and other resources of its institutions must not be diverted to partisan political use. This affirmation is not intended to interfere with the traditional use of campus facilities as public forums nor with the political rights of faculty members and students. Nor is it intended to modify relationships with any of the duly recognized student organizations on campus, including the Young Republicans and Young Democrats, and any other political groups characteristically functioning on the campuses. What it seeks to avoid is the colleges and universities becoming agents of direct political action . . ."

(g) Sponsoring student organizations shall utilize ticket controls and audit procedures prescribed by the EMU staff for all student fund raising events to ensure that student fund raising regulations are met;

(h) All student fund raising events involving the sale of products or services must in addition receive the prior approval of the EMU Director;

(i) The failure of a student organization to comply with these procedures shall be grounds for the denial for subsequent privileges of use of University facilities to the non-complying organization or to the individuals who have acted on its behalf.

(6) In all cases of fund raising, applicant student organizations shall file written applications on the forms provided.

(7) Funds raised shall be deposited in the appropriate account:

(a) Registered and recognized student organizations using facilities owned or operated by the University for fund raising shall deposit those funds in a Trust Fund Account in the Erb Memorial Union;

(b) Funds raised by University-affiliated programs, organizations, or departments, i.e., ASUO and its agencies, EMU programs, residence halls, University departments and the like, shall be deposited in the appropriate EMU account, University departmental account or Trust Fund account;

(c) Tickets available from the EMU shall be used by both recognized and registered groups where admission is charged.

(8) Student organizations engaged in fund raising shall file a financial report seven days before the end of each term, or within seven days after any fund raising event in which gross receipts exceed $1,000. The report shall provide detail of the amount of funds raised, itemized expenditures, a net balance, and shall itemize the uses to which the balance has been or will be put. Two copies of the report shall be filed on the appropriate forms. One copy shall be submitted to the EMU Director and one copy shall be submitted to the ASUO President. Failure to file a true and accurate report shall constitute:
(a) Grounds for denial of future permission to utilize the University facilities to the student organization, to the individuals who have acted on its behalf, and to the scheduling member;

(b) A basis for prosecution under the University of Oregon Code of Student Conduct; and

(c) Grounds for any other remedies afforded by law for misappropriation of funds or misuse of property.

(9) The University President, the EMU Director, or upon delegation, the ASUO President shall reserve the right to review any fund raising event sponsored by a University student group. A representative of the group may be required to meet with the University President, the EMU Director, or the ASUO President to give information about the event.

C. Delegations of Authority to ASUO

(1) The Associated Students of the University of Oregon (ASUO), acting through the ASUO President, shall exercise the following authority, which is hereby delegated by the University President:

(a) To formulate general policies relating to student organizations and on-campus extra-curricular activities;

(b) To grant recognition to student groups, or to withdraw recognition from them, as a basis for use of certain campus facilities by said groups;

(c) To develop criteria to "guide" the University calendar and scheduling officer (who is Director of the Erb Memorial Union) in scheduling campus student events and programs.

(2) The ASUO President may exercise the delegated powers directly, or may appoint an administrative body representative of the University community to assist in the administration of such delegated responsibilities. The ASUO President shall notify the University President in writing of the mechanism by which the ASUO President will exercise these delegated responsibilities.

(3) This delegation is subject to any policies and administrative arrangements which may be subsequently established by the University President or the faculty of the University. The University President reserves the right to revoke and/or exercise any of the powers herein delegated if at any time the University President determines that the responsibilities delegated have not been met.

(4) The student activity regulations (see Memo 17.030) policies governing the EMU facilities and grounds, and scheduling policies (see Memos 18.010 through 18.080) shall remain in full force.
(5) The Director of the Erb Memorial Union is delegated by the University President full authority for the supervision, management, and operation of the EMU, its immediate premises, and its programs, subject to the provisions of any governance document agreed to by the University President.

D. Use of University Facilities

(1) Users must schedule facilities in advance with the scheduling office, providing reasonable advance notice.

(2) All health, safety, fire, and other regulations must be observed.

(3) Additional costs incurred by janitorial or other services must be reimbursed to the University.

(4) Any user may be required by the Office of Business Affairs to render the University safe and secure from all claims of damage or liability by posting a bond or by other means.

(5) Scheduled activities must not disrupt or interfere with classes or other scheduled activities.

(6) Any user may be required by the scheduling office to meet other additional conditions necessitated by the nature of the requested use.

(7) Use of facilities does not in any way imply that the University endorses, encourages, or approves the purposes of the users.

(8) Classes, registration, and other academic uses take priority over all other uses of all facilities. Academic activities are defined as registration, commencement, workshops, and classes of the schools and colleges of the Division of Academic Affairs, and do not include cultural events, athletics, and extra-curricular events, or practice or preparation times for such events.

(9) Departments have priority for nonacademic use of space in their own departments for uses related to their own field of responsibility.

(10) Responsibility to the University President for proper non-academic use of University space is assigned to the administrator in charge of each facility, or to the Director of the Erb Memorial Union when no single administrator is so assigned. The administrator in charge of each facility is responsible for approval of the use of that facility for non-academic purposes.

(11) Administrators and directors of facilities that are scheduled for public events shall make available written guidelines for such use. Users shall be subject to the terms and conditions of such guidelines.

E. Use of Department of Intercollegiate Athletics Facilities
(1) Events using facilities under the jurisdiction of the Department of Intercollegiate Athletics must be scheduled at that Department's event scheduling office to insure that the date of an event will not conflict with other previously scheduled programs.

(2) A contract to use a Department of Intercollegiate Athletics facility must be signed by a responsible officer of the organization, group, or department seeking such use and a certificate of insurance shall be provided by non-University users in compliance with University contract requirements. Users of McArthur Court are also required to inform the Fire Marshal of the City of Eugene that they have assumed full responsibility for strict adherence to the fire laws and code of the State of Oregon.

(3) A schedule of rental fees is established by the Director of Intercollegiate Athletics and is published in Policy 571.060(A).

(4) Registration and other academic uses of McArthur Court will take priority over all other uses (see Section D).

(5) Non-academic athletic uses of McArthur Court have priority over other non-academic uses, except as noted in subsection (6) of this section.

(6) The Director of Erb Memorial Union, or the Director's representative, shall have priority during the academic year (September 16 through June 15) to schedule events in McArthur Court at any time the facility is not in athletic or academic use. Any commitment made by the Department of Inter-collegiate Athletics for use of McArthur Court by the Erb Memorial Union shall not be subject to later changes by the Department of Intercollegiate Athletics. Adequate preparation time shall be provided by the Department of Intercollegiate Athletics for all cultural events scheduled in McArthur Court, with the amount of such preparation time to be specified in the prior commitment for use.

(7) The Director of Intercollegiate Athletics, or the Director's representative, may schedule non-athletic events in McArthur Court, but only in the summer vacation period between the first day following the June Commencement and the day before the first day of Fall term registration, inclusive. The Director of Intercollegiate Athletics, or the Director's representative, may also schedule one non-athletic event in McArthur Court during the Thanksgiving vacation period, the winter vacation period, and the spring vacation period. Any number of performances by one performer or group within 72 hours in those vacation periods will be regarded as one event. The Director of Intercollegiate Athletics shall consult with the Erb Memorial Union Director before scheduling non-athletic events in McArthur Court. The consultation should include discussion of scheduling conflicts, ticket prices, and student admissions. Final decisions will be made by the Director of Intercollegiate Athletics.

(8) The Director of Intercollegiate Athletics is responsible to the University President for the proper use of McArthur Court for non-academic use of the facility. The Director of Intercollegiate Athletics may, at the Director's discretion, require users to post a bond in advance
or meet other additional conditions (see Section D). If, while an event is being presented, the Director of Intercollegiate Athletics finds such users are not using the facility in a safe, legal manner, the Director may ask the Director of Campus Security to close the event:

(a) All users must pay costs involved, including but not limited to costs of setting up stages or supplemental seating, services of custodians, installation of public address systems, and the use of other standby labor;

(b) The Department of Intercollegiate Athletics, the Erb Memorial Union and its components, the Associated Students of the University of Oregon and its components, are exempt from any rental fee;

(c) The use of the Department of Intercollegiate Athletics facilities by non-University organizations shall follow the guidelines established by the Department under Section B(11).

(9) All fund raising conducted during intercollegiate athletic events must receive prior approval from the Director of Intercollegiate Athletics and shall comply with Sections A and B.

(10) Signs and banners of materials that do not create a safety or fire hazard may be displayed at any time an athletic facility is open to the public:

(a) In areas outside a stadium or arena, signs and banners may not be affixed to Department of Intercollegiate Athletics property or facilities and signs and banners may not impede pedestrian or vehicular traffic at parking lot entries, within parking lots, at or on driveways, at or on facility approaches or aprons or at entry gates;

(b) Inside Department of Intercollegiate Athletics facilities or areas signs or banners without sticks or poles, etc. are allowed so long as they do not obstruct the field of vision of other members of the audience.

Chapter/Volume:
Original Source:
Oregon Administrative Rule

Fund Raising on Campus, Authorization of

Last Updated: 01/04/1985
Effective Date: 01/04/1985
Reason for Policy: To describe procedure for obtaining permission to conduct fund raising on campus and to provide rule citations on which procedures are based.
Policy Statement:

Procedure:

(1) To obtain official authorization to conduct on campus fund raising, write a memorandum outlining the purpose of the fund raising activity, identifying the sponsor(s), and indicating how and where collected monies will be deposited and dispersed. Send or deliver this memorandum to the Office of the President at least two weeks prior to the planned activity. The President or the President's designee shall respond as promptly as possible to the request.

(a) The President may request further information and/or endorsement by the appropriate Vice-President prior to making a decision about whether or not to authorize the fund raising activity.

(b) Fund raisers shall present a copy of the President's authorization when requesting space reservations, use of campus mail service, or other University services in connection with the fund raising, event(s).

2. Use of campus mail service for fund raising is limited to approved institutional fund drives or other fund raising activities authorized by the University President or the President's authorized representative.(OAR 571-11-005).

3. Solicitation of funds from students is governed by OAR 571-11-005 and OAR 571-11-010.

4. Solicitation of funds from off campus donors is governed by OAR 571-11-005 and University of Oregon Policy Statement 7.000: Foundation Practice and Procedure "Access to Prospective Donors for Gifts of $5,000 or More."

Reviewed and Approved By: President's Staff
Date: 01/04/1985
Issued by: Vice-President for Administration
Date: 01/04/1985
Revision History: 02/08/2010 Policy number revised from 6.000 to 06.00.04
Original Source: UO Policy Statement

Gifts, Grants, and Contract Management

Reason for Policy: This policy outlines former State Board policies around gifts, grants and contract management with respect to institutional authority.
Entities Affected by this Policy: Finance and Administration; University Advancement
Responsible Office: For questions about this policy, please contact Vice President for University Advancement 541-346-5555.
Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 8, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 42.

Policy:

A. General Authority:

The Board encourages gifts by faithfully devoting them, subject to the terms of the gift, to the institution or program for which intended, and by other suitable means.

B. Delegation

(1) Institutions are authorized to apply for and accept, on behalf of the Board, gifts or grants and to negotiate contracts that will not result in:

(a) Enrollments in excess of those on which budgets have been based;

(b) Commitment of funds beyond those available in budgets approved by the Board, or the normal continuation thereof;

(c) Creating a commitment for the institution or the state to continue support of a program funded through gifts, grants or contracts, in the event such funds are discontinued;

(d) Development or support of activities inconsistent with the approved mission of the department and/or institution;

(e) Launching of new curricular programs that have not received prior Board approval;

(f) Establishing or significantly expanding a clientele for services of an essentially nonresearch or noninstructional nature.

(2) The Vice Chancellor for Finance and Administration or a designee is authorized to approve applications for and acceptance of other gifts, grants or contracts.

C. Institutional Responsibility
Requests for gift, grant, or contract funds may be initiated by an institution, division or statewide service, acting for the Board, subject to the following considerations:

(1) A request obligating the Board to increase an allocation of state appropriations or seek additional state funds where the gift, grant or contract to be discontinued is subject to Board approval before the request is submitted to the granting agency.

(2) When all or a major portion of project performance requires the services of institutional personnel or use of its property or if project funding includes indirect cost allowances, funding is to be requested in the name of the Board.

D. Board Acceptance of Scholarship Gifts

(1) Gifts made to an institution by any donor to provide scholarships on a competitive basis shall be reported to the Board as scholarship gifts, provided the institution participates in the selection of the recipients.

(2) Gifts made to an institution by nonprofit organizations for the benefit of designated students shall be reported as scholarship gifts to the institution on the assumption that the recipients were selected on a competitive basis.

(3) Gifts made by individuals, or by partnerships and corporations operated for profit, for designated students not selected on some competitive basis ordinarily used in selecting scholarship recipients, shall not be accepted as scholarship gifts to the institution. These payments may be deposited to the credit of the student in the institutional business office in an agency account known as "Student Safekeeping." These contributions or payments shall be considered gifts to the recipient and not to the institution and will not be reported to the Board.

Chapter/Volume:
Original Source: Oregon Administrative Rule

Grievance Procedures

Reason for Policy: This policy outlines grievance procedures for faculty, nonfaculty staff, and students at the University of Oregon. However, grievance procedures for those represented by a collective bargaining agreement are set forth in those respective agreements.

Entities Affected by this Policy: All members of the UO community.
Responsible Office: For questions about this policy, please contact Human Resources at 541-346-3159.
Website Address for this Policy:

https://policies.uoregon.edu/grievance-procedures

Enactment & Revision History:

Revisions (as to Officers of Administration) approved by President Michael H. Schill on February 23, 2017.

Temporary changes enacted on August 18, 2016 expired on February 18, 2017.

Temporary changes enacted by the University President on August 18, 2016.

Temporary revisions to Section L approved by Michael Schill on February 18, 2016.

Technical revisions enacted by the University Secretary on September 4, 2015.

Section L(2)(a) amended by the Board of Trustees on December 11, 2014.

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

Former Oregon Administrative Rule Chapter 571 Division 3.

Policy:

A. Introduction

(1) This section, in compliance with UO Policy 580.021.0005-55(P), describes the general operating procedures for this policy. This policy applies to all University of Oregon (University) faculty including officers of instruction and student employees not covered by collective bargaining agreements or other grievance procedures officially recognized by the University President:

(a) Faculty employee grievance procedures are outlined in Sections (A)-(J), and (L);

(c) Undergraduate and graduate student grievance procedures are outlined in the Student Handbook which appears in the University of Oregon Time Schedule.

(2) Grievance procedures for classified employees and graduate teaching fellows who are covered by collective bargaining agreements are set forth in those agreements. Copies of the agreements are available in the Human Resources Office. Appeals from such procedures are
governed by the contract, the rules of the Executive Department, the Employment Relations Board of the State of Oregon and state law.

(3) Grievances and complaints by students (not arising under a collective bargaining agreement and not otherwise covered by undergraduate or graduate student grievance procedures) against faculty members arising out of their responsibilities as officers of the institution are within the jurisdiction of the Student-Faculty Committee on Grievances and may be submitted to that body for investigation and consideration pursuant to Faculty Legislation of May, 1972. Upon the request of a student or of the University President, the Student-Faculty Committee on Grievances shall exercise jurisdiction in such grievances or complaints whether or not the grievance arises in an employment relationship. The charge to the committee is included in Section (F).

(4) No grievance procedures described herein shall preclude termination of any grievance proceeding prior to completion of all steps by reason of any mutually acceptable resolution between the parties set forth in writing for the record:

(a) After a timely initial filing, time lines within the grievance procedures of this policy may be extended by a signed mutual consent statement;

(b) A grievant shall not institute multiple grievances on the same subject under procedures within this policy;

(c) The grievant shall describe a suggested resolution of the grievance.

(5) University of Oregon employees not covered by the provisions of section A(1) of this policy, may invoke the grievance procedures described in Sections E-J:

(a) Such grievances shall be initiated within 45 calendar days of the time the employee knows or by reasonable diligence should have known, of such act or omission, except:

(A) In cases where the primary basis of the grievance is allegations of prohibited discrimination as defined by Section L(1)(c), the University will accept such grievance as timely if it is filed within 180 calendar days of the time the employee knows, or by reasonable diligence should have known, of the act or omission alleged to be discriminatory;

(B) The University will accept a grievance alleging discriminatory harassment, including sexual harassment, as timely if it is filed within 365 calendar days of the time the employee knows, or by reasonable diligence should have known, of the act alleged to be discriminatory harassment.

(b) The running of said 45 calendar days shall be suspended for any period during which the employee is not under appointment (including the period between the end of spring term or semester and the beginning of fall term or semester, and sabbatical, or similar periods of leave) at the University and shall resume the day the grievant's appointment recommences. In cases of
sabbatical and similar periods of leave the grievance shall be initiated within 60 calendar days after the grievant's appointment recommences;

(c) A grievant alleging prohibited discrimination shall have the longer of either 180 calendar days or the time permitted under subsection (b) of this section in which to make a timely filing of a formal grievance;

(d) A grievant alleging discriminatory harassment, including sexual harassment, shall have the longer of either 365 calendar days or the time permitted under subsection (b) of this section in which to make a timely filing of a formal grievance.

(6) During the period in which a grievance presented in a timely manner is in process, and while the employee is waiting for final disposition by the employer, administrative action shall not be taken to prejudice the position of the employee:

(a) However, the implementation of any administrative action which is the subject of the grievance, including alteration or termination of programs, and reassignment, termination or non-renewal of an employee shall not be deemed a "prejudicial act" for the purposes of this section. If a grievance of the decision disclosed by the timely notice has been timely filed, it shall continue to be processed under these rules regardless of the fact that the grievant may no longer be employed;

(b) Moreover, an individual filing a grievance in good faith or otherwise participating in any of the actions authorized under these grievance rules shall not be subject to reprimand or retaliatory action of any kind by any member of the University community for such filing and participation. If, however, it is determined that a grievant has filed a knowingly false grievance or has acted in bad faith, the grievant may be subject to disciplinary action or a counter-grievance.

(7) If the grievant has filed an administrative claim (under ORS 30.160 et seq.) or has filed a claim with a state or federal anti-discrimination agency or has filed a lawsuit (or has intervened in an EEOC or Oregon Bureau of Labor Office of Civil Rights lawsuit) against the State of Oregon, the University of Oregon, or any of their respective officers or employees arising out of actions, omissions, decisions, events or policies which are the subject of a pending grievance or a grievance contemporaneously presented, the University may, in its sole discretion, decline to continue with or to entertain the grievance.

(8) Unless a grievant has elected in writing a public hearing at Step Two filings, submissions, transcripts, testimony, reports, affidavits, and decisions/responses shall not be available to the public and shall be treated as having been submitted or offered under a promise of confidentiality and/or as personal information the disclosure of which would constitute unreasonable invasion of privacy.

(9) During the course of a grievance, each party shall be responsible for costs of its own representation.
Effective July 1989, the President or the President's designee shall prepare an annual report to the Board of Trustees (Board) of the number, bases, and outcomes of all faculty grievances filed under this policy.

**B. Faculty Grievance Procedure Definitions**

1. "Grievance" means a complaint by an academic employee that the employee was wronged in connection with compensation, tenure, promotion, or other conditions of employment or the employee's rights were denied as to reappointment.

2. "Other Conditions of Employment" shall include, but not necessarily be limited to, violations of academic freedom, discriminatory employment practices and nondiscriminatory employment practices, and laws, rules, policies and procedures under which the University of Oregon operates.

3. "Grievance Counselor" means a person selected to act as grievance representative for a grievant. The Grievance Counselor may be an administrator, faculty member from an appropriate committee, or other person. The Grievance Counselor shall serve without charge.

4. "Step" means a level at which a grievance may be reviewed, negotiated, resolved, or denied. At the University of Oregon there are three steps in its formal grievance process. There can be one or more steps in its informal grievance process.

5. "Provost" means the Vice-President for Academic Affairs. When faculty serve within an administrative division headed by a Vice-President other than the Provost, then that Vice-President shall be involved in the grievance processes instead of the Provost.

6. "Time Limit" means that period of time during which certain processes of the grievance procedure must take place. The first day of a time limit is computed as commencing upon receipt and ending 24 hours thereafter.

**C. Faculty Grievance Process Digest**

1. The following outline is provided to assist faculty in determining an appropriate course of action if they are considering whether or not to file a grievance and what type of process best addresses their need. The faculty grievance procedure, promulgated in response to UO Policy 580.021.0005.55(P), may be utilized to hear any complaint by a faculty member in connection with perceived wrongs in compensation, tenure, promotion, or other conditions of employment, or that a faculty member's rights were denied as to reappointment. "Other conditions of employment" shall include, but not be limited to, violations of academic freedom, discriminatory employment practices and nondiscriminatory employment practices, and laws, rules, policies and procedures under which the University operates. Disciplinary sanctions are imposed in accordance with UO Policy 580.021.0300-470(F) and shall not be subject to grievance procedures within this policy.
(2) Informal Grievance Process: Faculty are encouraged to bring complaints to the attention of the University administration at any time so that they may be resolved informally. However, if a faculty member wishes to preserve the right to file a formal grievance under this policy, informal resolution processes must be filed within the time limits set forth in Section A(5).

(3) Except in cases of alleged discrimination, a response to an informal complaint is due in 15 calendar days. Responses to informal complaints alleging discrimination are due within 30 days. See Section D for complete details:

(a) May be handled orally or in writing;

(b) Mediative procedures are those in which the identities of the parties are disclosed;

(c) Educative procedures are those in which the identities of the parties are not disclosed;

(d) Promotion and tenure grievances are to be handled as provided in Section H.

(4) Formal Grievance Process: Must be filed in writing within the time limits set forth in Section A(5):

NOTE: Promotion and/or tenure grievances begin at Step Two. See Sections E and H for complete details.

(a) *Step One:* File detailed written statement of grievance including suggested resolution with immediate supervisor of the person(s) causing grievance; or

(b) Request appropriate Vice-President to appoint a grievance counselor and after consultation with counselor, file grievance;

(c) When the grievance is based on promotion, tenure, or retention and the grievant has elected the formal process, the Provost (or appropriate Vice-President) shall start the grievance process at Step Two. All other types of formal grievances start at Step One;

(d) Step One response is due in writing 20 calendar days from receipt by respondent, except in cases alleging prohibited discrimination in which case the response is due within 30 days of the filing of the complaint;

(e) If Step One response is unsatisfactory or is not received within time limit, grievant wishing to do so may file written grievance at Step Two;

(f) *Step Two:* Filing at Step Two must be completed within 15 calendar days of the end of Step One. Step Two offers three options: Hearing by either of two faculty committees, or review by the appropriate administrator:
(A) The committee option permits the grievant to file with either the Grievance Appeal Committee, or Promotion/Tenure/Retention Appeal Committee, depending on subject matter; the committee acts within a 60 calendar day period, giving all parties at least ten calendar days’ notice of hearing and access to all documentary evidence received not later than five calendar days before the hearing;

(B) The grievant may elect to have the Step Two investigation and decision made by the appropriate Vice-President (i.e., the one under whom the grievant serves) instead of having a hearing before either of the two faculty committees.

(g) If Step Two response is unsatisfactory or is not received within the stated time limit, grievant wishing to do so may file written grievance at Step Three;

(h) Step Three: Filing at Step Three must be completed within 20 calendar days of the end of Step Two. The written grievance shall be filed with the President of the University;

(i) The President (or the President's designee) shall decide the grievance and shall prepare findings of fact and conclusions based on those findings within 20 calendar days of receipt of the grievance, and shall render the final decision to the grievant in writing;

(j) Step Three ends the University appeal process. Decisions of the President are appealable only to the Board. (See UO Policy 580.021.0005-55(P) and/or (Q).)

D. Faculty Informal Grievance Procedure

(1) The University administration encourages faculty whenever possible to use the informal approach to resolving complaints and grievances. However, the decision of whether or not to use informal procedures is solely that of the grievant. There is no requirement that informal procedures be attempted or exhausted as a prerequisite to invocation of formal procedures nor is there any need to elect between informal or formal procedures other than the need to timely file the formal procedure. If the grievant intends to pursue informal procedures the informal mode best suited to the nature of the complaint should be selected. Responsibility for initiating grievance resolution shall be with the grievant.

(2) If the grievant wishes to invoke the formal process, the grievant must do so within the time limits set forth in Section A(5), regardless of whether informal resolution is attempted or achieved. The days used in the informal process shall count in the computation of the applicable time limit within which formal grievances shall be filed. The appropriate Vice-President may waive the timely filing requirement at the request of the grievant if the grievant is currently pursuing resolution under this informal procedure and it appears that additional time (without a concurrent formal proceeding) would be beneficial. Such waiver shall be in writing and must issue before the applicable time limit has run.

(3) Generally, informal grievances are handled through discussion. Although not required:
(a) Brief, dated and signed statements may be prepared by the parties to facilitate discussion;

(b) A dated, written statement of resolution may be signed by the parties;

(c) Separate, dated, written statements summarizing the unreconciled differences, respondent's position and/or unaccepted counter proposal may be signed for entry into the record of the formal grievance procedure.

(4) Possible informal approaches include:

(a) The grievant meets privately with the person(s) alleged to have caused the grievance. Through discussion, the parties to the matter attempt to reconcile differences and to reach a reasonable resolution; or

(b) Grievant requests an administrator in the same administrative area, if possible the one to whom the grievant and the individual complained about both report, to consider the complaint and to attempt to effect a mutually satisfactory resolution; or

(c) Grievant, through the appropriate Vice-President, shall request to have a member of the Grievance Appeal Committee, of the grievant's choice, consider the complaint and attempt to effect a mutually satisfactory resolution; or

(d) When the matter is related to prohibited discrimination, including sexual harassment, the grievant may request the Office of Affirmative Action to initiate informal mediation (identity disclosed) or education (identity concealed) efforts. A University employee receiving an informal complaint alleging prohibited discrimination including sexual harassment shall report that fact to the Office of Affirmative Action and follow the applicable procedures described in Section L(5);

(e) The grievant may present the complaint to the Student-Faculty Committee on Grievances (see Sections A(3) and F). Except as waived by a Vice-President (see section D(2)) the time consumed by this committee's handling of the grievance shall not suspend the running of the applicable time limitations for filing a formal grievance;

(f) For grievances concerning promotion and/or tenure decision, the only possible informal procedures are specified in Section H of this policy and, for grieved decisions denying promotion or tenure but not resulting in terminal notice, the informal review shall parallel the procedures described in Section H.

(5) If informal resolution involving a Grievance Appeal Committee member is unsuccessful and if a formal grievance is filed, unless the grievant and the grieved-against individual both request to the contrary, the member of the Grievance Appeal Committee who participated in the informal
grievance process shall not participate as a member of the Grievance Appeal Committee at Step Two.

(6) Informal grievances shall receive a response within 15 calendar days of submission, except those grievances which allege prohibited discrimination including sexual harassment which shall receive a response within 30 days. With regard to the Student-Faculty Committee on Grievances, "submission" shall mean the time at which the parties have presented their respective cases to the committee.

(7) In cases of informal challenges to promotion and tenure decisions under Sections E or I of this policy, the grievant may apply in writing to the appropriate Vice-President for the appointment of a Grievance Counselor to represent the grievant at no charge. The grievant may provide the Vice-President with a list of three possible Grievance Counselors or may ask the Vice-President to suggest a list of three from which the grievant may select one. In general the Grievance Counselor shall provide aid and assistance to the grievant. This shall include but is not limited to, providing information about the various steps in the grievance procedure, representing the grievant before appropriate committees or administrators, enlisting the aid of the Affirmative Action Office if appropriate, or other aid.

E. Faculty Formal Grievance Procedure

(1) Step One: The grievant shall present the individual(s) against whom the grievance is filed and the immediate supervisor of the person grieved against with a written statement describing as precisely as possible what the grievance is about, including who or what caused the situation, what happened, and if applicable, where, why, when, and how the situation occurred and identifying any rule, policy, or procedure alleged to have been violated or misapplied. A list of witnesses, if applicable, shall be provided. A suggested resolution shall be described. The grievance statement shall be signed and dated and it shall include the grievant's campus address and campus and home telephone numbers. If the informal process has been used, a brief description of it shall be provided along with any documentary exhibits that may have been developed. A copy of the grievance statement shall be sent contemporaneously by the grievant to the President's Office. If the grievance involves illegal discrimination, a copy shall also be sent by the grievant to the Office of Affirmative Action. Grievants seeking to grieve promotion and/or tenure decisions formally begin at Step Two, after consultation with the Provost (or appropriate Vice-President). Time lines and details are specified in Section H:

(a) The grievant may apply in writing to the appropriate Vice-President for the appointment of a Grievance Counselor to represent the grievant at no charge. The grievant may provide the Vice-President with a list of three possible Grievance Counselors or may ask the Vice-President to suggest a list of three from which the grievant may select one. In general the Grievance Counselor shall provide aid and assistance to the grievant. This shall include, but is not limited to, providing information about the various steps in the grievance procedure, representing the grievant before appropriate committees or administrators, enlisting the aid of the Affirmative Action Office if appropriate, or other aid. The Grievance Counselor shall not act as arbitrator of the grievance while acting on behalf of the grievant;
(b) The Step One decision-maker shall require a written memorandum from the grieved-against individual to offer that person's position on the matter;

(c) The immediate supervisor of the person grieved-against to whom the grievance is directed shall send a written response to the grievant and the grieved-against individual no later than 20 calendar days from the day the grievance is received, except in cases of alleged discrimination, including sexual harassment, in which case the written response is due no later than 30 days from receiving the grievance. In cases of alleged discrimination, including sexual harassment, the Step One decision-maker shall contact the Office of Affirmative Action and utilize the services of that office as appropriate to investigate the complaint. The response shall either resolve the grievance to the satisfaction of the grievant, or provide such relief as appears appropriate following examination of relevant facts, or shall state why the grievance is not deemed to be valid or why the relief requested in the grievance is not appropriate.

(2) Step Two:

(a) If the grievance is not resolved at Step One to the satisfaction of the grievant or if the respondent at Step One fails to respond in timely fashion, the grievant may appeal by filing the written grievance and all relevant documents and materials developed during Step One with one of the following committees as appropriate within 15 calendar days after the end of Step One:

(A) Grievance Appeal Committee for all grievances not within the jurisdiction of the Promotion/Tenure/Retention Appeal Committee; or the

(B) Promotion/Tenure/Retention Appeal Committee which shall consider only formal grievances concerning denial of promotion or denial of tenure (or denial of both) or failure to renew an appointment in violation of the UO Policy 571.003 grievant's rights.

(b) The appropriate committee shall entertain appeals directed to it within the following constraints:

(A) The statement of appeal shall be in writing (see Section E(1) of this policy for details) and shall include the response at Step One and any arguments the grievant wishes to make about the Step One response;

(B) All documentary evidence received shall be identified, marked, and indexed in the record;

(C) The grievant and the University and/or complained-against person(s) shall have full access to the record (as it exists at any given time) and to tape recordings of the testimony received;

(D) Live testimony shall be taken at a duly-noticed hearing. Clarifying questioning is to be by the committee only;
(E) The grievant shall be given the maximum possible (but in no case less than ten calendar days) advance notice of the initial hearing date, place, and time;

(F) The grievant and the University and/or the complained-against person(s) shall be allowed to present documentary evidence (including affidavits or signed declarations), demonstrative evidence and/or live testimony;

(G) The committee shall inform the grievant and the grieved-against individual no less than five calendar days in advance of any hearing of all documentary evidence received by it at the time of said notice. Such evidence shall be identified by reference to source, date, and, generally, content. The grievant and the grieved-against individual shall also be told how to acquire copies of such evidence before the hearing;

(H) The grievant shall have the right of the assistance of a University-appointed Grievance Counselor, the grieved-against individual(s) shall have the right of the assistance of a University-appointed Grievance Counselor or the grievant, University and/or complained-against person(s) shall have the right to an advocate (attorney or otherwise) at their respective expense;

(I) The grievant and the University and/or the complained-against person(s) shall be allowed to make introductory statements, to argue and summarize the presentation at a conclusion of receiving evidence, and shall be afforded an opportunity to rebut or explain new evidence or testimony; written presentations are to be encouraged over oral presentations; and if a party wishes an attorney to be involved, the attorney is permitted to develop written submissions;

(J) Live testimony shall be tape-recorded. There shall be no obligation on the committee to transcribe the tape, but copies of the tape shall be made available to any party to the grievance at the cost of reproduction and a pro rata share (among those requesting copies) of transcription;

(K) Hearings shall be open to the public (to the extent allowed by law) at the option of the grievant; however, the deliberations of the Committee shall be closed to all, including the grievant and the grieved-against individual(s);

(L) The Committee shall make its conclusions and recommendation solely upon evidence received in the record and shall, where practicable, cite specific evidence to support its resolution of disputed issues of fact;

(M) The committee shall formulate its conclusions and recommendations within 60 calendar days of receipt of the appeal;

(N) The proceedings of the committee (or any other step of this grievance procedure) shall not be deemed the handling of a contested case. If a grievant is otherwise entitled to a contested case proceeding, but wishes to have the grievance handled under Section E(2)(b) of this policy, the grievant shall waive in writing the use of contested case procedures. If a grievant is otherwise entitled to a contested-case proceeding, and does not file such a waiver, the provisions of OAR
Chapter 571, Division 2 shall govern to the extent applicable. [Note: Chapter 571, Division 2 was repealed on December 11, 2014.]

(c) No grievance shall be denied at Step Two under Section E(2) of this policy without prior consultation between the chair of the committee to whom the grievance is directed and the Vice-President of the Division.

(3) In lieu of an appeal to the committees specified in paragraphs E(2)(a)(A) and (B) of this policy, the grievant may appeal by filing the written grievance and all relevant documents and materials developed during Step One with the appropriate Vice-President for Step Two consideration:

(a) The Vice-President may use staff for investigatory support and shall have the authority to request information and testimony beyond that presented by the grievant or by the disposition at Step One. The Vice-President shall render a decision in writing and shall base the resolution upon relevant, undisputed facts and upon such relevant disputed facts as are determined. Sources of data or evidence or documents relied upon shall be identified;

(b) The Vice-President's decision shall be rendered within 30 calendar days of receipt of the grievance. Copies shall be sent promptly to the grievant and the grieved-against individual.

(4) If the grievant or the grieved-against person is not satisfied with the resolution recommended by the committee under subsection E(2)(a) or (b) of this policy or with the decision reached by the Vice-President under section E(3) of this policy, the appellant may appeal to the University President within ten calendar days after receipt of the Step Two disposition.

(5) Step Three: The President (or the President's designee) shall review the recommendation of the Committee or the decision of the Vice-President:

(a) The President shall be free to seek additional or clarifying evidence. However, to the extent the President obtains such further evidence and deems such evidence to be meaningful and likely to influence the presidential decision, the President (or designee) shall notify the grievant and the grieved-against party of the receipt of such evidence and shall afford such persons access to the evidence and an opportunity to respond if they desire (with contemporaneous copies to all parties). In cases involving alleged prohibited discrimination, the President shall consult with the Director of the Office of Affirmative Action;

(b) The President (or designee) shall issue a written decision which shall include findings of fact. If the President's (or designee's) decision modifies or rejects the Step Two action, the areas of modification or rejection shall be identified and the reasons for such changes shall be stated in the decision;

(c) The decision shall be rendered within 20 calendar days of the receipt of the Step Three appeal and shall be sent to the grievant and Policy 571.003 grieved-against party upon issuance.
(6) There shall be no further appeal within the University from the President's decision. Decisions of the President are appealable within the Board of Trustees only pursuant to the provisions of University policy.

(7) If a response is not made within the prescribed time, the decision at the previous step (or status quo if it is the Step One response which is overdue) shall be deemed affirmed for the purposes of giving the grievant the option of appealing to the next higher step.

(8) Failure to appeal the grievance in timely fashion shall be deemed as acceptance of the result at the previous step, i.e., if the grievant does not appeal the Step One decision, it shall stand resolved and if neither party appeals the Step Two decision, it shall stand resolved.

(9) The grievant and administrator or committee responsible for rendering the decision in any given step may agree in writing to an extension of either the appeal or the response time. Such extensions shall not apply to or in any way suspend the running of any state or federal limitations or charge-filing periods (these are mandatory time lines) for grievances alleging illegal discrimination.

(10) In the event that it shall prove impossible to convene a Faculty Grievance Committee during summer term, the grievant and administrator or committee involved shall mutually agree to extend the response time into the following fall term.

F. Student-Faculty Committee on Grievances

(1) The Student-Faculty Committee on Grievances shall be composed of an equal number of students and faculty appointed by the President. It shall make itself readily accessible to all members of the University community, and shall determine in each case whether a particular grievance falls within its jurisdiction (in cases where the Committee determines it has no jurisdiction, it may choose to recommend an alternate procedure consistent with other sections within Policy 571.003):

(a) The charge to the Committee shall be to receive complaints or grievances against faculty, either officers of instruction or officers of administration, arising out of their responsibilities as officers of the institution; and

(b) To investigate and review these complaints or grievances on an informal manner, affording full opportunity to the concerned parties to be heard; and

(c) To attempt to resolve differences or adjust grievances in an amicable fashion consistent with the understanding of the parties and the best interests of the University; and

(d) To issue such findings and recommendations (furnishing copies to the persons concerned) to either the President (if the grievance was initiated by a faculty member) or the appropriate Vice-
President (if the grievance was initiated by a student) as appear appropriate under the circumstances;

(e) Referral to the Committee shall not suspend any applicable grievance time lines.

(2) By filing a complaint under any grievance rule and bringing it before this Committee, an aggrieved person authorizes the Committee to inquire into the matter as necessary to discover the applicable facts and to communicate as specified in this rule, its findings, recommendations and reasons to the concerned parties.

(3) Grievances Filed by Faculty: Faculty, officers of instruction or officers of administration, may present grievances to the Student-Faculty Committee on Grievances:

(a) Consideration by the Committee is an informal process only for addressing faculty complaints or grievances;

(b) The President is in no way obliged to act on the Committee's recommendations or to be further involved;

(c) The Committee shall render its grievance recommendation in writing within 15 calendar days of consideration of the complaint or grievance. "Consideration" shall mean the time at which the parties have presented their respective cases to the Committee.

(4) Grievances Filed by Students: Under the formal student grievance process at Step Two described in Section P(3)(a), students with grievances against faculty arising out of their responsibilities as officers of the institution may present grievances to the Student Faculty Committee on Grievances:

(a) Referral to the Committee shall be consistent with grievance time lines stated in Section O(2) in the case of student originated grievances. The Committee shall render its recommendations in writing within 15 calendar days of its consideration of the grievance. "Consideration" shall mean the time at which the parties have presented their respective cases to the Committee. The Committee shall make good faith efforts to complete its review within 30 days of a party's presenting a grievance to it;

(b) The Committee shall present its report to the parties to the grievance and to the appropriate Vice-President. The report shall include the Committee's findings of fact, a recitation of applicable policy and its recommendations for action. If the parties and the Vice President accept the committee's recommendation, it shall be implemented and the grievance shall be considered resolved;

(c) The Vice President may accept or reject the Committee's recommendation or may request further investigation and reconsideration by the Committee;
(d) Any party to the grievance may accept or reject the Committee's recommendation or the Vice President's action by appealing to Step Three of the student grievance process (Section P(4) et seq.).

G. Composition of Faculty Grievance Appeal Committees

(1) The faculty grievance procedure described in Section E calls for two elected faculty grievance committees to be available to consider appeals at Step Two. These committees have been established by Faculty Legislation.

(2) The Grievance Appeal Committee shall hear, on request of the faculty member grieving at Step Two, all grievances excepting those concerning denial of promotion, denial of tenure (or denial of both), or failure to renew an appointment in violation of the grievant's rights:

(a) The committee shall have its five members elected by the non-students eligible to vote at meetings of the University Assembly;

(b) Committee members shall be unclassified academic employees with faculty rank. The Committee on Committees shall insure a slate of at least two candidates each year for each open position. Candidates may also be nominated by petition which must be signed by at least ten valid signatures of voting faculty. Petitions shall be distributed by the Secretary of the Faculty. Ballots shall contain candidates nominated by the Committee on Committees and those nominated by petition;

(c) Members of the Grievance Appeal Committee may not serve successive terms;

(d) At the time of the first election, by lot one member shall be elected for a one-year term, two for a two-year term, and two for a three-year term. Thereafter, as terms expire, new members shall be elected to three-year terms;

(e) In conducting its business, the Grievance Appeal Committee shall follow the rules of procedure as set forth in Sections E(2), (7), (8), and (9). The committee shall elect its own chair annually.

(3) The Promotion/Tenure/Retention Appeal Committee shall hear, at the request of the grieving faculty member at Step Two, all grievances concerning denial of promotion or denial of tenure (or denial of both), or failure to renew an appointment in violation of the grievant's rights:

(a) The committee shall have its three members, all of whom must be tenured, elected by the non-students eligible to vote at meetings of the University Assembly. Current Deans and Department Heads shall not be eligible to serve. The committee shall consist of one representative from the College of Arts and Sciences, one from the professional schools and one at large. Nominees, none of whom may be from the same department, shall be persons who
previously have been elected to serve (and have served) on the Faculty Personnel Committee, with the following exceptions;

(b) No one may serve simultaneously on the Faculty Personnel Committee and the Promotion/Tenure/Retention Appeals Committee;

(c) Any member who served on the Faculty Personnel Committee or the College Personnel Committee, or who participated in the departmental vote when the grieved action or decision (or informal reviews thereof) occurred must be excused from hearing such an appeal but shall otherwise continue to serve on this committee;

(d) Members of the committee may not serve successive terms;

(e) If any one (or more) member(s) is disqualified under subsection (c) of this section, the fourth and subsequent candidate(s) in the election for the committee shall be asked to serve in place of the disqualified member(s);

(f) The Committee on Committees shall insure a slate of at least two candidates for each open position each year. The candidates shall otherwise be qualified and shall be chosen to insure the division of membership specified in section G(1) of this policy;

(g) Candidates may also be nominated by petition. A petition with ten valid signatures of voting faculty shall place those candidates nominated by the petition on the ballot. Petitions shall be distributed by the Secretary of the Faculty and shall specify whether they are for candidates to represent the College of Arts and Sciences or the Professional Schools and Colleges or the at-large position;

(h) Separate ballots shall be prepared for the candidates from the College of Arts and Sciences and the Professional Schools and Colleges. The ballots shall list the candidates nominated by the Committee on Committees and those nominated by petition. All ballots shall be circulated to all voting faculty members;

(i) All members shall be elected to serve staggered three-year terms. At the time of the first election, the person receiving the third highest number of votes shall fill the at large position. The one-, two- and three-year terms of service shall be made by lot. Thereafter, one person shall be elected each year for a three-year term as determined by the original lot, except for those elected to fill vacancies of unexpired terms;

(j) In conducting its business, the committee shall follow the rules of procedure as set out in Sections E(2), (7), (8), and (9) and Sections H(2)(b) through (e);

(k) The Committee shall elect its own chair annually;
(l) The grievant may make a peremptory challenge of one member of the Committee. That member shall be replaced by one selected to serve pro tem by the grievant from a list proposed by the Faculty Advisory Council of three tenured candidates (except that for grievants who are officers of administration non-tenured faculty may be listed).

H. Appeal of Failure to Grant Promotion or Tenure When Such Decision Results in Terminal Notice

(1) Appeal of the decision to deny promotion or tenure which results in terminal notice shall be directed by the appellant in writing to the Provost within 90 days of actual receipt of terminal notice. If the candidate is outside of the United States at the date of receipt, the period for filing an appeal shall be extended to 60 days after the candidate first thereafter returns to the State of Oregon. Under University policy, grievants/appellants are entitled to have their complaints considered either informally or formally, but not both. The Provost or appropriate Vice-President shall refer the appeal to the Faculty Personnel Committee or to the appropriate College or School promotion and tenure committee (informal procedure) unless the candidate and the Vice-President agree that it would more appropriately be referred to the Promotion/Tenure/Retention Appeal Committee (formal procedure) for its recommendation. In making decisions under this policy, the Vice-President shall exercise authority hereby delegated from the President.

(2) Appeals made under subsection H(1) of this policy and referred by the Provost to the Faculty Personnel Committee or the College or School Promotion and Tenure Committee shall constitute the institution's informal procedures and be considered in the following manner:

(a) The review will take the form of a reconsideration by a panel (with a minimum of three members) of the Faculty Personnel Committee. Reconsideration shall be conducted for the Faculty Personnel Committee by a panel of the Committee or the college or school committee which does not include members who served during the year in which the case was previously reviewed. The informal process is advisory to the Provost and the results of the reconsideration will be presented as recommendations to the Provost;

(b) The purpose of the reconsideration shall be to make an evaluation of the fairness and reliability of the decision-making process. This reconsideration involves:

(A) Determination of whether errors of fact existed;

(B) Determination of whether relevant evidence was unavailable, disregarded or overlooked; and

(C) Determination of whether the decision was in any way arbitrary or capricious or whether it had a significant foundation in fact on which to justify the original evaluative judgments and recommendations.

(c) Should the panel of the Faculty Personnel Committee conclude that prejudicially erroneous facts were utilized or that relevant evidence capable of reversing the appraisal was rejected,
overlooked, or previously unavailable, or that the original judgment was arbitrary and capricious, or prohibited by law, or that the decision was otherwise unwarranted for lack of any significant factual foundation, it shall so advise the Provost, Dean, and Department Head to reconsider the original recommendations with respect to the case;

(d) The appellant can review that part of the appellant's file which is open and will receive a substantive abstract of any closed part of the file. A proper abstract of the file is interpreted to mean document-by-document, not a general summary, with the condition that editing and abstracting will maintain the confidentiality of sources who submitted their evaluations with assurance of confidentiality in accordance with any earlier waiver of the appellant's right to have the University use no confidential sources. The abstract shall be prepared by an officer from the Office of the Vice-President for Academic Affairs and Provost and a member of the Faculty Personnel Committee;

(e) Reconsideration by the Promotion/Tenure/Retention Appeal Committee is a formal grievance procedure which begins at Step Two and proceeds under Section E(2)(a). Neither method of review nor the underlying grievance is defined as a contested case under ORS 183.310(2) or UO Policy 580.021.0300-470(T). Prior to the reconsideration, the appellant shall be given appropriate notice that if the appellant so chooses, the appellant has the opportunity to introduce information which is new or hitherto unavailable or overlooked by the Faculty Personnel Committee, to review the open portion of the file and the abstracts and summaries and to make a personal presentation on the grounds set forth in subsection (2)(b) of this section of the Policy. There is no requirement or expectation of formal public hearings with counsel in the informal reconsideration.

(3) When appeals made under subsection (1) of this section are referred to the Promotion/Tenure/Retention Appeal Committee, the same standards and procedures as are outlined in section H(2)(b) through (e) of this policy shall be followed in addition to the procedures specified in Section E(2)(b). Either type of committee referred to in this section shall exclude faculty members who served on the Faculty (or College) Personnel Committee in the year in which the case was reviewed by that Committee.

(4) An appeal of a Promotion/Tenure/Retention Appeal Committee decision may be made to the President. An appeal to the President shall be directed by the appellant in writing to the President within ten calendar days of the receipt of Promotion/Tenure/Retention Appeal Committee's decision. The President shall notify the appellant of the President's final decision within 20 calendar days of the receipt of the appellant's written appeal. There shall be no further appeal within the institution of the President's decision.

I. Appeal of Non-Terminal Denial of Promotion or Tenure

(1) This section I applies to appeals concerning denial of promotion or tenure where such decision does not result in terminal notice.
(2) Decisions respecting academic or professional performance of officers of instruction are based on the evaluative judgment of peers. These judgments are entrusted to the academic peer group. Denial of promotion or tenure may be challenged informally or formally (but not both), under the procedure and standards provided in Section H. Because the grievant in such situations has not received a terminal notice, the question of whether the grievant deserves promotion and tenure will be decided in the following academic year by the Faculty Personnel Committee if the candidate requests that the case be resubmitted. Requests for such consideration shall be made in writing addressed to the Provost. Upon such reconsideration, the file may be augmented by all parties involved. Such further consideration will lead to a recommendation to the Provost for further action.

(3) Appeals concerning denial of promotion for officers of administration which do not result in terminal notice may be challenged informally or formally (but not both) under the procedure and standards provided in Sections H(2)(b) through (d) by filing a written appeal with the appropriate Vice-President.

J. Non-Renewal of a Fixed-Term or Annual Appointment

Non-renewal of a fixed-term or annual appointment of an officer of instruction in other than a promotion and tenure case (e.g., other than terminal notice during the seventh year) will be grievable only to the extent that a property right in such a reappointment has been violated or if prohibited discrimination is alleged to have been a factor in non-reappointment. In such cases, the procedures of Section E shall govern.

L. Prohibited Discrimination, Discriminatory Harassment, and Sexual Harassment

Using arbitrary or capricious grounds to make available or to deny educational or professional opportunity to other members of the University community is unprofessional conduct and may constitute prohibited discrimination under the University's policies. Prohibited discrimination including discriminatory harassment and sexual harassment of students, faculty, or staff by other members of the University community is prohibited both by law and this policy. Unwelcome sexual activity by persons abusing positions of economic, supervisory, or academic power is inherently oppressive. Discriminatory harassment, including sexual harassment, regardless of the relative power of the harasser, is disruptive of the workplace and campus life, and it acts to deny its object equal opportunity as a student or an employee. Discriminatory harassment, including sexual harassment, shall not be tolerated at the University of Oregon:

(1) Definitions:

(a) Members of the University community are defined as students, faculty, and staff except for purposes of grievances alleging disability discrimination against the grievant where the definition of "University community" is broadened to include members of the public applying for admission as students, attending or participating (or desirous of attending or participating) in programs on University owned or leased property, applying for employment, or otherwise having
business to transact in University facilities (this broadened definition does not apply to the second sentence of the introductory paragraph of this section);

(b) For purposes of timeliness, "filed" means a signed grievance delivered to a University official authorized to receive grievances which are initiated under Sections L(4)-(6);

(c) Prohibited discrimination is defined as any act that either in form or operation, and whether intended or unintended, unreasonably discriminates among individuals on the basis of age, disability, national origin, race, marital status, religion, gender, gender identity, gender expression or sexual orientation: "Unintentional discrimination" is a concept applicable only to situations where a policy, requirement, or regularized practice, although neutral on its face, can be shown to have disparately impacted members of a protected class. The concept is inapplicable to sexual or other forms of harassment which, by definition, result from volitional actions.

(d) Discriminatory harassment is defined as any conduct that either in form or operation unreasonably discriminates among individuals on the basis of age, disability, national origin, race, marital status, religion, gender, gender identity, gender expression or sexual orientation, and that is sufficiently severe or pervasive that it interferes with work or academic performance because it has created an intimidating, hostile, or degrading working or academic environment for the individual who is the object of such conduct, and where the conduct would have such an effect on a reasonable person of the alleged victim's status. Discriminatory harassment will not be found in the decision to select, include, or assign course or reading materials or curricular content or in the consideration of research topics or investigatory questions within the educational and research activities of University employees and students. However, if specific behaviors or actions opportunistically recur in an educational setting and can be shown by clear and convincing evidence to have been calculated to inflict harm on one or more of the participants, this exception shall not apply.

(e) Sexual harassment is a type of gender discrimination which is defined as:

(A) Any sexual advance, any request for sexual favors, or other verbal or physical conduct of a sexual nature when:

(i) Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment or academic experience; or

(ii) Submission to or rejection of such advances, requests, or conduct by an individual is used as a basis or condition for employment and/or academic decisions affecting such individual; or

(iii) Such conduct is unwelcome and sufficiently severe or pervasive that it interferes with work or academic performance because it has created an intimidating, hostile, or offensive working or academic environment for the individual who is the object of such conduct, and where the conduct would have such an effect on a reasonable woman (if the object is a woman) or a reasonable man (if the object is a man).
(B) Sexual harassment will not be found in the decision to select, include, or assign course or reading materials or curricular content or in the consideration of research topics or investigatory questions within the educational and research activities of University employees and students. However, if specific behaviors or actions opportunistically recur in an educational setting and can be shown by clear and convincing evidence to have been calculated to inflict harm on one or more of the participants, this exception shall not apply.

(f) In the case of allegations of disability "complainant" shall be broadened to include members of the public applying for admission as students, attending (or desirous of attending) events or participating (or desirous of participating) in programs on University owned or leased property, applying for employment, or otherwise having business to transact in University facilities.

(2) University Employees' Responsibilities in Dealing with Allegations of Prohibited Discrimination or Sexual Harassment: The University has the responsibility to prevent prohibited discrimination from occurring in its work-places and its academic, research, public, and student service programs:

(a) University employees with credible evidence that any form of prohibited discrimination is occurring have the responsibility to inform their supervisors or the Office of Affirmative Action. Credible evidence is evidence of the kind that prudent people would rely on in making important personal or business decisions. Notwithstanding the above, University employees designated as an “ombudsperson” who receive information about prohibited discrimination from persons participating in the University’s ombuds program are not required to disclose that information to other persons, unless: (1) the person providing the information consents to the disclosure; or (2) failing to disclose information could create an imminent risk of serious harm;

(b) Staff in the Office of Affirmative Action shall provide information about available complaint processes, services for complainants, and assistance with resolving complaints to any University employee who makes a report of alleged discriminatory behavior so that these employees may pass on this advice to those involved who may need this information;

(c) In making such reports, University employees may retain their anonymity;

(d) Staff in the Office of Affirmative Action will advise potential complainants of the options available to them, including applicable internal formal and informal complaint and resolution processes, as well as the possibility of filing with an external agency. Potential complainants shall receive the addresses and phone numbers of external governmental agencies with authority to deal with their complaints, as well as information about any time limitations on access to outside agencies' processes.

(3) Discrimination Grievance Counselor: As required by UO Policy 580.015(R), the University has appointed a discrimination grievance counselor who is the Director of the Office of Affirmative Action and Equal Opportunity (hereinafter referred to in this policy as the Director).
The Director shall assist students and others in formulating and following up complaints of alleged discrimination.

(4) Formal Complaint Processes:

(a) All members of the University community considering filing a formal complaint alleging prohibited discrimination or sexual harassment are encouraged to contact the Office of Affirmative Action for information and advice. Potential complainants may remain anonymous. Affirmative Action staff will work for resolution through informal processes if that is what the complainant desires, or will assist in making a formal complaint and setting it into the formal complaint process applicable to the complainant;

(b) Faculty who believe they have been subjected to prohibited discrimination or sexual harassment by any employee or agent of the University may file formal complaints under the faculty grievance process as set forth in this policy;

(c) Officers of administration who believe they have been subjected to prohibited discrimination or sexual harassment by any employee or agent of the University may file formal complaints under the OA grievance process;

(d) Members of recognized collective bargaining units at the University of Oregon who believe they have been subjected to prohibited discrimination or sexual harassment by any employee or agent of the University may file formal complaints under the grievance process set forth in the applicable collective bargaining agreement;

(e) Students who believe they have been subjected to prohibited discrimination or sexual harassment by any employee or agent of the University may file formal complaints under the University’s discrimination complaint process, UO Policy 580.015(R) et seq.;

(f) Anyone who believes he or she has been subjected to prohibited discrimination or sexual harassment by any University student while on campus or at a University-sponsored event may file formal complaints with the Coordinator of Student Conduct;

(g) A complainant alleging disability discrimination who is not faculty, staff, or a student shall have the grievance investigated by the Human Rights Investigator of the Office of Affirmative Action and Equal Opportunity, with the Investigator's report to go to the appropriate Vice President (who may consult with the Affirmative Action Administrative Council before disposition) who shall promptly and equitably decide the grievance and issue a report of the decision to the complainant and to the person (or unit) grieved against.

(h) When a University officer, other than the University's designated discrimination grievance counselor, receives a properly filed formal grievance or complaint alleging prohibited discrimination or sexual harassment, that officer shall:
(A) Inform the Director that a complaint has been received and name the complainant and respondent;

(B) Request Affirmative Action staff assistance in investigating, seeking resolutions and/or advising the individuals concerned about established procedures; and

(C) Keep the Director informed as the complaint or grievance is processed and decided.

(h) For purposes of this policy, "University officer" is defined as any faculty member with appointment as an officer of instruction, administration, or research;

(i) When the Director learns of a formal complaint through the channels described in subsection (g) of this section, he or she shall provide the complainant information about the availability of complaint channels through outside agencies, along with these agencies' names, addresses, and telephone numbers and a description of any applicable time limitations.

(5) Informal Complaint and Resolution Processes:

(a) Faculty, staff, or students who believe they have been subjected to prohibited discrimination or sexual harassment are encouraged to contact the Affirmative Action Office for information, advice, and assistance in resolving the problem;

(b) Faculty, staff, or students who believe they have been subjected to prohibited discrimination or sexual harassment may contact the University Ombud Officer for information, advice, and assistance in resolving the problem;

(c) Faculty, staff, or students who believe they have been subjected to prohibited discrimination or sexual harassment may use any appropriate informal grievance resolution process set out in this policy, may secure the assistance of mediators, counselors, or advocates as provided or at the complainant's expense, and/or may attempt any informal resolution appropriate to the particular circumstances;

(d) Individuals seeking informal resolution of a problem of alleged prohibited discrimination or sexual harassment or who merely wish to discuss their experience with an officer of the University, may request anonymity, and need not reveal their identity to the alleged offender. However, when the circumstances are such that, assuming the allegations are true, the health or safety of individuals is at risk, University officers have the responsibility to take such steps as are reasonably necessary to prevent injury. In some cases, that may mean that a complainant's identity must be revealed.

(6) University Officers' and Supervisors' Responsibilities as Participants in Informal Complaint and Resolution Processes: When any University officer (as defined in section L(4)(h) of this
policy) is called upon to assist in the informal resolution of a complaint of prohibited discrimination or sexual harassment, he or she shall:

(a) Take steps to assure that complainants understand their rights, know where they can seek psychological, procedural, or advocacy help, and take reasonable steps to assist complainants to resolve the problem. Professional advice and information on how to advise and assist individuals who feel victimized by prohibited discrimination or sexual harassment is available from the Affirmative Action Office;

(b) Ask the complainant if he or she is willing to participate in an investigation of the allegations, understanding that anonymity cannot be guaranteed in most investigative situations. If the complainant is not so willing; then

(c) Ask the complainant if she or he is willing to act as a witness if the University decides to instigate disciplinary procedures against the alleged offender. If the complainant is not so willing, then

(d) Notify the Affirmative Action Office in general terms that an allegation of prohibited discrimination or sexual harassment has been made. No information that would identify either the complainant or the alleged offender should be communicated to the Affirmative Action Office, unless the situation rises to one described in section L(5)(d) of this policy. Available information about the parties or the setting in which the alleged prohibited discrimination or sexual harassment took place should be given to Affirmative Action to the extent that it does not breach the confidentiality of the complainant or the alleged wrong-doer;

(e) If the complainant would be willing to participate in an investigation of the allegations or act as a witness in the event of any future formal charges, the University officer shall notify the Affirmative Action Office that an informal complaint of alleged prohibited discrimination/sexual harassment has been received and name both the complainant and the respondent. If the complainant is willing, the University officer should help set up a meeting for the complainant with Affirmative Action staff to discuss the situation;

(f) Report back to the Office of Affirmative Action about any action taken to achieve informal resolution of the problem.

(7) Record Keeping Requirements: The Director shall:

(a) Maintain a confidential file of all formal complaints and grievances alleging prohibited discrimination or sexual harassment by University employees. Such files shall include the final decision made in the grievance process;

(b) Maintain a confidential file of all informal complaints alleging prohibited discrimination or sexual harassment by University employees made by complainants who participate in investigations or are willing to act as witnesses. The file shall include information about any
resolution reached through informal processes and any findings made regarding the allegations of discrimination;

(c) Maintain a statistical record of the complaints filed and their outcomes as described in subsections (a) and (b) of this section, which includes the characteristics of complainants and respondents, including student, staff, or faculty status, home department, and where the discrimination or harassment was alleged to take place: in the classroom, laboratory, or other instructional context, in the workplace, or off campus;

(d) Maintain a statistical record of the number of informal complaints of prohibited discrimination/sexual harassment that are reported, in which the complainant declined to participate as a witness in any future action against the alleged offender;

(e) After a period of five years, destroy those files applicable to allegations of discrimination or sexual harassment in which the complainant wished merely to report and not participate in investigations or disciplinary proceedings, and those files in which no prohibited discrimination or sexual harassment was found, when in the interim, no such subsequent allegations against that particular employee are made;

(f) After a period of seven years, destroy the files applicable to allegations of discrimination or sexual harassment in which prohibited behavior was found, when in the interim, no such subsequent allegations against that particular employee are made;

(g) Four years after an employee against whom complaints of discrimination or sexual harassment have been filed resigns, retires, or dies, destroy any files applicable to the complaints that were not destroyed under subsections (e) and (f) of this section.

(8) Reporting Requirements: The Director shall:

(a) On at least an annual basis, issue a statistical report to the President, the University of Oregon News Bureau, and the Oregon Daily Emerald of the number and kinds of discrimination and sexual harassment complaints received and how they were resolved. No names of individual’s involved or other identifying information may be released in this report. Data relating to allegations of sexual harassment shall be reported separately from other forms of prohibited discrimination. Further break-downs by category may be used if confidentiality can be preserved and if doing so will make the figures more meaningful to the public;

(b) Report to the President that a second or subsequent complaint of prohibited discrimination or sexual harassment has been lodged against a particular employee when there is a discrimination or sexual harassment file being maintained in the Affirmative Action Office naming the employee as the respondent in a formal or informal complaint.

(9) Protection of Complainants, Prohibition Against Retaliation:
(a) Employee complainants may request to be transferred for the duration of the complaint proceeding. Student complainants may request to change or drop a course while the complaint is in process. Complainants may request, and the University may propose, that other actions be taken that are appropriate and reasonably likely to diminish conflict or relieve the stress involved in complaint processes;

(b) A complainant shall have the option of withdrawing the complaint at any time prior to the issuance of a final decision under the selected grievance process, or may choose to file the complaint with an outside agency at any time;

(c) Retaliation by any University student or employee against any person participating in good faith in any discrimination, sexual harassment, or other complaint process, whether informal or formal, is strictly forbidden. Retaliation is considered unprofessional behavior and is therefore proscribed conduct under University policy and is cause for sanctions more severe than a written reprimand. Retaliation is also a violation of the Student Conduct Code and is cause for sanctions imposed under the provisions of that Code.

(10) Sanctions: After following the appropriate disciplinary procedures affording students and employees required due process, the University may impose sanctions as follows:

(a) Faculty and officers of administration found to have engaged in prohibited discrimination or sexual harassment may be subject to a written reprimand to be included in the personnel file or other sanctions for cause under the provisions of UO Policy 580.021.0300-470(F) et seq. and the OA performance management policies and procedures. Employees may also be subject to evaluations of less than fully satisfactory service. If a proven or stipulated incident of prohibited discrimination or sexual harassment occurs after the delivery of a written reprimand or an evaluation of less than fully satisfactory service arising out of such conduct, procedures to impose further sanctions for cause shall be instituted under UO Policy 580.021.0300-470(H) et seq and/or discipline will be imposed under the OA policies and procedures. Possible sanctions include suspension or termination of employment;

(b) Students found to have engaged in prohibited discrimination or sexual harassment may be subject to sanctions including suspension or expulsion under the Student Conduct Code;

(c) Classified staff members found to have engaged in prohibited discrimination or sexual harassment may be subject to written reprimand to be included in personnel files or further sanctions in accord with the progressive discipline concept in accordance with any applicable collective bargaining agreements. Such sanctions include suspension, reduction of pay, and termination of service.

Student Grievance Procedures

M. Introduction
(1) Sections M through R apply as specified to students including undergraduate, post baccalaureate, community education, and graduate students. For the purposes of this policy, a student is an individual who, having paid the appropriate fee or having the fee officially waived, is enrolled in courses at the University of Oregon or was so enrolled at the time the action grieved occurred:

(a) Work-Related Graduate Teaching Fellow Grievances: Graduate students with complaints arising from their employment as Graduate Teaching Fellows shall follow the grievance procedures specified by their applicable collective bargaining agreement;

(b) Student Versus Student Complaints: Students who wish to make a formal complaint against a fellow student or students or a student group (unless the complaint is against a student for actions taken as a University employee) shall use the procedures specified in the Student Conduct Code, Policy III.01.01;

(c) Fees, Fines, and Other Charges: Students with grievances related to the assessment of fines, imposition of charges or the applicability of but not the waiver of fees, shall use the procedures described in Policy 571.060(A) et seq.;

(d) Financial Aid: Students who face the loss, reduction or suspension of financial aid other than as an application against delinquency pursuant to federal, or state law, or published Oregon State Board of Higher Education or University policies or directives, may request a contested case hearing under OAR 571-002-0000 et seq. Students with other grievances regarding the administration of Financial Aid may use the procedures described in Section R; [Note: Chapter 571, Division 2 was repealed on December 11, 2014.]

(e) Student Records: Students with complaints about access to or the contents of their student records shall use the procedures described in the University's Student Records Policy, Policy 571.020;

(f) Prohibited Discrimination: Students who believe that one or more University of Oregon employees or agents have acted in a way that constitutes prohibited discrimination (including sexual harassment) shall file any formal grievances under Policy 580.015(R);

(g) Petition Processes: Many University offices and academic units have established petition processes for students who believe an exception to applicable policy or procedures should be made in their special situations. Students wishing to alter a decision affecting them should contact the office responsible for making the decision to see if there is a procedure established for petitioning for a change. The University administration reserves the right to create petition processes that comply with the requirements of Section N or to eliminate petition processes as it deems desirable;

(h) Graduate Student Academic Grievances: A graduate student with an academic grievance including graduate qualifying examinations, comprehensives, dissertation preparation, research
evaluation, doctoral orals, or advising relationships shall use the procedures established under Section Q;

(i) Family Housing Grievances: Individual family housing resident's grievances against University Housing shall proceed solely under UO Policy 571.022.0020-80(E);

(j) Other Grievances: A student who believes that one or more University of Oregon agents or employees has acted in an arbitrary manner or has acted in non-compliance with federal or state law, policies, directives, or administrative rules, or has acted in a way that exceeds authority or abuses discretion, to the personal detriment of that student, shall file a grievance under the process described in Sections O and P.

(2) General Guidelines:

(a) Statements of Grievance: Formal grievances filed by students under this policy shall be in writing and shall include at least the following information:

(A) The approximate date and nature of the events that lead to the filing of the grievance;

(B) The names of all persons the aggrieved knows to have been directly involved in or responsible for the events alleged;

(C) All the relevant facts the aggrieved knows that support these allegations, including any stated policies or procedures that are alleged to have been violated. The aggrieved may add to this statement if more information becomes available during the course of the grievance;

(D) The relief the aggrieved seeks to resolve the grievance.

(b) No Retaliation: Students using this or any other authorized grievance process shall be protected from retaliation for using the process. While the actions that have prompted the grievance may be carried out in due course while the grievance is pending and normal academic processes and events including testing and grading shall go on unimpeded, no other actions proposed subsequent to the filing of the grievance adverse to the student's interests may be taken unless those proposing such action can prove to the appropriate vice president's satisfaction that such action is free of retaliatory intent;

(c) Grievance Counseling: Students who are uncertain whether a problem can be addressed through a petition process, a grievance process under this policy, or through another resolution process, should consult the ASUO Office of Student Advocacy or the Office of Student Affairs;

(d) Choice of Process: In some cases students may have a choice of formal procedures under which to file grievances and complaints rising from the same incident. In such situations, the affected student must select one and only one formal process. The University shall not hear a
second complaint from the same student on the same facts, and shall not hear a grievance if a similar complaint is filed with an external agency or court. Preliminary efforts at informal solution shall not be deemed the filing of a grievance;

(e) Advice and Counsel: Student complainants may secure advice and counsel as they see fit throughout both the formal and informal procedures described herein. Participation by advisers in meetings or hearings shall be permitted to the extent provided for in this policy. A University officer may refuse to include a student's adviser in such a meeting, unless the student advises the officer, at least five working days in advance of the meeting, that a named adviser will be present. During the course of a student grievance, all parties shall be responsible for the costs, if any, of their personal representation;

(f) Time: All mention of days throughout Sections M through Rare calendar days unless otherwise specified;

(g) Personal Records: By filing a complaint under any student grievance policy, a student authorizes the appropriate authority to inquire into the matter as necessary to discover the applicable facts and to communicate as specified in this policy, its findings and reasons to the concerned parties.

N. Student Petition Processes

(1) Mandatory Use: The University has established a number of formal petition processes that apply when students wish to request a waiver of or exception to University policy or procedure which applies to them. Where such a process has been established, students must follow that process to have their requests considered.

(2) Procedural Requirements: University offices with established petition processes shall make reasonable efforts to publish the availability of the process, shall train staff to advise students on the use of the process, and shall maintain an adequate store of appropriate petition forms or other relevant materials.

(3) Informal Petitions: Where no formal petition process is established, students are free to request reconsideration of decisions affecting them by writing to the decision-maker and making such a request.

(4) Grounds for Appeal: The denial of a petition is not a subject for a grievance complaint unless the student believes prohibited discrimination, abuse of discretion or arbitrary and capricious action has occurred. If this appears to be the case, the student may file a grievance under Sections O and P of this policy or under Policy 580.015(R).

O. Procedural Requirements
(1) Students (as defined in Section M(1)) who believe they have been individually wronged by arbitrary or capricious action or non-action, abuse of administrative discretion, or non-compliance with applicable law, rules, or policies by the University, its agents and employees, may grieve in accordance with the procedures outlined in the applicable policy.

(2) A student must institute a formal grievance within 45 days of the time the student knows or by reasonable diligence should have known of the matter prompting the grievance. The running of the 45 day period shall be suspended during examination and vacation periods, including the period between the end of spring term and the beginning of fall term if the student is not enrolled in summer session.

(3) All decision-makers' written decisions required by this policy shall include a statement of findings and conclusions, a recitation of the applicable facts and the law, rules, and policies which support the conclusions, and a description of any appeals procedures available to the parties to the grievance.

(4) If the decision at any level requires taking action, the decision shall include a copy of the instructions to the appropriate University personnel for implementing that action.

(5) Failure of a decision-maker at any level to communicate the decision within the applicable time limits shall permit the aggrieved to proceed to the next step. The failure of the aggrieved to appeal a decision within the time limits shall be deemed to be an acceptance of the decision.

(6) Informal Resolution: Before filing formal complaints, students are urged to consider direct conversation with the individual causing the problem or with that person's supervisor, in an effort to resolve misunderstandings and to achieve solutions as quickly as possible. The use of informal processes does not prevent the filing of a formal grievance so long as the formal grievance is filed within the applicable time limits:

(a) Informal Discussion: Students may request a meeting with the problem-causing person or with that person's supervisor;

(b) Mediation: Students may request mediation through any available campus mediation program;

(c) Local Processes: Students may use any informal processes established within the unit in which the complaint arose.

P. Formal Grievance

(1) Students may choose to proceed directly to a formal grievance process, or they may wish to file a formal grievance if they believe informal efforts at resolution have failed. Formal grievances must meet the requirements stated in Sections O(1) and O(2).
(2) **Step One**: An aggrieved student shall either file a written complaint according to the established grievance process within the appropriate administrative unit or if one is not established, with the immediate supervisor of the person grieved against. The complaint shall comply with the requirements set forth in Section M(2)(a):

(a) A University employee who receives a grievance under this rule that has as its basis allegations of prohibited discrimination or sexual harassment against a student shall direct the complainant and the grievance to the Office of Affirmative Action for a proper filing under Policy 580.015(R);

(b) If mediation did not take place in an effort to reach an informal resolution, the Step One decision-maker, who believes mediation could be productive and if the aggrieved and the person grieved against agrees, may refer the matter to any available campus mediation service. Such mediation suspends the time limits described in this subsection for up to 30 days or until mediation is concluded, whichever is earlier. If the grievant does not agree to mediation, the Step One decision-maker shall proceed with the investigation of allegations in the grievance;

(c) The Step One decision-maker or a designee may investigate the allegations contained in the grievance and interview the parties and others as appropriate in order to come to a decision on the issues in question. The Step One decision-maker shall either deny or resolve the grievance within 20 days of receipt of a written grievance, except if mediation is undertaken, as described in Section O(6). The Step One decision-maker shall communicate his or her decision to the parties to the grievance in the form required in Section O(3).

(3) **Step Two**: Complainants who are dissatisfied with the decision at Step One may appeal by filing a written notice of appeal within 14 days of receiving the decision at Step One. The appeal shall contain a copy of the Step One decision, a statement of the issues remaining unresolved, and a description of the relief or resolution sought:

(a) Grievances against faculty may be appealed to the Student-Faculty Committee on Grievances or as an alternative, to the appropriate Vice-President (see subsection (b) of this section). The Student-Faculty Committee on Grievances operates under the charge, procedures and time lines stated in Section F(3). No person involved as a party to the grievance or as a participant in either the informal resolution efforts or the decision-making at Step One of the formal grievance process shall serve on the Student-Faculty Committee on Grievances when it considers a grievance under this subsection;

(b) Grievances against any University employee may be appealed to the Vice-President to whom the grieved-against person reports. The Vice President may elect to investigate the grievance or to designate an investigator, or may decide the grievance on the record already assembled. Both parties shall have access to the record presented to the Vice-President (including all documents and communications relied on by the Step One resolver and the Step Two investigator) and shall have the opportunity to comment on it before the Vice President's decision. The record of the grievance includes all statements and evidence submitted by the parties and the Step One decision report. The Vice-President shall have 30 days from receipt of the grievance to
investigate and render a decision in writing. Within that time, the decision shall be given to both the aggrieved and the person grieved-against.

(4) **Step Three:** If either or both parties to the grievance are dissatisfied with the result of Step Two, they may file a written appeal to the University President within 14 days of receiving the Step Two decision. The President may elect to decide the grievance on the record already assembled, may elect to investigate personally or by appointing an investigator, or may remand the grievance to the decision-maker at Step Two for further clarification and additions. Both parties shall have access to the record presented to the President upon appeal and shall have the opportunity to comment on it before the President makes a decision. The same records considerations apply to this step as to those before. The President shall render a written decision within 60 days of the receipt of an appeal. Both parties shall receive a copy of the Step Three decision. The President's decision is final.

(5) **Withdrawing the Grievance:** The grievance may be withdrawn by the aggrieved at any step in this procedure by submitting a signed and dated written notice to the decision-maker who currently is considering the grievance.

(6) **Extensions of Time:** Time limits within this rule may be extended by the decision-maker when to do so will enhance the fairness of the process, by giving written notice to all parties.

(7) **Failure to appeal a decision at any step within the specified time shall terminate the grievance.**

**Q. Graduate Student Academic Grievances**

(1) A graduate student with a grievance concerning graduate qualifying examinations, comprehensives, dissertation preparation, research evaluation, doctoral orals, advising relationships, or other academic grievance shall use the procedures established under this policy.

(2) A graduate student must institute a formal grievance within 45 days of the time the student knows, or by reasonable diligence should have known of the matter prompting the grievance:

(a) For the purposes of this policy, a graduate student is an individual who, having been formally admitted into a recognized graduate degree program, and having paid the appropriate fee or having the fee officially waived, is enrolled in University courses for academic credit, or was so enrolled at the time the action grieved occurred;

(b) The running of time under this policy shall be suspended during examination and vacation periods, including the period between the end of Spring term and the beginning of fall term if the student is not enrolled in summer session, unless both parties agree not to suspend the time limits. After the filing of a formal grievance, more time may be allowed at any level if both the aggrieved and the decision-maker agree more time is needed;
(c) In addition to stating the decision-maker's conclusion, all written decisions shall include a recitation of the applicable facts and the law, rules, and policies which support the conclusion:

(A) If the decision at any level requires taking action, the decision shall include a copy of the instructions to the appropriate University personnel for implementing that action;

(B) Failure of a decision-maker at any level to communicate the decision within the applicable time limits shall permit the aggrieved to proceed to the next step. The failure of the aggrieved to appeal a decision within the time limits shall be deemed to be an acceptance of the decision.

(3) Informal Resolution: Before filing formal complaints, students are urged to consider direct conversation with the individual causing the problem, or the appropriate department head or dean, in an effort to resolve misunderstandings and to achieve solutions as quickly as possible. Graduate students may also consult with the Dean of the Graduate School in trying to achieve an informal solution to their problem.

(4) Formal Process:

(a) Step One: The graduate student shall file a written grievance with the department head, department grievance committee, the college/ school grievance committee, or the dean, whichever is applicable:

(A) The student's statement of the grievance shall comply with the requirements of Section M2)(a);

(B) A University employee who receives a grievance under this policy which alleges illegal discrimination against a student including sexual harassment, shall send a copy of the grievance to the Assistant to the President for Legal Affairs and to the Office of Affirmative Action;

(C) The decision rendered at Step One shall be in writing and shall be provided to the aggrieved and all other named parties to the grievance within 30 days of the receipt of the formal grievance.

(b) Step Two: If the aggrieved graduate student is dissatisfied with the decision at Step One, the aggrieved shall file a written appeal of that decision to the dean of the school/college, or if the dean made the decision at Step One, to the Dean of the Graduate School, within 14 days of receipt of the decision made at Step One:

(A) The dean to whom the appeal is addressed may decide the grievance on the record presented or may investigate the grievance, appoint a designee to investigate, or refer the grievance to an appropriate committee or group to investigate;
(B) The decision rendered by the dean to whom the appeal was addressed shall be in writing and shall be provided to the aggrieved and all other named parties to the grievance within 30 days of the receipt of the formal grievance;

(C) If the appeal is to the Dean of the Graduate School, see the procedure set forth in subsection (c) of this section.

(c) Step Three: If the graduate student aggrieved is dissatisfied with the decision at Step Two, the aggrieved shall file a written appeal of that decision to the Dean of the Graduate School within 14 days of receipt of the decision at Step Two, but if the Dean of the Graduate School made the decision at Step Two, the aggrieved may proceed to Step Four:

(A) The Dean of the Graduate School or the Dean's designee shall appoint an ad hoc Advisory Committee normally composed of three members selected from the Graduate Council (one student and two faculty members or three faculty members) to investigate the grievance and to make a recommendation to the Dean of the Graduate School, within 15 days of receipt of the decision made at the prior step;

(B) The Dean of the Graduate School shall render a decision, in writing, within 30 days of receipt of the appeal, and provide copies of the decision to all the parties named in the grievance.

(d) Step Four: If either party is dissatisfied with the Dean of the Graduate School's decision, an appeal may be made to the Provost by filing a written appeal within 14 days of receiving the decision at Step Three. The Provost may decide the grievance on the record already developed or may investigate further, or designate another to investigate. The Provost shall provide a copy of the decision at this level to all the parties named in the grievance within 45 days of receiving the appeal. The Provost’s decision shall be final.

R. Student Financial Aid Appeals Procedure

(1) A student who believes that the Office of Student Financial Aid (OSFA) has made an error in deciding eligibility for financial assistance, or nonrenewal or diminution of financial assistance may appeal that decision through the procedure described in this rule. This procedure applies to all forms of student financial aid including Athletic Department grants in aid.

(2) Within 30 days after being notified of the decision, the student shall submit a written request that the case be reviewed:

(a) Upon receipt of such a request, OSFA staff shall schedule a meeting for discussion and reconsideration of the decision with the student and a Financial Aid counselor. If possible, the student shall meet with the counselor who made the complained-of decision. Unless it is inconvenient for the student, the meeting shall take place within seven days of receipt of the student's appeal;
(b) If the student at any time during this process alleges that financial aid was reduced or denied because of illegal discrimination, OSFA staff shall send copies of the complaint and all subsequent decisions and appeals to the Assistant to the President for Legal Affairs and to the Director of the Office of Affirmative Action;

(c) The OSFA counselor shall inform the student in writing of the counselor's decision regarding the appeal within seven days of the appeal meeting.

(3) Appeal to Director: If the student believes the counselor's reviewed decision is in error, the student may file a written appeal with the Director of OSFA. Such an appeal must be received within seven days of the student's learning of the counselor's decision:

(a) Upon receipt of such an appeal, OSFA staff shall schedule a meeting for discussion and reconsideration of the decision with the student and the Director of OSFA, or the Director's designee if the Director is not available. Unless it is inconvenient for the student, the meeting shall take place within seven days of receipt of the student's appeal;

(b) The Director of OSFA shall inform the student in writing of the Director's decision regarding the appeal within seven days of the appeal meeting.

(4) Appeal to Board: If the student still believes a mistake has been made, the student may request a hearing before the Financial Aid Appeals Board. Such a request must be submitted to the Dean of Students within seven days of the student's receipt of the Director's decision:

(a) The Financial Aid Appeals Board shall schedule a hearing at which the student's and the OSFA positions can be presented. Counsel may participate on behalf of either party. Spoken testimony and argument shall be tape recorded;

(b) The Financial Aid Appeals Board shall make its decision by a majority vote of all voting members who participated in the hearing provided that at least one student member of the Board participated in the hearing. It shall produce a written report of its decision, citing the law, rules and policies affecting its decision, and all applicable facts as found. The report shall be sent within 14 days of the hearing to the complaining student, the Director of Financial Aid, and the University President;

(c) Either party may appeal the Board's decision to the President. If neither party appeals within seven days, the Board's decision is final. The President may inquire further concerning the issues raised, or may base the decision on the record developed by the Appeals Board. The President shall report the decision within 30 days. This report shall set forth a final determination as to the Student's Financial Aid entitlement.

(5) The Financial Aid Appeals Board shall include seven voting members and one ex-officio (non-voting) member. The seven voting members shall be appointed as follows:
(a) Two students with class standing of junior or higher shall be appointed by the President of the Associated Students of the University of Oregon;

(b) Four members of the University's faculty shall be appointed by the Provost; one member of the Law School faculty shall be appointed by the Dean of the Law School; the ex-officio (non-voting) member shall be appointed by the Director of Financial Aid from among the staff of the Financial Aid Office;

(c) Regular appointments to the Financial Aid Appeals Board shall be made on or before June 30 to take effect September 16. Regular appointments shall be for a term of one year with re-appointment for successive terms permitted. Substitute appointments to fill unexpired terms may be made as necessary by the proper authority during the year;

(d) Appeals Board members who feel they are too close to either side of the issues presented to make an objective evaluation of the claim shall abstain from the proceedings. A quorum of four voting members must be present at any hearing. A majority vote for decision purposes is defined as a majority of all eligible voting members.

Chapter/Volume:
Related Resources:

Title IX Coordinator
Confidential Employees
Office of Affirmative Action & Equal Opportunity
The Office of Crisis Intervention and Sexual Violence Support Service
Discrimination Complaint and Response Policy

Original Source: Oregon Administrative Rule

Health Insurance Requirements for International Students and Their Dependents

Policy Number: III.04.04
**Reason for Policy:** This policy assists the University in executing its reporting and certifying obligations under federal regulations by establishing responsibilities for international students regarding insurance for themselves and dependent family members in the United States.

**Entities Affected by this Policy:** International students at the UO; all UO employees who deal with these matters.

**Responsible Office:** For questions about this policy, please contact Student Services and Enrollment Management at 541-346-9386.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-4-student-health-services/health-insurance-requirements

**Enactment & Revision History:**

1/11/18: Policy revisions approved by the University President and policy renumbered from 571.004.0015 to III.04.04.

9/4/15: Technical revisions enacted by the University Secretary.

7/1/14: Became a University of Oregon Policy by operation of law. Former Oregon Administrative Rule Chapter 571 Division 4 Section 0015.

**Policy:**

For purposes of this policy, “International Student” means: any student who is admitted to the University of Oregon and has a visa type of J or F, or other legal non-immigrant status that is approved by the Office of International Affairs as an International Student.

1) In order to assist the University in executing its reporting and certifying obligations under federal regulations, international students at the University of Oregon must demonstrate their ability to meet their financial responsibilities in full. The University hereby establishes that these responsibilities include the provision by international students for health and accident care for themselves and dependent family members in the United States, including when the student is on a UO-approved study abroad program, vacation term, or medical leave term.

2) All international students enrolled part-time or full-time at the University of Oregon will be required to carry health and accident insurance for themselves and all their dependent family members who are in the United States. As such, all international students will be automatically enrolled in and billed for the UO Student Health Benefits Plan (UO SHBP) upon UO course registration. Students are responsible for paying all costs of enrollment in the UO SHBP, subject to late payment fees if payment deadlines are missed. The UO SHBP coverage may be waived if a student provides proof of adequate health insurance.
Holidays

Policy Number: V.09.03
Reason for Policy: This policy expresses the University’s position on academic staff holidays.
Entities Affected by this Policy: Academic staff
Responsible Office: For questions about this policy, please contact Human Resources at 541-346-3159

Enactment & Revision History:
Policy revisions authorized by the President effective June 24, 2019.
Technical revisions enacted by the University Secretary on September 2, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.
Former Oregon Administrative Rule Chapter 580 Division 22, Sections 0025-0040.

Policy:
A. Academic Staff Holidays
(1) The following are University holidays: New Year's Day, Memorial Day, Independence Day, Labor Day, Thanksgiving Day and Christmas Day. The University will be closed on these days. However, units deemed by the University to provide a necessary function may remain open at the discretion of the University. Other holidays designated by state law, such as Veteran's Day, Presidents' Day and Martin Luther King, Jr.'s Birthday, are not University holidays unless the University is closed by a discretionary act of the President. The President may designate the day after Thanksgiving as a University holiday in lieu of one of the listed discretionary holidays.
(2) Any business transaction required or permitted to be performed on a holiday designated by state law may be performed on the next succeeding business day without penalty, even though the University may be open on the holiday.

(3) Holidays for academic staff shall be those days designated as University holidays (as described in section (1) of this policy), holidays designated by faculty collective bargaining agreements, and any additional day designated by the Governor.

(4) Holidays observed by classified employees are established by collective bargaining agreements.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 9: Time-off and leave

Related Resources: N/A
Original Source: Oregon Administrative Rule

Honorary Degrees, Granting of

Policy Number: II.08.03
Reason for Policy: To stipulate criteria and required approvals for the granting of honorary degrees by the University of Oregon. Although the committee cited in this policy also oversees Distinguished Service Awards, the criteria and procedures set forth within the policy apply only to Honorary Degrees. Only the Board of Trustees or the President has authority to bestow Distinguished Service Awards.

Entities Affected by this Policy: General applicability.
Responsible Office: For questions about this policy, please contact the office of the University Secretary at 541-346-3166 or trustees@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-8-a...

Enactment & Revision History:

05/04/2017 Revisions approved by University President Michael Schill. Policy renumbered from 01.00.05 to II.08.03.

02/12/1992 Reviewed and Approved by University President Myles Brand.
Policy:

I. The University of Oregon (University), upon approval by the Board of Trustees (“Board”), shall award honorary degrees, which shall be honorary doctorates, under the following criteria:

   A. To an individual or individuals who has/have shown outstanding scholarship or artistic achievement in their lifetime; or,

   B. To an individual or individuals who has/have performed extraordinary public service or contributions to society in their lifetime.

II. No honorary degree shall be awarded by the University of Oregon to any person(s) who is/are currently employed by the University of Oregon, to any sitting member of the Board, or to any person(s) currently holding elective office within the United States.

III. An individual or organization shall not receive an honorarium or payment in exchange for accepting an honorary degree. This does not preclude an honorarium or compensation for other service or functions at the university, e.g., speaking at commencement or participating in a lecture series. The Board may grant an exception to this at its discretion.

IV. There shall be an Honorary Degrees and Distinguished Service Awards Committee (“Committee”), which shall include the following:

   - President of the University of Oregon or his/her designee, who shall be chair;
   - Chairperson of the Faculty Advisory Council (FAC) or his/her designee from the FAC;
   - President of the University Senate or his/her designee from among University Senators;
   - Chairperson of the Graduate Council or his/her designee from the Graduate Council;
   - Chairperson of the Undergraduate Council or his/her designee from the Undergraduate Council;
   - Vice President for University Advancement or his/her designee;
   - Five (5) members of the teaching faculty, appointed by the President in consultation with University Senate leadership; and,
   - President of the Associated Students of the University of Oregon (ASUO) or his/her designee from the ASUO Executive Team.

   A. The Committee will act in a consultative fashion regarding Distinguished Service Awards or other awards or types of recognition the president so tasks with the
Committee. Those awards or recognitions are not subject to the procedures and criteria articulated herein.

V. The Committee shall solicit nominations for individuals who meet the criteria in Section I. Nominations may come from the University community or the broader community at large. Nominations may be submitted at any time, but the Committee will make a proactive solicitation at least once each academic year, preferably during the fall.

A. The Committee shall screen nominations, ask for more information about the nominees as necessary, and investigate, to its satisfaction, that the nominee(s) meet the criteria above.

B. It is the responsibility of the Committee to evaluate each nominee and to determine whether it is appropriate to send a recommendation to the University Senate.

C. The Committee and the University Senate shall do all work on honorary degrees in the strictest of confidence.

D. The University Senate, in Executive Session, shall discuss the candidates presented by the Committee. Members of the Committee shall make the presentations in support of the nominee(s) separately.

E. University Senators shall discuss, ask questions of the Committee if necessary, and vote separately on each nominee. A majority vote of members present is necessary for the nomination to be approved. Approval of a nomination will place a name into a pool of approved nominees.

F. The President of the University Senate shall formally inform the President of the University of the outcome of any vote related to honorary degrees.

G. The Committee will review, on at least an annual basis, the pool of approved nominees to ensure that it remains appropriate. Nominations in the pool shall sunset after three years; although such a sunset does not preclude an individual from receiving future recommendations pursuant to this policy.

H. From among the pool of approved nominees (see Section e) approved by the University Senate for an Honorary Degree, the President will forward up to two nominees in a given academic year to the Board of Trustees for final consideration.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 8: Academics, other

Related Resources: NA
Incidental Fee Authorization

Policy Number: III.03.02
Reason for Policy: To articulate processes and practices for establishment of the ASUO’s Incidental Fee.
Entities Affected by this Policy: All students; staff engaged in ASUO, student life, or tuition and fee matters.
 Responsible Office: For questions about this policy, please contact the Division of Student Life at 541.346.3216.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-3-tuition-student-fees/incidental-fee-authorization

Enactment & Revision History:

Enacted by the President on September 20, 2017.

Replaced former Oregon Administrative Rule 580.010.0080-0090 (repealed on September 20, 2017) and “the Clark Document.”

Policy:

Introduction

The purpose of this policy is to establish the Associated Students of the University of Oregon ("ASUO") as the body which requests the amount of the Incidental Fee, recommends uses of the proceeds of the Incidental Fee, and recommends the modification of the existing Incidental Fee. The provisions outlined herein follow from state law, from the UO Board of Trustee's delegation of authority, and assignment of responsibility to the University of Oregon President ("University President") through its Policy on Retention and Delegation of Authority. Nothing herein is intended or may be construed to diminish the authority of the ASUO, University President, the Board of Trustees, or to conflict with applicable local, state, or federal law.

A. Authorization
1. The authority to request the amount of the Incidental Fee, recommend uses of the proceeds of the Incidental Fee, and to request modification of the Incidental Fee is delegated to the ASUO, as the University of Oregon’s recognized student government association, per Oregon Revised Statutes (ORS).

2. ASUO shall provide its Incidental Fee request to the University President in writing for the President's transmittal to the Board of Trustees for approval.

**B. Allocation Policies**

1. The ASUO shall seek to maintain an efficient fee request, allocation, and establishment process in compliance with state/federal law and University policy.

2. In accordance with applicable law and University policy, Incidental Fee allocation decisions must comply with legal obligations and must not interfere with the University's ability to carry out its educational mission or with preexisting contractual financial commitments.

3. The incidental fee shall be allocated in accordance with the mission of the ASUO and as outlined in ORS 352.105.

4. The ASUO’s Incidental Fee request shall be based on enrollment and fee revenue estimates provided by the University President (or designee).

5. ASUO Incidental Fee recommendations for allocation shall be organized by four Major Programs, including:
   a. EMU Major Program, which shall include student union activities and services;
   b. ASUO Major Program, which shall include student government programs and activities, ASUO-recognized student organizations, programs and activities, and all other non-EMU, non-intercollegiate athletics and non-department programs and services funded in whole or in part with Incidental Fees that contribute to the cultural and physical development of students.
   c. Intercollegiate Athletics Major Program, which shall include student access to athletic events funded in whole or in part with Incidental Fees through agreement with the Athletic Department; and
   d. Department-Based Programs Major Program, which shall include activities that are conducted with other University departments or programs that are provided on campus.
6. The ASUO President shall transmit the Incidental Fee request in writing to the University President (or designee) by the date specified by the University President (or designee). At a minimum, the Incidental Fee request must include:

   a. The requested Incidental Fee with detail of the fee calculation by fee category;
   
   b. The process by which the ASUO established such requested fees;
   
   c. A statement regarding whether the requested fee amount is different than the previous year and, if so, by how much;
   
   d. A summary of approved Incidental Fee budgets by Major Program, including a brief description of the use of the fees;
   
   e. Line item budgets for each student organization recommended for program funding; and,
   
   f. If requested by the University President, an explanation of how the fees are advantageous to the cultural or physical development of students.

7. The University President will review the Incidental Fee request prior to transmittal to the Board of Trustees (Board) for consideration. The Incidental Fee request may be refused by the University President or the Board based on criteria articulated in ORS 352.105.

   a. Nothing in this policy is intended to affect the ASUO's right to appeal to the Higher Education Coordinating Commission as outlined in ORS 352.105.
   
   b. The mandatory incidental fee, allocation of the fee or decision to modify an existing fee may not be refused by the Board or the University President based on considerations about the point of view that the funding seeks to advance.

8. The University President shall notify the ASUO in writing within seven working days of approval or denial with any portion of the Incidental Fee request.

9. Except as required by law, University policy, or preexisting contractual financial commitments, a proposed funding decrease for any Major Program shall not exceed 10% of the preceding year's allocation unless the reduction is requested by all the affected programs within the Major Program. A recommendation to reduce a Major Program by more than 10% requires a two-thirds vote of the prescribed members of the Student Senate, and must be approved by the ASUO President.

10. Except as required by law, University policy, or preexisting contractual financial commitments, a proposed funding decrease for any traditionally funded program, which is a
program within a Major Program that has been funded for four consecutive years, shall not exceed 25% of the preceding year's allocation unless the traditionally funded program specifically requests the reduction. Such a recommendation requires a unanimous vote of the traditionally funded program’s designated finance committee, as well as a two-thirds vote of the prescribed membership of the Student Senate and approval by the ASUO president.

11. Incidental fee recommendations for contracted services must:

a. Comply with applicable law and University policy;

b. Require ASUO review and written approval of the ASUO President before any such contract is executed; and,

c. In the event that the ASUO and the University Administration disagree on the final language of an ASUO contract, the ASUO President shall consult with the University President (or designee) to resolve the dispute.

   i. Nothing in this section is intended to override or affect the authority granted to the Board of Trustees by state law or to the President as granted by the Board of Trustees.

C. Appeals

1. If the University President and ASUO President do not jointly agree to the Incidental Fee request and recommendations prior to the date the request and recommendations are to be submitted to the Board of Trustees, each party may separately submit the recommendations to which the parties agree and the recommendations to which the parties do not agree, along with the underlying bases for agreement and disagreement.

2. If the University President and ASUO President do not jointly agree to the Incidental Fee request and recommendations prior to the date the recommendations are to be submitted to the Board of Trustees, either party may submit their disagreement to a Hearings Board, in accordance with Hearings Board rules of procedure.

   a. The Hearings Board shall be constituted pursuant to this policy.

   b. The members of the Hearings Board shall be selected promptly upon receipt of a request for a hearing. Hearings Board members shall not be members of the Student Senate or its staff, members of the ASUO finance committees or their staff, the ASUO Executive or its staff, the staff or management of the affected program, or the immediate staff of the University President or of the Vice President for Student Life.
c. The Hearings Board shall be comprised of five members:

i. Two (2) appointed by the University President;

ii. two (2) appointed by the ASUO President, and;

iii. One (1) mutually agreed upon member who shall serve as the presiding officer of the Hearings Board.

iv. Prior to November 1, both parties will compile a list of persons mutually acceptable to sit on the Hearings Board;

v. The ASUO President shall make this list available to the Student Senate and finance committees each year by November 1; and,

vi. In the event a hearing is requested, the University President and ASUO President shall jointly select the fifth Hearings Board member from this list.

d. The Hearings Board shall establish its own rules of procedure subject to the requirements of applicable law and University policy.

e. Any recommendations of the Hearings Board shall be considered by both the ASUO President and the University President prior to the transmittal of final incidental fee request and recommendations for allocations to the Board, provided that such consideration is possible prior to the date the request and recommendations are to be submitted to the Board.

f. Acceptance or rejection Both parties shall notify the Hearings Board and each other within five working days and in writing whether they accept or reject the recommendation(s) of the Hearings Board.

3. Nothing in this policy is intended to affect the ASUO's right to appeal to the Higher Education Coordinating Commission as outlined in ORS 352.105.

4. The ASUO and the Board shall seek to reach agreement on any dispute involving mandatory incidental fees, if necessary with the aid of mediation (i.e. the Hearings Board or other body deemed appropriate), prior to a decision by the Board.

5. If an agreement is not reached, the decision of the Board may be appealed to the Higher Education Coordinating Commission by the ASUO within seven days of the Board’s decision. The Board shall submit its response within seven days of the appeal. The Commission shall render its decision within seven days of its receipt of the Board’s response.
6. If Oregon law is amended, this policy shall be amended by operation of law in accordance with those changes.

D. Incidental Fee Reserve Funds

The Incidental Fee budget shall include a number of reserve funds. These funds shall be divided among five separate accounts, including the Incidental Fee Clearing Account, the Prudent Reserve, the Surplus Fund, the Over-realized Fund, and the Building and Equipment Reserves, as outlined herein.

1. Unallocated Reserve. An appropriated Contingency or Surplus fund shall include an unallocated reserve budgeted by the Student Senate. This unallocated reserve shall be augmented each fiscal year with ASUO Programs funds which have been appropriated but unexpended during the prior fiscal year or carried over from the prior fiscal year.

2. EMU Building Reserve. The Erb Memorial Union (EMU) Building Reserve shall be established as a component of Incidental Fee calculation in the spring following conclusion of the ASUO budgeting process.
   a. The EMU Building Reserve shall equal 3.5% of the total estimated incidental fee budget, and this reserve allocation shall be excluded from ASUO calculations determining compliance with EMU major program growth limits.
   b. Such appropriated reserve funds have the status of allocated monies that have been approved by student government, and to the extent approved by the University President, may be spent by the EMU director without further approval or authorization by the EMU Board or student government.

3. Prudent Reserve. An unappropriated Prudent Reserve shall be maintained with Incidental Fee income. The Prudent Reserve shall be created at the beginning of the fiscal year at a level equal to at least 5% of the current fiscal year's total Incidental Fee budget to ensure against shortfalls due to under-realized enrollment and/or other unforeseen contingencies.
   a. This fund may be used only to address emergency budgetary shortfalls, or other compelling prudent fiscal actions. In all cases, requests for use of the 5% Prudent Reserve should be identified in specific written transmittals to the President.
   b. When the Prudent Reserve is used, the ASUO President shall consult with the President (or designee) by November 1st to assess the risk of a lower Prudent Reserve and to determine an appropriate course of action. The ASUO President shall inform the Student Senate of such a course of action.
c. An emergency allocation from the 5% Prudent Reserve funds must include certification of the unusual nature of the proposed expenditure(s) and have the recommendation of the Student Senate and the written approval of the ASUO President as well as the formal approval of the President or their designee.

4. Over-realized Fund. Revenue due to over-realized enrollment income remaining in the Incidental Fee Clearing Account in excess of the total appropriated Incidental Fee budget for that year shall be identified as over-realized funds.

   a. Over-realized funds accrued each academic year shall be held in the Over-realized Fund ("ORF") until the end of the fiscal year. After the fourth week of the subsequent fall term, all over-realized funds shall be available for expenditure by the ASUO in accordance with the guidelines set forth in this policy and in the rules of the ASUO, provided that the Prudent Reserve is not under-realized for that current year, in which case available over-realized funds shall be used first and foremost to cover the deficit in the Prudent Reserve.

   b. The ASUO shall be responsible for developing its own processes for determining ORF allocations. In addition to determining a schedule for making allocations of available over-realized funds in accordance with the criteria below, the Student Senate and the ASUO President may agree to set aside a portion of available over-realized funds to be awarded on an ongoing as-needed basis throughout the year, in accordance with criteria agreed upon by the Student Senate and the ASUO President.

   c. No more than 90% of the available over-realized funds in an academic year shall be considered available for allocations that year, except to address issues of an emergency nature, in which case the Student Senate, by an affirmative vote of two-thirds of filled seats, and the ASUO President shall agree that such expenditure is warranted.

   d. In the event that the ASUO determines that over-realized funds may be best used to lower the Incidental Fee, a course of action hereon to be referred to as a "buy-down," the ASUO President and a representative of the Student Senate, to be designated by the Student Senate, shall consult with the University President (or designee) to discuss whether such a decision would be advantageous for students.

      i. A proposal to use over-realized funds for the purposes of a buy-down must be submitted to the Student Senate as part of its normal ORF allocation process.

      ii. A buy-down proposal may only be submitted by the ASUO President, and a buy-down must be approved by an affirmative vote of two-thirds of the filled seats of the Student Senate, and approved by the ASUO President. Any buy-down must leave no less than 10% of the total over-realized funds in the ORF.
iii. An allocation of over-realized funds must include certification of the unusual nature of the proposed expenditure(s) and have the recommendation of the Student Senate and the written approval of the ASUO President as well as the formal approval of the President or their designee.

E. Incidental Fee Timelines and Schedules

1. No later than September 1 of each year, the University President (or designee) will meet with the ASUO President (or designee) to review any legislation, Board or University policy changes related to the Incidental Fee, and determine if any changes to the policy are warranted.

2. No later than November 7 of each year, the President (or designee) and other administrators, as requested by the University President, will meet with the ASUO President and Vice President(s), the Student Senate President, members of finance committees, the ASUO Advisor and other elected or appointed members of the ASUO as requested by the ASUO President to review responsibilities, standards, and University policies for participating in the establishment of recommended Incidental Fee levels.

3. By November 15 of each year, the University President (or designee) shall notify the ASUO President of the date by which the ASUO must submit its annual Incidental Fee recommendation to the University President. This deadline shall take into account any analysis and feedback time required by the Board. The notification will include the projected enrollment and fee revenue estimates to be used in determining the Incidental Fee.

4. The dates articulated in sections 1 through 3 above may be changed by mutual agreement between the ASUO President and University President (or designee).

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 3: Tuition and student fees

Related Resources: NA
Original Source: UO Policy Statement

Information Asset Classification & Management

Policy Number: IV.06.02
**Reason for Policy:** This policy provides the University of Oregon’s approach for classifying data and information systems (“information assets”) according to their potential level of risk to the University. The policy and associated procedures also assign roles and responsibilities for protecting information assets and detail how such assets must be protected based on their classifications.

**Entities Affected by this Policy:** All users of University of Oregon information

**Responsible Office:** For questions about this policy, please contact the Chief Information Security Office at 541-346-5837 or infosec@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Amendments approved by President Schill on July 2, 2019.

Enacted as a permanent policy by President Schill on 04/25/2016.

Extended by President Michael Schill on December 15, 2015.

Enacted as an emergency policy by Dr. Scott Coltrane, Interim President on June 25, 2015.

This policy supersedes Fiscal Policy Manual 56.350.200-230 and UO Policy 10.00.01.

**Policy:**

**Summary**
The purpose of this policy is to outline the acceptable approach for classifying university information assets into risk levels to facilitate determination of access authorization and appropriate security control. The requirement to safeguard information assets must be balanced with the need to support the pursuit of university objectives. The value of data as an institutional resource increases through its widespread and appropriate use; its value diminishes through misuse, misinterpretation, or unnecessary restrictions to its access.

**Definitions**

**Data Availability** refers to methods for ensuring that required data is always accessible when needed, in accordance with University retention policy.

**Data Confidentiality** refers to methods for ensuring that access to sensitive data is limited to authorized individuals.
Data Integrity refers to methods for ensuring that data is complete, accurate, consistent, and safeguarded from unauthorized modification.

University Data refers to data owned by or in the custody of the University.

Roles and Responsibilities

Chief Information Security Officer
The Chief Information Security Officer develops policies and procedures to secure University information assets and comply with state, federal, and international laws and regulations applicable to the University of Oregon.

Data Trustee
The Data Trustee for all University Data is the Provost or their designees who have planning, policy-level, and management responsibility for data within their designated functional area(s). Data Trustees’ responsibilities include:

- Assigning and overseeing Data Stewards
- Overseeing the establishment of UO information asset policies.
- Determining statutory, regulatory and other University requirements for UO information assets.
- Promoting data quality and appropriate use.

Data Stewards
Data Stewards are University officials having direct operational-level responsibility for the management of one or more types of data. Data Stewards must be authorized by the appropriate Data Trustee and are generally associate deans, associate vice presidents, directors or above, or research principle investigators within the scope of work of a research project. Data Stewards’ responsibilities include:

- Assigning and overseeing Data Custodians.
- The application of this and related policies and procedures to the systems, data, and other information resources under their care or control.
- Assigning data classification levels in accordance with this policy and associated procedures.
- Collaborating with the CISO in identifying and implementing appropriate administrative and technical safeguards outlined in the UO Minimum Information Security Controls Standard, for protecting information assets (see Related Resources, below).
- Communicating and providing education on the required safeguards for data to authorized users and Data Custodians.
- Authorizing access, both logical and physical, only to authorized individuals who have a business need – as defined by law and university policies - to access specific data or other information assets.
- Authorizing remote access to information assets to only authorized individuals who have a business need – as defined by law and university policies - to access through a secured system approved by the Chief Information Security Officer.
In cases where multiple Data Stewards collect and maintain the same data elements, the Data Stewards must work together, in collaboration with the CISO, to apply the UO Minimum Information Security Controls.

**Data Custodians**

Data Custodians are university personnel or designated third-party agents responsible for the operation and management of information systems which collect, manage, process, or provide access to University Data. Data Custodians must be authorized by the appropriate Data Stewards following procedures outlined in the UO Minimum Information Security Controls Standard (see Related Resources, below). Data Custodians’ responsibilities include:

- Applying the UO Minimum Information Security Controls appropriate to the classification level of the data and other information assets in their custody
- Complying with applicable University acceptable use and computer security policies, standards, and procedures.
- Managing Data Consumer access as authorized by appropriate Data Stewards
- Following data handling and protection policies and procedures established by Data Stewards and the CISO.

**Data Consumers**

Data Consumers are the individual University community members or third-party agents who have been granted access to University Data (wherever it is stored) in order to perform assigned duties or in fulfillment of assigned roles or functions for the University. This access is granted solely for legitimate University purposes. Data Consumers’ responsibilities include:

- Following the policies and procedures established by the appropriate Data Stewards, Data Custodians, and the CISO.
- Complying with University policies and federal, international, and state laws and regulations associated with the University Data and information system use.
- Implementing safeguards for protecting data as prescribed by appropriate Data Stewards and the CISO.
- Reporting any unauthorized access or data misuse to the Information Security Office, the appropriate Data Trustee, Steward, or Custodian, for remediation.

A current list of UO Data Trustees, Data Stewards, and Data Custodians is available in the UO Data Security Classification Table found below in Related Resources.

**Data Classification**

Data Stewards must classify all University data – digital or printed - into risk levels to provide the basis for understanding and applying the appropriate level of security controls. These classification levels consider the state and federal legal protections, contractual agreements, ethical considerations, or strategic or proprietary worth. Data can also be classified as a result of the application of “prudent stewardship,” where the reason to protect the data is to reduce the possibility of harm to individuals or to the institution.

**Data Classification Levels**

The classification level assigned to data will guide Data Trustees, Data Stewards, Data Custodians, functional and technical project teams, and any others who may create, obtain, process, transmit or store data, in the security protections and access authorization.
mechanisms appropriate for that data. Data Stewards must classify University Data as one of the following risk levels:

- **Low Risk (or Green)**
  Data is classified as Low Risk if the loss of confidentiality, integrity, or availability of the data would have *minimal* strategic, compliance, operational, financial, or reputational risk to the University. The integrity of Low Risk data is of primary importance and must be protected. The appropriate Data Trustee or Steward must authorize release of Low Risk data. Refer to the UO Data Security Classification Table (see Related Resources, below) for examples of Low Risk data.

- **Moderate Risk (or Amber)**
  Data is classified as Moderate Risk if the loss of confidentiality, integrity, or availability of the data would have *moderate* strategic, compliance, operational, financial, or reputational risk to the University. Integrity and availability of Moderate Risk data are of primary importance and must be protected; privacy and confidentiality should be protected as appropriate. Access to Moderate Risk data must be authorized by the Data Trustee or Steward who is responsible for the data, as needed. Data access authorization may be provided to individuals as part of their job roles or responsibilities. Refer to the Data Security Classification Table (see Related Resources, below) for examples of Moderate Risk data.

- **High Risk (or Red)**
  Data is classified as High Risk (the most sensitive/critical classification) if the loss of confidentiality, integrity, or availability of the data would have *high* strategic, compliance, operational, financial, or reputational risk to the University. Privacy, confidentiality, integrity, and availability are important and must be protected. Access to High Risk data must be controlled from creation to destruction, and shall be granted only to those persons affiliated with the University who require such access in order to perform their job, or to those individuals permitted by state or federal law. The confidentiality of data is of primary importance, although the integrity of the data must also be ensured. Access to High Risk data must be requested from, and authorized by, the Data Trustee or Steward who is responsible for the data.
  High Risk data includes information protected by law. Note: some data that is not regulated may be classified as High Risk by the Data Trustees or Stewards due to proprietary, ethical, or privacy considerations. Refer to the Data Security Classification Table (see Related Resources, below) for examples of High Risk data.

**Classification of Information Systems and Technology Components**

Information systems and technology components, including computing and storage devices, mobile devices, network components, and applications, adopt the highest classification of the data that they process, store, or transmit. For example, a system that processes, stores, or transmits High Risk data is classified as a High Risk system; whereas a system that processes Moderate Risk data as the highest data classification level is classified as a Moderate Risk system.

In addition to data-specific risks, information systems components may also affect the safety of the UO community, through interference with operational technology (OT) such as building and
industrial automated control systems and automation and supervisory control and data acquisition (SCADA) systems. An information system component is also classified as High, Moderate, or Low Risk if unauthorized access or modification or the loss of availability would have a high, moderate, or low safety risk respectively, to the UO community.

**Data Security Requirements for the Classification Levels**
The Chief Information Security Officer shall create and maintain security procedures for the various types of data use by the University. These requirements are outlined in the UO In addition, the CISO will create and maintain additional guidelines and procedures for appropriate handling of data including the Minimum Security Procedures for Handling Physical University Data (see Related Resources, below).

**Chapter/Volume:**
- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

**Original Source:** UO Policy Statement

**Information Security Program**

**Policy Number:** IV.06.01

**Reason for Policy:** This policy grants authority to the University of Oregon Information Security Office to perform various security activities to protect the University’s data, computers, networks, and users.

**Entities Affected by this Policy:** All University personnel and external parties involved with using, requesting, approving, or accessing UO information assets.

**Responsible Office:** For questions about this policy, please contact the Chief Information Security Officer at (541) 346-9700 or security@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-6-information-technology/information-security-program

**Enactment & Revision History:**

Approved by President Schill as a permanent policy on April 25, 2016.

Extended by President Michael Schill on December 15, 2015.
Enacted as an emergency policy by Dr. Scott Coltrane, Interim President on June 25, 2015.

This policy supersedes former OAR Chapter 580, Division 055.

Policy:

This policy grants authority to the University of Oregon Information Security Office, a unit within Information Services, to implement an Information Security Program to mitigate risk regarding information security. Responsibilities of the Information Security Program include, but are not limited to:

- Develop policies, procedures, and guidelines for securing University systems, networks, and data based on applicable laws, regulations, and best practices
- Consult with campus users and departments to investigate information security issues, perform risk assessments, and propose products and processes to mitigate risk discovered
- Monitor the University networks to identify malicious activity
- Provide incident response for information security incidents
- Increase campus awareness of information security through training and communication
- Use frameworks to ensure that information security is built into current and new systems. Identify risks to the security of information, systems, and users in order to mitigate these risks to levels acceptable by University Administration.

The University of Oregon Information Security Office will have information security responsibilities over all University data, computers, and networks. Each member of the University community has a role in protecting the security of information including faculty, staff, students, vendors, and contractors. The University of Oregon Information Security Office will implement an Information Security Program to mitigate risk regarding information security. There will be a number of duties performed by the University of Oregon Information Security Office to carry out the responsibilities of the Information Security Program. The Program will include, but is not limited to, the following activities:

1. Development of Policies, Procedures, and Guidelines

The University of Oregon Information Security Office will draft policies, procedures, and guidelines related to information security. These may be overarching policies such as data classification policies or specific technical guidelines such as how to encrypt hard drives. The policies, procedures, and guidelines will be developed in conjunction with Campus IT Leadership to ensure that they will be effective in mitigating risk in the many diverse Campus units. Additional identified groups will also be included in the review to gather input. The policies, procedures, and guidelines will be developed based on state and federal laws and regulations by which the University is bound as well as best practices in the information security community. Changes in policy will be reviewed by the Policy Advisory Council. Changes in procedures will be reviewed by Campus IT Leadership.
2. Perform Risk Assessments

The University of Oregon Information Security Office will perform risk assessments of central systems to determine gaps where additional security controls are needed. If gaps are discovered, recommendations will be made to mitigate potential risk. The University of Oregon Information Security Office will also work with Campus units who request a risk assessment of their systems. Occasional Campus-wide security assessments will be performed in conjunction with Campus IT Leadership.

3. Operate Security Systems

The University of Oregon Information Security Office will operate systems that monitor the security of UO computers and networks. Examples of these types of systems include the campus-provided antivirus solution and our malware detection system.

4. Perform Network Monitoring

The University of Oregon Information Security Office will monitor the University networks for malicious activity. These can include, but are not limited to, the presence of viruses and malware, users transmitting or receiving larger than normal amounts of data, violations of the Acceptable Use Policy, systems being used to relay spam, and internal or external individuals attempting to break into University systems. The University of Oregon Information Security Office will use these network monitoring capabilities to notify individuals and University units of systems where problems are detected. By default the Information Security Office will not investigate monitored data at the level of an individual user, but will investigate at the individual level when an appropriate triggering event occurs on its Security Systems (such as the antivirus system). Authorized investigators include Information Security Office staff and also IT Professionals in the units where an event is triggered.

5. Data Retention Limits

Data (construed to include all personally-identifiable information in addition to other forms of retained data) from security systems and network monitoring systems will be maintained for a maximum of one year unless otherwise required by law. The need for data retention up to this maximum limit will be reviewed on a periodic basis to determine if data can be retained for a shorter period of time. Any retention of data beyond the maximum of one year will require a revision to policy per the regular policy press.

6. Lead Security Incident Response

The University of Oregon Information Security Office will provide security incident response in the event of breaches on University systems. This will include forming a Security Incident Response Team, performing forensics to gather relevant data, and providing a report on whether
and how the system was compromised, what type of data was resident on the system, and if the data appears to have been viewed or exfiltrated by an unauthorized individual.

7. Provide Security Awareness, Training, and Communication

The University of Oregon Information Security Office will raise the awareness of information security through awareness materials, website presence, and awareness talks at University meetings. The University of Oregon Information Security Office will also provide training for technical and non-technical Faculty, Staff, Students, Vendors, and Contractors on security tools that can be used to mitigate security risk. Finally, the University of Oregon Information Security Office will provide communications to Campus IT Leadership on how to remediate security vulnerabilities when they are discovered.

8. Use Security Frameworks to Provide a Consistent Security Posture

The University of Oregon Information Security Office will use the Framework for Improving Critical Infrastructure Cybersecurity developed by the National Institute of Standards and Technology to address the security posture of the University. By standardizing on one framework the University of Oregon Information Security Office will be able to provide for consistent and repeatable security assessments and recommendations across all University systems, data, and networks.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

Related Resources:

[University of Oregon Acceptable Use of Computing Resources](#)

[National Institute of Standards and Technology](#)

Information and Communications Technology Accessibility

Reason for Policy:
The University of Oregon is committed to access, equity, and inclusion for information and communication technologies (ICT), e.g., including, but not limited to, information resources such as web pages, websites
and databases; web- and computer-based applications allowing for interaction between software and users; services employing information technology and telecommunications equipment used to support its mission of exceptional teaching, research, and service as a comprehensive public university. As the university operates in an increasingly digital environment, equitable access for all is critical for our success. It is essential that accessibility be seamlessly integrated as the university acquires, creates, uses and publishes information and communication technologies. With these core institutional values, this policy and its accompanying procedures establish standards and expectations in alignment with nationally recognized best practices and applicable law, including Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act of 1990, as amended.

**Entities Affected by this Policy:** All those engaged with producing or using UO communication and information technologies.

**Responsible Office:** For questions about this policy, please contact Information Services at (541) 346-NETS (6387).

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Approved as a new policy by President Schill on July 2, 2019; effective July 9, 2019.

**Policy:**

All University of Oregon web pages and other information and communication technologies (ICT) should be made accessible to the widest range of users, including those with disabilities, as described in more detail in the procedures accompanying this policy. A person with a disability is afforded the opportunity to acquire the same information, engage in the same interactions, and enjoy the same services as a person without a disability in an equally effective and equally integrated manner, with substantially equivalent ease of use. The person with a disability must be able to obtain the information as fully, equally and independently as a person without a disability. Unless an exemption is approved by the University President or their designee, all colleges, departments, offices and entities of the University will create, update, and disseminate ICT by making it consistent with the prevailing national access standards as set forth in the procedures that accompany this policy.

This is a rolling adoption, with certain ICT prioritized over others, and its schedule will be set forth separately in the procedures accompanying this policy.

The Chief Information Officer or their designee, will define and oversee an inter-departmental Information and Communication Technologies Access Committee (ICT Access Committee) to implement, maintain and enforce procedures, procurement processes, and accessibility guidelines covering the University of Oregon digital environment to ensure that the university is fulfilling its commitment to accessibility for all and complying with applicable law. This digital environment includes, but is not limited to, web-based and native applications, media productions and presentations, and other emerging hard- and software
technologies. Procedures, resources, and exemption criteria shall be reviewed and amended as necessary on an as-needed basis by the ICT Access Committee.

While the ICT Access Committee is responsible for the creation and periodic revision of these evolving guidelines, it is incumbent upon those who create, procure, maintain, or are otherwise responsible for university ICT to ensure the accessibility of the technology and associated content. This obligation is ongoing and will require regular monitoring and evaluation as described in more detail in the procedures accompanying this policy.

The university will provide training opportunities and assistance, where appropriate.

**Exemptions / Alternative Processes**
Requests for exemptions from accessibility requirements must be approved by the University President or their designee(s), pursuant to the procedures accompanying this policy. Exemptions will be granted when action would result in a fundamental alteration in the nature of its program or activity or undue financial and administrative burdens, as determined by the University President or their designee(s), and must be accompanied by a written statement. The determination that an undue burden or fundamental alteration would result must be based on all resources available for use. If an action would result in a fundamental alteration or undue burden, the University of Oregon will pursue other appropriate options to provide individuals with disabilities the benefits and services of the program or activity in an equally effective and equally integrated manner, with substantially equivalent ease of use, as fully, equally and independently as individuals without disabilities.

**Chapter/Volume:**
- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

**Related Resources:** Information and Communications Technology Accessibility Procedures: [https://is.uoregon.edu/ict-procedure](https://is.uoregon.edu/ict-procedure)

**Original Source:** UO Policy Statement

### Intercollegiate Athletics

**Enactment & Revision History:** Became a University of Oregon policy by operation of law on July 1, 2014. Former OUS Internal Management Directive Section 8.

**Policy:**

**SECTION 8 - INTERCOLLEGIATE ATHLETICS**

8.001 Role of Athletics in a College or University
Intercollegiate athletic programs are considered by the Board to assist the colleges and universities in achieving their goals. They:

(1) Contribute to the instructional programs by providing highly competitive opportunities for those students who excel in the various athletic activities.

(2) Enable the institutions to prepare graduates to serve the schools and colleges as athletic coaches, physical education teachers, athletic trainers, and athletic program administrators.

(3) Provide students, alumni, and other members of the public with spectator satisfaction and with an opportunity to identify with their institutions outside the classroom and laboratories.

(4) Enable the institutions to involve the public, not otherwise related to the institutions, in support of our colleges and universities.

(5) Provide opportunities for a few students, especially in football, basketball, and baseball, to prepare for careers in professional sports.

8.006 Categories of Intercollegiate Athletic Activities

For the purposes of establishing financial policy and determining equality of opportunity, two categories of intercollegiate athletic activities are established. They are:

(1) Major revenue-producing athletic activities.

(2) All other athletic activities.

Major revenue-producing athletic activities are defined as those which, in the judgment of the president of the institution and concurred in by the Board, are anticipated collectively to be capable of producing revenue equaling or exceeding operating and capital expenditures.

Equality of Opportunity

Equality of opportunity shall be established and judged within each of the two categories of intercollegiate athletics, "major revenue-producing" and "other."

If the institution identifies any athletic activity as major revenue-producing, it must also identify at least one such activity for men and one for women even though one of the activities may not satisfy the definition of major revenue-producing.
Provision must be made for an activity to move from one category to the other.

8.016 Financing

Major Revenue-Producing Athletic Activities

Major revenue-producing athletic activities are those that, by definition, are estimated to be self-supporting from gate receipts, television and radio income, conference income, contributions, and other revenues generated through the operation of those activities. Any incidental fees used to support major revenue-producing athletic activities will be deemed to be for the purpose of financing student admissions. No state tax funds, appropriated for education and general purposes, are to be used either for operating or capital expenditures, except as provided in (3) below. "Operating expenses" include both salaries and applicable physical plant costs.

Other Athletic Activities

Other athletic activities are to be financed from student incidental fees, gate receipts, and contributions. State funds appropriated for Education and General purposes may be used only to fund the salaries of coaches at the regional universities and Oregon Institute of Technology.

Proportionate Financing of Joint Use Facilities

State funds are used and may continue to be used for physical plant and other operating costs applicable to spaces within athletic facilities that are utilized for Educational and General purposes, such as lectures, convocations, physical education activity classes, concerts, and commencement exercises.

Resources for Capital Construction and Improvements

Expenditures for capital construction and capital improvements for athletics are to be financed from resources available for auxiliary enterprises such as gifts, bond borrowings under the provisions of Article XI-F(1) of the Oregon Constitution, and excess sinking fund reserves from commingled student building fees.

8.021 Levels of Competition

Institutions should seek the highest feasible level of competition for each activity, recognizing that financial and/or ethical considerations may force reductions in the competitive levels.

8.026 Cost Containment
The presidents of Oregon State University and the University of Oregon are instructed to work with each other and to pursue within the Northwest region, the Pac-10, and the NCAA appropriate cost containment measures such as grants based only on need, fewer grants, reduced recruiting efforts, smaller coaching staffs, and other appropriate measures.

If such efforts, over a five-year period, are unsuccessful, the Board will reassess its position and instruct the University of Oregon and Oregon State University whether or not to implement those cost containment policies even in the absence of Pac-10, NCAA, and regional action.

Portland State University, Oregon Institute of Technology, and the three regional universities are instructed to adopt similar cost containment measures, as appropriate.

8.031 Academic Progress and Degree Attainment

The presidents of institutions having intercollegiate athletics programs are instructed to establish policies and procedures that commit student athletes, counselors, coaches, and athletic program administrators to pursuing the dual student athlete goals of maintaining normal progress toward completion of the baccalaureate degree and attainment thereof, usually in not more than five years after the date of initial registration. Such policies shall require:

(1) Minimum academic term carrying loads of 12 hours during seasons of competition, in prescribed courses leading to a baccalaureate degree selected by the student athlete; and compliance with normal progress rules established by the institution; and

(2) Development and use of continuing academic progress monitoring systems which, when necessary, activate appropriate corrective measures by the student athlete, counselor, coaches, and athletic program administrator.

(3) Each institution president to submit annually to the Board a report on the success of student athletes in pursuing the goals of academic progress and degree attainment.

8.036 Code of Ethics

Each institution offering a program of intercollegiate athletics shall comply with the following code of ethics. Violation of the code of ethics shall be considered an adequate basis for sanctions for cause.

(1) Purpose

The purpose of this code of ethics is to prescribe standards of conduct for student athletes participating in the intercollegiate athletic programs of the institution, coaches,
intercollegiate athletic administrators, and other personnel associated with intercollegiate athletics. It is also the purpose of this code of ethics to identify the responsibilities of coaches, intercollegiate athletic administrators, and other personnel in the institution's department of intercollegiate athletics.

(2) Designation of Institution Officers

The institution president shall assign in writing to the director of athletics the responsibility for implementing the provisions of this policy, except that the Faculty Athletic Representative shall retain the sole prerogative for determining the athletic eligibility of student athletes participating in the intercollegiate athletic program of the institution.

(3) Directives

(a) The intercollegiate athletic program of the institution shall reflect high standards of scholarship, sportsmanship, fair play, integrity, and concern for the individual.

(b) The intercollegiate athletic program of the institution shall be conducted in accordance with the constitution and bylaws of the alliances and/or conferences of which the institution is a member, and the rules, policies, and directives of the Board of Higher Education and institution.

(c) Student athletes participating in the intercollegiate athletic program of the institution shall be required to:

   (i) Maintain such academic standards as established by the institution for all students;

   (ii) Comply with the eligibility requirements of the institution as a prerequisite for participation in its intercollegiate athletic programs;

   (iii) Demonstrate high standards of sportsmanship and fair play, while participating in an intercollegiate athletic program of the institution;

   (iv) Refrain from participation in an intercollegiate athletic program of the institution when existing injuries and/or physical impairments would jeopardize the student athlete's health and welfare; and

   (v) Deport themselves in a manner which brings credit to themselves, their teammates, and the institution.
(d) A head coach of an intercollegiate athletic program is required to maintain such discipline as necessary to assure that student athletes and coaches in that sport maintain high standards of sportsmanship, fair play, and integrity; encourage high standards of scholarship for student athletes; establish and maintain high standards regarding the welfare of student athletes; and adhere to the principles of nondiscrimination.

(e) Coaches in the intercollegiate athletic program of the institution are required to maintain high standards of sportsmanship, fair play, and professional integrity; encourage high standards of scholarship for student athletes; and adhere to principles of nondiscrimination.

(f) Each individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution is required to demonstrate high standards of professional conduct; encourage high standards of sportsmanship, fair play, professional integrity and scholarship; establish high standards regarding the welfare of student athletes; and adhere to the principles of nondiscrimination.

(g) The following is proscribed conduct for each head coach, assistant coach, and individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution:

(i) Using the position with the institution to obtain financial gain, other than official institution salary or reimbursement of expenses and honoraria from either institution or non-institution sources, unless prior approval is obtained from the institution president;

(ii) Using the position with the institution to obtain financial gain for any member of the household or for any business with which the employee or any member of the employee's household is associated;

(iii) Engaging in any outside activity which substantially interferes with the employee's responsibilities in the intercollegiate athletic program of the institution;

(iv) Accepting any employment outside the institution involving time or honorarium without the prior approval of the institution president;

(v) Accepting gifts, as defined in ORS 244.020(5), from any source, including but not limited to, professional sports organizations, private businesses, or athletic "boosters";

(vi) Receiving, or influencing directly or indirectly, awards of prizes of value from any institution-operated or affiliated promotional activity associated with the intercollegiate athletic program of the institution;
(vii) Using institution buildings, facilities, services, or grounds for personal or private gain, without the prior written authorization of the institution president;

(viii) Using, or permitting the use of the name of the institution or any emblem of the institution in commercial or personal promotional activities, except by the prior written authorization of the institution president;

(ix) Violating the constitution and bylaws of an alliance or conference in which the institution holds membership, particularly those provisions pertaining to recruiting of student athletes, financial aid for student athletes, eligibility of student athletes, and extra benefits for student athletes;

(x) Engaging in, encouraging, or permitting the physical or mental abuse or harassment of student athletes;

(xi) Permitting student athletes who have not been certified for competition by a medical physician prior to a sports season to participate in the intercollegiate athletic program of the institution;

(xii) Permitting, requiring, or encouraging a student athlete who is injured, or otherwise physically or mentally impaired, to participate in the intercollegiate athletic program of the institution without authorization from a physician or authorized athletic trainer;

(xiii) Permitting, encouraging, or engaging in abuse or harassment of game officials, game opponents, or spectators while participating in an intercollegiate athletic program of the institution;

(xiv) Encouraging, aiding, or abetting, including acts of omission, any individual, including non-institution persons, to engage in conduct proscribed by the alliance or conference in which the institution holds membership and the Administrative Rules, policies, and Internal Management Directives of the Oregon State Board of Higher Education and the institution.

(h) Any coach, head coach, or individual performing administrative, promotional, public relations, or related functions in the intercollegiate athletic program of the institution should strive to be perceived as an ethical leader, and, therefore, should avoid the appearance as well as the fact of impropriety.

(i) Waivers

The institution president retains the sole prerogative and authority for authorizing exceptions in writing to the provisions contained herein.
(j) Compliance and Sanctions for Violations

Individuals violating the provisions of this code of ethics may be subject to sanctions for cause.

For student athletes participating in the intercollegiate athletic program of the institution who violate the provisions contained herein, the sanctions for cause may include loss of eligibility for a period of time prescribed by the institution Faculty Athletic Representative. The institution may impose sanctions in addition to loss of eligibility pursuant to the provisions of the student conduct code of the institution.

For coaches or for intercollegiate athletic administrators, sanctions for cause include but are not limited to oral or written reprimand, suspension with pay, suspension without pay, or termination, as determined by the institution president.

(k) Contract and Policy Distribution

This policy for intercollegiate athletics, including the Code of Ethics, shall be attached to the Notice of Appointment for coaches, athletic administrators, and other personnel associated with the intercollegiate athletics program as well as distributed to and discussed with all student athletes.

Chapter/Volume:
Original Source: Internal Management Directive

Internal Controls

Policy Number: IV.02.02
Reason for Policy: This policy is intended to ensure that the university has a strong system of accountability for and oversight of its operations.
Entities Affected by this Policy: All areas of the University of Oregon.
Responsible Office: For questions about this policy, please contact the Office of the Vice President for Finance and Administration at (541) 346-3003 or vpfa@uoregon.edu.

Website Address for this Policy:

http://policies.uoregon.edu/vol-4-finance-administration-infrastructure/...

Enactment & Revision History:
Revisions approved by President Michael Schill on July 11, 2016.

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

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

Former Oregon State board of Higher Education Policy.

Policy:

The University of Oregon (UO) shall establish and maintain an effective system of internal controls. Internal controls are designed to reasonably assure that the UO meets its mission, promotes performance leading to effective accomplishment of objectives and goals, safeguards assets, provides accurate and reliable financial and other key data, promotes operational efficiency and economy, and encourages adherence to applicable laws, regulations and prescribed management policies and practices. Control activities, which occur throughout the organization at all levels and functions, help ensure that necessary actions are taken to address risks while achieving the institution’s objectives. The control model for the UO is the Integrated Framework of Internal Control as promulgated by the congressionally established Committee of Sponsoring Organizations (COSO).

GUIDING PRINCIPLES

The UO’s internal control and risk assessment practices shall help ensure that:

1. University activities and operations function effectively and efficiently;
2. University activities and operations comply with laws, regulations, policies, and standards;
3. University processes result in accurate and reliable financial information and reports;
4. University resources are adequately protected;
5. Risks facing the university, including, but not limited to, strategic, operational, financial, compliance, and reputational, are routinely identified and assessed, and effectively managed;
6. Control activities and other mechanisms are proactively designed to address and manage significant risks;
7. Information critical to identifying risks and meeting the university’s mission and strategic objectives is communicated through established channels throughout the UO; and,
8. Controls are monitored and identified problems are addressed in a timely manner.

DEFINITION OF INTERNAL CONTROL

A process, effected by the Board, president, leadership, and other personnel, designed to provide reasonable assurance regarding the achievement of objectives in the following categories:
Effectiveness and efficiency of operations
Reliability of financial reporting
Compliance with applicable laws and regulations

The components of internal control are:

• Control Environment
• Risk Assessment
• Control Activities
• Information and Communication
• Monitoring

Further information about the control model used by the University, including information on the integrated framework and definitions, is available from the COSO website.

RESPONSIBILITIES

The President, through directed leadership, shared values, and a culture that emphasizes accountability, is ultimately responsible for ensuring that an effective control system is in place. However, the execution and use of that control system is a shared responsibility and obligation. All university employees are expected to maintain the control environment of the university by understanding and following all university policies, processes, and procedures.

Chapter/Volume:

• Volume IV: Finance, Administration and Infrastructure
• Chapter 2: Audits

Related Resources: COSO Integrated Framework with Definitions (Document subject to change; for current version visit www.COSO.org)

Interpersonal Dispute Mediation

Communications

Reason for Policy: This policy outlines the confidentiality and inadmissibility guidelines of communications occurring during workplace interpersonal dispute mediation.
Entities Affected by this Policy: All employees of the university.
**Responsible Office:** For questions about this policy, please contact Human Resources at 541-346-3159.

**Enactment & Revision History:**

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0047.

**Policy:**

**Confidentiality and Inadmissibility of Workplace Interpersonal Dispute Mediation Communications**

(1) This policy applies to workplace interpersonal disputes, which are disputes involving the interpersonal relationships between University employees, officials or employees and officials. This policy does not apply to disputes involving the negotiation of labor contracts or matters about which a formal grievance under a labor contract, a tort claim notice or a lawsuit has been filed.

(2) The words and phrases used in this policy have the same meaning as given to them in ORS 36.110 and 36.234.

(3) Nothing in this policy affects any confidentiality created by other law.

(4) To the extent mediation communications would otherwise compromise negotiations under ORS 40.190 (OEC Rule 408), those mediation communications are not admissible as provided in ORS 40.190 (OEC Rule 408), notwithstanding any provisions to the contrary in section (9) of this policy.

(5) Disclosures by Mediator. A mediator may not disclose or be compelled to disclose mediation communications in a mediation and, if disclosed, such communications may not be introduced into evidence in any subsequent administrative, judicial or arbitration proceeding unless:

(a) All the parties to the mediation and the mediator agree in writing to the disclosure; or

(b) The mediation communication may be disclosed or introduced into evidence in a subsequent proceeding as provided in subsections (c) or (h)--(j) of section (7) of this policy.

(6) Confidentiality and Inadmissibility of Mediation Communications. Except as provided in section (7) of this policy, mediation communications in mediations involving workplace
interpersonal disputes are confidential and may not be disclosed to any other person, are not admissible in any subsequent administration, judicial or arbitration proceeding and may not be disclosed during testimony in, or during any discovery conducted as part of a subsequent proceeding, or introduced into evidence by the parties or the mediator in any subsequent proceeding so long as:

(a) The parties to the mediation and the agency have agreed in writing to the confidentiality of the mediation; and

(b) The person agreeing to the confidentiality of the mediation on behalf of the University:

(A) Is neither a party to the dispute nor the mediator; and

(B) Is designated by the University to authorize confidentiality for the mediation; and

(C) Is at the same or higher level in the University than any of the parties to the mediation or who is a person with responsibility for human resources or personnel matters in the University, unless the University head or member of the governing board is one of the persons involved in the interpersonal dispute, in which case the Governor or Governor's designee.

(7) Exceptions to confidentiality and inadmissibility.

(a) Any statements, memoranda, work products, documents and other materials, otherwise subject to discovery that were not prepared specifically for use in the mediation are not confidential and may be disclosed or introduced into evidence in a subsequent proceeding.

(b) Any mediation communications that are public records, as defined in ORS 192.410(4) and were not specifically prepared for use in the mediation are not confidential and may be disclosed or introduced into evidence in a subsequent proceeding unless the substance of the communication is confidential or privileged under state or federal law.

(c) A mediation communication is not confidential and may be disclosed by any person receiving the communication to the extent that person reasonably believes that disclosing the communication is necessary to prevent the commission of a crime that is likely to result in death or bodily injury to any person. A mediation communication is not confidential and may be disclosed in a subsequent proceeding to the extent its disclosure may further the investigation or prosecution of a felony crime involving physical violence to a person.

(d) The parties to the mediation may agree in writing that all or part of the mediation communications are not confidential or that all or part of the mediation communications may be disclosed and may be introduced into evidence in a subsequent proceeding unless the substance of the communication is confidential, privileged or otherwise prohibited from disclosure under state or federal law.
(e) A party to the mediation may disclose confidential mediation communications to a person if the party's communication with that person is privileged under ORS chapter 40 or other provision of law. A party to the mediation may disclose confidential mediation communications to a person for the purpose of obtaining advice concerning the subject matter of the mediation, if all the parties agree.

(f) A written mediation communication may be disclosed or introduced as evidence in a subsequent proceeding at the discretion of the party who prepared the communication so long as the communication is not otherwise confidential under state or federal law and does not contain confidential information from the mediator or another party who does not agree to the disclosure.

(g) In any proceeding to enforce, modify or set aside a mediation agreement, a party to the mediation may disclose mediation communications and such communications may be introduced as evidence to the extent necessary to prosecute or defend the matter. At the request of a party, the court may seal any part of the record of the proceeding to prevent further disclosure of mediation communications or agreements to persons other than the parties to the agreement.

(h) In an action for damages or other relief between a party to the mediation and a mediator or mediation program, mediation communications are not confidential and may be disclosed and may be introduced as evidence to the extent necessary to prosecute or defend the matter. At the request of a party, the court may seal any part of the record of the proceeding to prevent further disclosure of the mediation communications or agreements.

(i) To the extent a mediation communication contains information on the substance of which is required to be disclosed by Oregon statute, other than ORS 192.410 to 192.505, that portion of the communication may be disclosed as required by statute.

(j) The mediator may report the disposition of a mediation to the University at the conclusion of the mediation so long as the report does not disclose specific confidential mediation communications. The University or the mediator may use or disclose confidential mediation communications for research, training or educational purposes, subject to the provisions of ORS 36.232(4).

(8) The terms of any agreement arising out of the mediation of a workplace interpersonal dispute are confidential so long as the parties and the agency so agree in writing. Any term of an agreement that requires an expenditure of public funds, other than expenditures $1,000 or less for employee training, employee counseling or purchases of equipment that remain the property of the University, may not be made confidential.

(9) When a mediation is subject to section (6) of this policy, the University will provide to all parties to the mediation and to the mediator a copy of this section or an explanation of where a copy of the policy may be obtained. Violation of this provision does not waive confidentiality or inadmissibility.
Inventions, License Agreements, Educational & Professional Materials Development, Patents & Copyrights

Policy Number: II.07.02
Reason for Policy: This policy outlines general principles toward public access to and appropriation of resources generated from items such as inventions, licenses, patents, copyrights, and educational & professional materials discovered and/or developed through educational and research activities of university employees.

Entities Affected by this Policy: Faculty; Research & Innovation (and related departments); Finance & Administration; other university employees working within the matters described above

Responsible Office: For questions about this policy, please contact the Office of Research and Innovation at 541-346-2090, vpri@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-7-i...

Enactment & Revision History:

Policy renumbered to II.07.02 and reviewed (no changes) on September 27, 2017.

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

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

Former Oregon Administrative Rule Chapter 580 Division 43, Sections 0006-0016.

Policy:

A. Policy

The educational and research activities of employees of the University of Oregon (University) frequently result in the discovery of new knowledge in the form of inventions, technological improvements, and the production of educational and professional materials. It shall be the
general policy of the University that such results be made available to the public in the most expeditious manner.

B. Objective of Policies

It is University intent to:

(1) Provide systematic means of bringing inventions, technological improvements and educational and professional materials into the public domain.

(2) Encourage the development of new knowledge while protecting traditional academic freedom of employees in the publication of materials, development of inventions and discovery of technological improvements.

(3) Establish principles and procedures for equitably sharing net royalty income with employees, and with sponsoring agencies when required by an agreement.

C. Employee Responsibilities and Rights

(1) As a condition of employment, all University employees shall agree to assign to the University rights to:

(a) Any invention or improvement in technology conceived or developed using University facilities, personnel, information or other resources; and

(b) Educational and professional materials, whether or not registered for copyright, that result from the instructional, research or public service activities of the University.

(2) Employees shall be responsible for disclosing to designated University representatives all inventions, technological improvements and educational and professional materials conceived, developed and/or produced during the conduct of normal activities.

(3) Employees shall be responsible for cooperating and assisting University representatives responsible for patenting, licensing, registering for copyright, publishing and generally assisting public access to new knowledge resulting from employee activities.

(4) Employees shall be eligible to share in net royalty income from each invention or separate improvement thereof, an amount not to exceed:
(a) 40 percent of the first $50,000, 35 percent of the next $50,000, and 30 percent of all additional net royalty income received by the University for inventions and technological improvements; and

(b) 50 percent of net royalty income from educational and professional materials.

(5) For the limited purposes of administering UO Policy 580.043, persons acting in the following capacities shall be entitled to the benefits and subject to the responsibilities of said policy: graduate teaching assistants, graduate teaching fellows, graduate research assistants and student employees.

D. University Responsibilities

To manage inventions, technological improvements and educational and professional materials developed by employees, the University shall:

(1) Apply University-adopted policies and procedures.

(2) Encourage employee activities that lead to new knowledge.

(3) Actively seek applications for new knowledge developed by employees.

(4) Anticipate and comply with conditions in contracts, grants and agreements with sponsoring agencies.

(5) Recommend to the Vice President for Finance and Administration or designee contractual agreements, patent applications and equitable sharing of net royalty income.

Chapter/Volume:

• Volume II: Academics, Instruction and Research
• Chapter 7: Innovation, tech transfer and economic development

Related Resources: N/A
Original Source: Oregon Administrative Rule

Legal Review of Agreements and Documents

Policy Number: I.02.01
Reason for Policy: This policy outlines matters pertaining to legal review of agreements and documents.
Entities Affected by this Policy: All individuals affiliated with the UO who interact with University legal procedures.

Responsible Office: For questions about this policy, please contact the Office of the General Counsel at (541) 346-3082 or gcounsel@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-1-governance/ch-2-legal-affairs/legal-r...

Enactment & Revision History:

Revisions approved by the university president effective January 6, 2020. Former OUS Internal Management Directive; became a University of Oregon policy by operation of law on July 1, 2014.

Policy:

A. Legal Review
1. The following agreements or documents must be drafted or reviewed by an attorney in the UO’s Office of the General Counsel. The attorneys providing these legal services are reviewing or drafting the following agreements in order to evaluate legal risk and to confirm compliance with applicable federal and state laws, including constitutional provisions, statutes, administrative rules, and UO policies.
   a. Any agreement for the purchase or sale of real property or the purchase or sale of improvements to real property;
   b. Employment agreements or notices of appointments for the President, Vice Presidents, Provost, Vice Provosts, Athletic Director, Head Coaches, or any other employee with an annual salary in excess of $300,000;
   c. Employment agreements with other than tenured faculty for a term of three years or longer;
   d. Any agreement with a value in excess of $250,000:
      i. which includes the development of software or acquisition of software not “off-the-shelf”; or
      ii. which includes a foreign entity, public or private, or an Indian tribe as a party; or
      iii. under which UO provides services; or
   iv. under which UO provides tangible or intangible property or the right to use tangible or intangible property.
   e. Any agreement under which UO takes equity in a company in which UO provides services, tangible or intangible property, or the right to use tangible or intangible property;
   f. Any settlement agreement or release of claims;
   g. Any faculty or student exchange agreement under which UO will pay or receive money or property;
   h. Any docket materials from UO on a matter submitted to the UO Board for action;
   i. Any non-utility easement; and
j. Any solicitation documents for a competitive procurement that will result in a contract or agreement subject to this Policy.

2. The legal review required by this Policy may be accomplished, for applicable transactions, by form or template agreements drafted or reviewed by a UO General Counsel attorney and made available to the relevant department or personnel at UO.

3. In conjunction with the General Counsel’s Office, UO units may develop an internal process in order to exempt categories or sub-categories included in this Policy from legal review or to add categories or sub-categories to the list for legal review, as appropriate. The process should identify how legal risk, notwithstanding an exemption, will be reasonably managed. A category or sub-category may not be exempted or added to the list in Section A(1) until the process document is on file with and approved by the Vice President for Finance and Administration or designee. Once a process document is filed with and approved by the Vice President for Finance and Administration or designee, the exemptions or additions will be added to the list above in Section A(1).

4. Internal process developed to exempt or add categories or sub-categories to the list in Section A(1) may include “catch-all” provisions to the extent appropriate based on the expertise and personnel in particular UO unit.

5. Any agreement or document subject to legal review under this Policy must include evidence of such review, such as the attorney’s signature or communication from the attorney attached to the agreement or document. For instances in which a unit is using a form or template agreement as contemplated by Section (A)(2) of this Policy, notation or reference to the form or template drafted by the attorney is sufficient for this section.

6. Nothing in this Policy removes or alters other requirements for the proper execution of an agreement or document, such as signature by an authorized contracting authority or compliance with procurement rules, policies or procedures, or other UO policies and requirements.

7. Notwithstanding the list of agreements and documents included in this Policy, employees are encouraged to approach agreements and documents from a risk-conscious perspective and seek out legal review and advice proactively. Nothing in this Policy prevents or should discourage legal review of agreements or documents not included in Section (A)(1)(a)-(j).

B. Review

1. This Policy may be reviewed annually by the Vice President for Finance and Administration and other relevant stakeholders for amendment or revision, with specific care to consider how risk is managed by the inclusion, or exclusion, of particular categories or sub-categories.

Chapter/Volume:

- Volume I: Governance
- Chapter 2: Legal affairs

Related Resources: NA
Original Source: Internal Management Directive
Licensing Income Distribution

Policy Number: II.07.01
Reason for Policy: To set forth the manner in which revenues received from licensing of the University's intellectual property rights will be distributed.
Entities Affected by this Policy: Faculty and staff engaged in matters relating to licensing of IP and management of IP-related licensing revenue.
Responsible Office: For questions about this policy, please contact the Office of the Vice President for Research and Innovation at (541) 346-2090, vpri@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-7-i...

Enactment & Revision History:

07/27/2017 Reviewed with no changes recommended; policy number changed to II.07.01 and technical changes made by the University Secretary

01/14/2011 Reviewed with no changes recommended

02/08/2010 Policy number revised from 3.000 to 09.00.06

Issued by the President on 09/18/1998

Policy:

II. Preamble:

UO Policy II.07.02 states that it is the university’s intent to, "establish principles and procedures for equitably sharing net royalty income with employees, and with sponsoring agencies when required by an agreement." Royalty income shall be defined as cash royalties and fees. The policy further states the following: Employees [inventors and authors] shall be eligible to share in net royalty income from each invention or separate improvement thereof, an amount not to exceed:

(a) 40% of the first $50,000, 35% of the next $50,000, and 30% of all additional net royalty income received by the Board for inventions and technological improvements; and

(b) 50% of net royalty income from educational and professional materials.
Persons entitled to share in this distribution of net royalty income include: faculty, staff, assistants, graduate teaching fellows, graduate research assistants, and student employees.

The employee's share of net royalty income referred to above is the maximum percentage of net royalty income allowed for distribution to inventors and authors. Hence, this amount shall be divided between said inventors or authors, should there be more than one, in an amount agreed upon in writing by all the inventors and authors.

Section 6.250, (3) of the Internal Management Directives (IMDs) defines net royalty income as gross royalty income received by the University minus the following costs: all institutional expenses and reasonable costs incurred in developing the invention or material, expenses incurred in [obtaining], enforcing or defending any patent, copyright litigation, licensing, interference, and marketing costs attributable to the invention or material, as well as any other expenses deemed necessary to recoup. In the normal situation this means repayment of the direct expenses paid by the University to attorneys for the filing and prosecution of the patent applications, or registration of copyright or trademark.

Section 6.250, (6) of the IMDs states that, "net royalty income received by the Board, less the amount distributed, if any shall be dedicated to the institution of the inventor, or author, subject to the limitation of ORS 351.250. The use made of such net income shall be at the discretion of the president, subject to Board-established budget policy."

**III. Distribution of Net royalty income Less Distribution to Employees**

Under this policy, the employees' share of net royalty income will normally be (a) 40% of the first $50,000, 35% of the next $50,000, and 30% of all additional net royalty income received by the Board for inventions and technological improvements; and (b) 50% of net royalty income from educational and professional materials ("Employee's Share"). In addition, if equity is granted pursuant to the granting of a license, the Employee's Share of the equity will normally be one-third of the total equity granted. It is the expected that the employee will not receive consideration for the technology as it exists at the time of the licensing agreement, in addition to his/her Employee Share. However, it is understood that an employee may participate with an entity which is further developing the technology, and may receive consideration for that participation.

Net royalty income and equity less the Employee's Share constitutes the "University's share" of net income and equity. The University's share of net income shall be distributed as follows:

(a) 50% to the employee's academic unit ("Unit Share"); and

(b) 50% to the University ("Central Share").

The University's Share of equity will normally be held by the University of Oregon Foundation which will be responsible for distributing the income from such equity, if and when available,
with the concurrence of the Vice Provost for Research, following the policies above for the
distribution of royalty income.

Where there is more than one inventor or author and they are affiliated with different academic
units, the Unit Share shall be divided between the academic units in accordance with the
percentage each inventor contributed to the invention, technological improvement, or creative
work (i.e., educational material, or professional material). Ideally, the Unit Share shall be used to
support the continued research/ developmental activity of the inventor(s)/author(s).

Where an inventor or author is affiliated with more than one academic unit, the Unit Share shall
go to the academic unit (e.g., department, institute, etc.) which fostered most of the said
inventor's or author's work on the project. If such a determination cannot be made, then the Unit
Share shall go the inventor's or author's primary unit. Where an inventor or author has left the
University prior to its receipt of gross royalty income, subject to distribution hereunder, his/her
Unit Share shall remain with the respective academic unit.

While the distribution of the Central Share shall normally be made to the University's patent
budget, some or all of these dollars may be reallocated at the discretion of the Vice Provost for
Research.

Collaborations frequently occur between employees of the University and other institutions or
corporations. In such cases, the University may be required to share its portion of gross royalty
income with another party under a joint exploitation agreement. In these cases, the managing
partner under such an arrangement may be required to first distribute the partner's income prior
to deduction of its valid costs and subsequent distribution of net royalty income.

Distribution of net royalty income shall be made at least once annually. Inventors/authors
receiving such monies from licensing revenues shall assume full responsibility therefore (e.g.,
tax consequences).

Notwithstanding the foregoing, net and gross royalty income can also be held back to cover
anticipated reimbursable, but not yet incurred, costs associated with a particular technology.

IV Examples of Distribution of Royalty Income

1. The Office of Technology Transfer (OTT) receives a check for $75,000 for a license fee (gross
royalty income) called for under a newly executed license agreement. The license is for patented
technology developed by Dr. X from the Department of Chemistry and Dr. Y from the Materials
Science Institute (MSI). OTT has expended $10,000 on patent costs thus far and the licensee has
agreed to pay future patent costs directly. The revenue shall be distributed as follows:

$75,000 minus $10,000 for patent expenses incurred by OTT leaves $65,000 net royalty income
for distribution to faculty/inventors, the departments (Unit Share) and the University (Central
Share).
Amount first $50,000 remain. $15,000

<table>
<thead>
<tr>
<th>Faculty 40% 20,000</th>
<th>35% 5,250</th>
</tr>
</thead>
<tbody>
<tr>
<td>Dr. X (60%) (12,000)</td>
<td>(60%) (3,150)</td>
</tr>
<tr>
<td>Dr. Y (40%) (8,000)</td>
<td>(40%) (2,100)</td>
</tr>
<tr>
<td>Unit Share 30% 15,000</td>
<td>32.5% 4,875</td>
</tr>
<tr>
<td>Chem (60%) (9,000)</td>
<td>(60%) (2,925)</td>
</tr>
<tr>
<td>MSI (40%) (6,000)</td>
<td>(40%) (1,950)</td>
</tr>
<tr>
<td>Central Share 30% 15,000</td>
<td>32.5% 4,875</td>
</tr>
</tbody>
</table>

Total 100% 50,000 100% 15,000

Note: amounts in parenthesis are subtotals.

Reminder: net royalty income for inventions is distributed to inventors at the rate of 40% of the first $50,000, 35% of the next $50,000, and 30% of amounts over $100,000. For educational and professional materials, which are typically protected by copyright, 50% of net royalty income is distributed to the authors.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 7: Intercollegiate athletics

Related Resources: NA
Original Source: UO Policy Statement

Mail and Delivery Service on Campus
**Policy Number:** IV.04.30

**Reason for Policy:** To describe the service provided the University's campus mail delivery operation.

**Entities Affected by this Policy:** Campus-wide

**Responsible Office:** For questions about this policy, please contact the Vice President of Finance and Administration at 541-346-3003 or vpfa@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Policy number revised from 04.00.02 to IV.04.30 on 11/2/15

Policy number revised from 4.000 to 04.00.02 on 02/08/2010

Reviewed and Approved By: President's Staff 10/04/1983

Issued by: Vice-President for Administration 10/04/1983

**Policy:**

University mail delivery and addressing services are available only to University departments, committees, registered employee groups registered or recognized student groups and employees conducting University business. These services are not available to non-University organizations or persons, or to University organizations, employees, or students in connection with their conduct of non-University business, personal activities, or political activities.

Exceptions to this policy may be approved by the President. Exceptions will be made only if the proposed use is consistent with institutional policies and mission and the individual or organization fully reimburses the University for all appropriate costs.

Use of campus mail and/or delivery service may not violate any federal or state laws.

Information concerning these services is available from the Mail Services office.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs
Mobile Technology, Access To

Policy Number: IV.06.05

Reason for Policy: This policy creates a framework and general guidelines for determining decision making regarding requirements for mobile technology related to employment activities. This policy relates to the terms and conditions of employment and this policy issue is the responsibility of the Office of Human Resources.

Note: The operational aspects of this policy are overseen by the Business Affairs Office.

Entities Affected by this Policy: Employees who require mobile technology to perform job responsibilities.

Responsible Office: Vice President of Finance and Administration: 541-346-3003, vpfa@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

02/29/16: Policy number changed from 03.05.05 to IV.06.05

12/28/10: Approved by President Richard W. Lariviere

Policy:

• Provision of university funds for mobile technology must meet a general need of the university. The dean, director, department and/or other unit head are best-suited to determine if a specific employee or job classification requires the use of university-sponsored Mobile Technology in their areas, and to what extent. As such, the dean, director, department and/or other unit head have the authority to approve access to mobile technology and payment method. This determination should be reviewed annually and revised if needed. Possible criteria to consider may include (this list is not exclusive):
  o Travel: Employees who frequently travel or are out of the office and need to be in contact with employees, clients, managers, or other university associate.
  o Work Location: Employees who typically work in the field or at job sites where access to electronic and telecommunication devices is not readily available
  o Emergency Response: Employees who need to be contacted and/or respond in the event of an emergency or are required to be available during non-business hours
Critical Need: Employees who are required as part of their daily responsibilities to be accessible by electronic means when away from their regular work station.

- Final determination of whether other criteria may apply is the responsibility of the senior vice provost for academic affairs for academic personnel and the associate vice president for human resources for officers of administration and classified personnel.
- Responsibility for setting overall guidance regarding mobile technology and determining which payment options and tiers are available is delegated to the vice president responsible for that unit.

Procedures: **Determination of the need for mobile technology should be documented in writing and filed in the employee's personnel file.**

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

**Museum of Art**

**Policy Number:** II.08.01  
**Reason for Policy:** This policy outlines certain matters pertaining to the Jordan Schnitzer Museum of Art, specifically acquisition procedures and de-accessioning procedures.  
**Entities Affected by this Policy:** Museum of Art  
**Responsible Office:** For questions about this policy, please contact the JSMA at jsmadesk@uoregon.edu or 541-346-3027.

**Website Address for this Policy:**

[https://policies.uoregon.edu/vol-2-academics-instruction-research/museum...](https://policies.uoregon.edu/vol-2-academics-instruction-research/museum...)

**Enactment & Revision History:**

Policy renumbered to II.08.01

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

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

Former Oregon Administrative Rule Chapter 571 Division 51.
Policy:

A. Museum Acquisition Procedure

(1) Conditions. Because the Jordan Schnitzer Museum of Art's collections are vital to its usefulness and continued excellence, all acquisitions shall meet certain conditions:

(a) They should meet at minimum the criteria of quality reflected in the best objects now in the Museum's collections;

(b) They should be relevant to the purposes and functions of the Museum, which include support for the institution's teaching and research in the visual arts as outlined in the University of Oregon Policy Statement "Jordan Schnitzer Museum of Art Mission," so as to strengthen those collections in which the Museum specializes and for which it is recognized by scholars and artists;

(c) Because the Museum must be able to provide proper storage and care of the objects accessioned into the collections, no object will be accepted which cannot be properly cared for and stored;

(d) The Museum must observe all State of Oregon, federal, and applicable international laws on acquiring imported art objects and will not, therefore, accept objects collected or acquired under questionable or illegal circumstances. The Museum endorses the 1970 UNESCO Convention on the Means of Prohibiting and Preventing Export and Transfer of Ownership of Cultural Property, and the 2003 American Association of Museums (AAM) recommended procedures regarding objects transferred in Europe during the Nazi Era, pursuant to an agreement reached in October 2000 by the AAM, the Association of Art Museum Directors and the Presidential Advisory Commission on Holocaust Assets in the United States;

(e) Title to objects shall be obtained free and clear of restrictions and qualifications of any type or manner, unless it is deemed by the University authorities (the President or the President's designees) in concurrence with the Museum Executive Director, the Museum Collections Committee, and the Curators to be in the best interests of the University. If an object is accepted under restricted conditions, notation of the restriction must be included in the object's permanent documentation.

(2) Criteria. Objects are added to the permanent collection by gift, purchase, bequest, exchange, or other transactions by which legal title passes to the Museum. Before accepting objects to the permanent collections, the Museum Collections Committee shall consider whether:

(a) The object to be accessioned is destined for a particular collection area. Objects not so destined shall be accepted only in rare circumstances, including but not limited to situations where it may be prudent and necessary to accept an entire private collection, even though some of the works may not be regarded as having Museum quality, in order to obtain desired works.
The Museum Collections Committee shall make specific recommendations where entire collections are to be considered for acquisition;

(b) The object is unique or of greater aesthetic quality or value than similar ones already in the collections;

(c) Proper care can be given to the object;

(d) The object is in suitable condition for use and exhibition;

(e) The provenance of the object, as determined by the Director or appropriate Curator(s) is satisfactory;

(f) The object is encumbered with conditions imposed by the donor regarding use or future disposition. As a rule, only unrestricted objects should be accepted;

(g) The use of the object is restricted or encumbered by intellectual property rights (copyright, patent, trademark, or trade secret) or by its nature (obscene, defamatory, potentially an invasion of privacy, physically hazardous);

(h) The object is generally consistent with the goals of the Museum.

(3) Appraisals and Donor Tax Deductions. Gifts to the Museum are tax deductible as a charitable donation based on the fair market value of the gift evidenced and substantiated in a manner acceptable under federal Internal Revenue Service regulations:

(a) Staff members of the Museum shall not provide appraisals for donated objects;

(b) Neither the Museum, the University of Oregon, nor the State of Oregon is responsible for the authenticity and accuracy of the appraisal.

(4) Museum Collections Committee. The Museum Collections Committee is an advisory committee to the Executive Director composed of members of the Museum’s Leadership Council, University faculty, and others whose expertise in art and the art world is beneficial to the Museum, in addition to its permanent and ex officio members;

(a) The permanent, ex officio members of the committee are the Museum Executive Director, Curators, and Collections Manager;
(b) The other members of the committee are appointed for three-year terms by the President of the Museum’s Leadership Council in consultation with and with the approval of the Museum Collections Committee chair, the Curators, and the Executive Director. The terms of office for these appointees shall be staggered to provide for committee continuity;

(c) The committee chairperson shall be selected by the President of the Museum’s Leadership Council, and shall hold this position for a two-year term;

(d) If for any reason (other than the expiration of a member’s term of office) an appointed position on the committee becomes vacant, the vacancy shall be filled in the same manner as original appointments. The replacement member shall serve for the unexpired portion of the vacating member’s term.

(5) Meetings of the Collections Committee shall be called by the Chairperson of the Committee in consultation with the Executive Director two to four times annually, or more frequently, if so needed. The following procedures shall be followed:

(a) For each object under consideration for acquisition, the Director or Curator shall present to the Collections Committee the documentation and provenance of the object and explain its contribution to the collection as a whole;

(b) If possible, each object under consideration by the Executive Director should be physically present for evaluation by members of the committee. If the chairperson determines that this is not possible, adequate images of the object shall be presented to the committee;

(c) Minutes of all Collections Committee meetings shall be taken and maintained;

(d) The Collections Committee may suggest and recommend to the Executive Director for purchase work deemed desirable for the collection when funds are available.

(6) The Executive Director shall make all decisions with reference to acquisitions.

(7) The Executive Director shall notify donor(s) of acceptance or rejection of objects.

B. Museum De-Accessioning Procedure

(1) Criteria. Permanent removal of objects from the collections will be done in a legal and ethical manner. The manner of disposition chosen will represent the best interests of the Museum, and the University of Oregon. An object in the Museum of Art collection can be considered for de-accessioning only if it meets at least one or more of the following criteria:
(a) It has physically or organically deteriorated beyond repair as determined by a reputable conservator; or

(b) It requires conservation, the cost of which would exceed the Museum's funds or the Museum's ability to raise the necessary monies; or

(c) It cannot be either properly stored or properly exhibited by the Museum; or

(d) It is, in the opinion of qualified outside experts, of markedly inferior quality and/or there is a duplicate or superior example of the same kind and type already in the collection; or

(e) It no longer has study, research or exhibition value; or

(f) It no longer supports the mission of the Museum; or

(g) It is determined that the work is stolen or fake; or

(h) To comply with the November 1990 Native American Graves Protection and Repatriation Act (NAGPRA) or the 2003 AAM Guidelines Concerning the Unlawful Appropriation of Objects During the Nazi Era; or

(i) Object material is potentially hazardous to human health or to other objects.

(2) Procedure. Removal of object(s) from the Museum's permanent collections can be recommended only by the Executive Director, the Curator(s), the Collections Manager, or a conservator:

(a) After such a de-accession recommendation is made, a de-accession worksheet for each object shall be begun and placed in the documentation file;

(b) A thorough search shall be made by the Museum Collections Manager of records and related University archival files to determine legal ownership as well as restrictions imposed by the donor and accepted by the Museum at the time of accessioning. Where restrictions exist as to use or disposition of the object, the Museum will observe those conditions to the extent it is reasonably possible to do so. If there are questions as to intent or force of restrictions, the Museum will seek advice of the University Office of General Counsel. New acquisitions obtained through the sale or trade of the original donated item will be credited to the donor, as a “Gift of the donor by Exchange”;

(c) The qualified staff members, including the Executive Director, Curator(s), and Collections Manager, will then meet to discuss the results of this search and to propose an appropriate course of action. If all agree to recommend de-accession, the recommendation and relevant information is then presented to the Museum’s Collections Committee, which shall vote on recommending
the de-accession to the Executive Director. A majority vote is sufficient for such recommendation. Final authority rests with the Executive Director to determine whether de-accession should occur. The Executive Director will then inform the Senior Vice President and Provost and the Vice President of University Relations of any decisions made regarding de-accessioning. The results of any de-accession vote shall be recorded in the documentation file;

(d) Before any object can be de-accessioned and exchanged or sold from the Museum collections (whether from "permanent exhibition collections" or "study collections"), one recognized professional expert (who is neither a current nor former Museum employee), recommended by the Museum staff, shall be consulted for an opinion on the quality of the object. If the reason for the recommendation is the poor condition of the work, the expert shall be a qualified conservator in the special area of the object under consideration and should additionally offer an opinion as to the physical and economical feasibility of reconditioning the work. This expert opinion shall be submitted in writing, dated, and kept in the permanent documentation file;

(3) Disposal. Upon approval to de-accession an object, the following procedures shall be implemented:

(a) The Museum Collections Manager shall notify the University Property Control Office and provide copies of supporting documentation to remove the object(s) from the Museum collection inventory;

(b) A written, dated appraisal from a certified art appraiser (who is neither a current nor a former Museum employee) shall be sought by the Collections Manager, Curators or Executive Director to establish current market value of the object(s) to be de-accessioned;

(c) In order that objects de-accessioned from the Museum collection may continue to serve the purpose for which they were initially acquired, an effort shall be made to place them (by exchange, transfer, or sale) in another non-profit institution. To achieve this end, such objects shall be advertised in appropriate professional publications, which may be online. Such advertisement shall clearly state that neither the Jordan Schnitzer Museum of Art, the University of Oregon, nor the State of Oregon guarantees the authenticity nor the appraised value of the work. This disclaimer shall be repeated in writing at the time of sale, transfer, or exchange. Should it be deemed appropriate and useful for teaching, the de-accessioned work may be retained by the Museum for its study collection;

(d) Sales to private parties or profit-making entities shall be pursuant to state law dealing with disposition of surplus property. Whenever possible, the work of art should be sold at public auction in a city outside Eugene. In all cases, the sales should be public, although some works of art because of their nature may be more appropriately sold in the public marketplace. De-accessioned objects shall not be given or sold to any Museum staff member or University of Oregon official whose responsibility includes Museum operations, funding, or administration, nor to their representatives or immediate families. Members of the Museum’s Leadership Council and its Collections Committee also may not acquire any de-accessioned item nor may
their representatives or immediate families. Proceeds from sales are to be earmarked for the acquisition of objects that will improve the Museum's collection;

(e) Exchanges of de-accessioned objects shall be for object(s) of equal or greater value to the Museum and these transactions shall be made in accordance with the procedures of the Museum’s De-accession procedures;

(f) Any transactions involving a combination of object(s) and monies (given or received) shall be negotiated at the discretion of the Executive Director after consultation with the Collections Committee;

(g) Copies of records for de-accessioned objects, including provenance, research, and data on publication, and a statement authorizing removal from the Museum collection (signed by the Executive Director and the appropriate University administrators) and any other necessary documentation will be forwarded to the acquiring institution (or individual) at the time of the exchange of ownership.

(h) Documentation shall be kept in donor files, showing disposition of object(s). Where feasible, the exhibition label on object(s) acquired through exchange of a donation, or with funds derived from the sale of a donation, shall credit the donor of the exchanged or sold gift. Original records for de-accessioned objects will remain on permanent file in the Museum Collections office, with the de-accession work sheet showing completion of all steps in the de-accession process, including record of means of disposal, new ownership, and the original document showing Museum and University approval of the de-accessioning and the Executive Director's authorization. Cross-references will be placed in catalog card files;

(i) The Museum Collections Manager shall initiate procedures to remove de-accessioned objects from the computer inventory records.

Chapter/Volume:

• Volume II: Academics, Instruction and Research
• Chapter 8: Academics, other

Related Resources: N/A
Original Source: Oregon Administrative Rule

Naming Academic Units

Policy Number: II.03.06
Reason for Policy: To describe the limitations on and procedures for naming academic units in recognition of individuals, groups or organizations.
Entities Affected by this Policy: General applicability

Responsible Office: For questions about this policy, please contact the Office of the University Secretary (541-346-3166, trustees@uoregon.edu) or the Office of the Provost and Academic Affairs (541-346-3186, provost@uoregon.edu)

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-3-f...

Enactment & Revision History:

Policy renumbered from II.08 to II.03.06 on October 16, 2019.

Approved by University President Michael Schill on May 4, 2017.

Policy:

The naming, or renaming, of an academic unit is considered a major event in the history of the institution, requiring due consideration, appropriate due diligence, and consultation.

The Board of Trustees shall be the sole authority allowed to name any campus, school, college, department, or equivalent in recognition of an individual or organization.

The President of the University, or his/her designee, is authorized to name academic units not articulated in the above paragraph in recognition of individuals or organizations. This includes, but may not be limited to, centers, institutes, or programs.

Naming an academic unit is generally reserved for a donor or donors who have made significant financial contributions to that unit. However, academic units may also be posthumously named for an individual, group or organization in recognition of exceptional nonfinancial contributions to the University of Oregon or to society at large. In such instances, there should be a correlation between the contribution and the field in which naming is considered. Exceptions to the posthumous requirement may be granted by the Board of Trustees or the President, respectively, given the type of academic unit.

Procedural Requirements

- Suggestions for naming an academic unit will be made through the Vice President for Advancement, in consultation with the Provost and Senior Vice President, to the President or the President’s designee. The Vice President for Advancement may receive recommendations from and shall consult with appropriate others (e.g., appropriate vice presidents, deans, department heads, directors, etc.).
Suggestions for naming in recognition of exceptional nonfinancial contributions to the University of Oregon or society at large shall include a description of the activities and circumstances that warrant consideration. While "exceptional nonfinancial contribution" could be operationalized in many different ways, for the purposes of this policy it is likely to describe remarkable activities, circumstances, and/or experiences of individuals that directly served to advance or provide inspiration in advancing the values and mission of the University.

The President or his/her designee shall consult confidentially with the Faculty Advisory Council. The President may consult confidentially with any other advisory group that he/she feels is appropriate.

Pursuant to this policy, the President shall make a recommendation on naming an academic unit to the Board of Trustees for its approval when required.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 3: Faculty, general

Related Resources: NA
Original Source: UO Policy Statement

Officer of Administration (OA) Employment

Policy Number: V.11.04
Reason for Policy: To address the need for employment policies and procedures specific to the Officers of Administration employment group.
Entities Affected by this Policy: All Officers of Administration.
Responsible Office: For questions about this policy, please contact the Office of Human Resources at hrpolicy@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources...

Enactment & Revision History:

Approved by President Michael H. Schill on February 23, 2017.

Policy:

Officers of Administration Positions
Officers of Administration (OAs) are a skilled and valued group of employees who hold a variety of professional positions at the University. OA positions are generally unclassified (as defined by UO policy 580.020.0006), part of the exempt service under Oregon law, or supervisory, confidential, or managerial, as defined by Oregon law and UO policy or practice. OA positions shall be designated as such by HR.

**Concurrent Appointments:**

Some employees may hold OA and non-OA appointments at the same time. HR will designate the employee’s primary appointment. HR’s designation shall be subject to authorization by Academic Affairs if one or more of the appointments is a faculty appointment. Subject to the terms of applicable collective bargaining agreements, in the event a primary and secondary appointment differ with respect to the same employee right, responsibility, or condition of employment, the policies and procedures of the primary appointment shall control. Disciplinary actions that may impact a tenured faculty appointment, however, regardless of whether the tenured faculty appointment is a primary or secondary appointment, shall follow the applicable faculty employee disciplinary policies and procedures, unless expressly waived by the affected employee.

**Policies and Procedures**

HR is responsible for administering OA-specific policy and procedural guidance. As of the date the OA policies are signed by the President (Implementation Date) and unless there is a pending disciplinary process or grievance filed prior to the Implementation Date, OAs are subject to these OA employment policies and procedures, as amended from time to time. Pending disciplinary processes and grievances filed prior to the Implementation Date are subject to the policies applicable prior to the Implementation Date. Except as described in this policy or as specifically referenced in the OA policies and procedures, OA employment policies and procedures shall apply to the exclusion of other University employment policies and procedures addressing the relevant subject matter that formerly applied to OAs. OAs are also subject to University policies of general applicability and the policies and procedures specific to their respective divisions, departments, or units (collectively “unit level policies”). In the event of a conflict between the OA policies and procedures and unit level policies, the OA policies and procedures control. OAs understand that these policies and procedures do not constitute a contract or guaranteed employment. OAs are encouraged to review these policies and procedures and to contact HR with any questions.

**Past Practice**

Notwithstanding the above, and consistent with past practice, OAs shall be considered faculty for the following purposes:

1. Coverage under the University’s Faculty Records Rule, which implements ORS 352.226, by establishing restrictions on access to covered employees’ personnel records and clarifying that
covered employees shall have full access to their own personnel records, except as otherwise authorized by law and the University’s Faculty Records Policy, UO policy 571.030.

2. Library access and privileges.
3. Coverage under the University’s Conflict of Interest Policy, which implements ORS 244.020, by setting forth procedures for the management of potential conflicts of interest and/or commitment.

Chapter/Volume:
- Volume V: Human Resources
- Chapter 11: Human resources, other

Related Resources:

V.11.04 – OA Employment Procedures
UO Policy 580.020.0006, Definition of Unclassified Staff
Oregon Public Employee Collective Bargaining Act, Definition Section
Faculty Records Policy

Original Source: UO Policy Statement

Officer of Administration (OA) Grievances

Policy Number: V.11.05
Reason for Policy: To provide Officers of Administration (OAs) with a clear, efficient and transparent grievance process when resolution through informal means has not resolved the concerns.
Entities Affected by this Policy: All Officers of Administration (OAs).
Responsible Office: For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources...

Enactment & Revision History:
Policy:

Employees may have occasional problems or issues affecting their work-related activities and it is important to resolve these as soon as possible. The university encourages employees to resolve disagreements respectfully through informal, frank, and open discussion. HR and the Office of the Ombuds are two resources available to assist with informal resolutions. However, the university also recognizes that occasionally more formal processes are needed.

The OA grievance process establishes procedures for the fair, orderly, and timely resolution of problems or complaints using a thorough review process. The following principles will serve as the foundation for the OA grievance process:

- The university will deal with grievances expeditiously and fairly.
- Grievances and the proceedings under this policy will be treated with the greatest degree of confidentiality possible. However, limitations on confidentiality may include the university’s obligations to investigate grievance allegations, provide individuals accused of misconduct an opportunity to respond, inform appropriate individuals of the imposition of corrective action, or to fulfill duties imposed by law.
- OAs are protected from discrimination and retaliation in connection with exercising rights under this grievance policy.

HR will maintain procedural guidance for the OA grievance process.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 11: Human resources, other

Related Resources:

[V.11.05-1 Officer of Administration (OA) Grievances - Procedures](https://hr.uoregon.edu/)

Grievance procedures for OAs can be found on the HR website at [https://hr.uoregon.edu/](https://hr.uoregon.edu/)

Original Source: UO Policy Statement

Officer of Administration (OA) Performance Management
Policy Number: V.06.01

Reason for Policy: To outline performance management expectations and processes for those who supervise or manage the work of Officers of Administration (OAs).

Entities Affected by this Policy: All Officers of Administration.

Responsible Office: For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-6-performance-mana...

Enactment & Revision History:

Approved by University President Michael H. Schill on February 23, 2017.

Policy:

The university supports performance management for OAs that is guided by the recognition that performance management is an ongoing process involving coaching, mentoring, and motivating and that effective performance management leads to enhanced performance and job satisfaction. The university further recognizes that the process of addressing poor performance or problematic behaviors should be transparent and rooted in correcting the identified deficiencies.

HR will maintain procedural guidance on OA performance management and corrective discipline.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 6: Performance Management

Related Resources:

V.06.01-1 Officer of Administration (OA) Performance Management - Procedures

V.06.01-2 Officer of Administration (OA) Corrective Discipline - Procedures

Performance Management and Corrective Discipline procedures for OAs can be found on the HR website at https://hr.uoregon.edu/
Officer of Administration (OA) Separations

Policy Number: V.08.01
Reason for Policy: To establish the university’s philosophy regarding employment separation.
Entities Affected by this Policy: All Officers of Administration (OAs).
Responsible Office: For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-5-human-resources/ch-8-separation/offic...

Enactment & Revision History:
Approved by University President Michael H. Schill on February 23, 2017.

Policy:

It is the expectation of the university that every employee will leave the university through an ethical, consistent and clear process with a full understanding of their rights and benefits, regardless of the nature of their separation.

HR will maintain procedural guidance regarding the separation from employment for OAs.

Chapter/Volume:
- Volume V: Human Resources
- Chapter 8: Separation

Related Resources:

V.08.01 - 1 Officer of Administration (OA) Separations - Procedure

Separation procedures for OAs can be found on the HR website at https://hr.uoregon.edu/

Officer of Administration (OA) Time Off

Policy Number: V.09.02
Reason for Policy: To establish the foundation for time off from work for Officers of Administration (OAs).

Entities Affected by this Policy: All Officers of Administration.

Responsible Office: For questions about this policy, please contact the Office of Human Resources (HR) at hrpolicy@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-9-time-leave/offic...

Enactment & Revision History:

Approved by University President Michael H. Schill on February 23, 2017.

Policy:

The university is committed to providing OAs with time to rest, relax, recharge, and tend to personal responsibilities through university scheduled holidays, vacation time, and sick time. The university is committed to complying with applicable laws governing protected leaves of absence.

HR will maintain procedural guidance regarding the accrual and use of OA paid time off and regulated leave statuses.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 9: Time-off and leave

Related Resources:

V.09.02 Officer of Administration (OA) Time Off - Procedure

Leave procedures for OAs can be found on the HR website at https://hr.uoregon.edu/

Oregon Honors Scholarship Program

Effective Date: 10/22/1982

Office of the Senior Vice President and Provost
provost@uoregon.edu
**Policy Statement:**

Awards in the amount of $1,000 (as a deduction against the out-of-state instruction fee), renewable for a maximum of four years, are granted to attract highly qualified nonresident scholars who might otherwise elect not to attend System institutions because of the high nonresident instruction fee. A maximum of $500,000 plus the number of continuing students times $1,000 in nonresident fee remission is available for this purpose each year.

The number of new students each year shall be limited to the following distribution (unused quota in a given year will not be continued into an ensuing year):

<table>
<thead>
<tr>
<th>Institution</th>
<th>Undergraduates</th>
<th>Graduates</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Total</strong></td>
<td><strong>425</strong></td>
<td><strong>75</strong></td>
</tr>
<tr>
<td>UO</td>
<td>100</td>
<td>20</td>
</tr>
<tr>
<td>OSU</td>
<td>100</td>
<td>20</td>
</tr>
<tr>
<td>PSU</td>
<td>75</td>
<td>10</td>
</tr>
<tr>
<td>WOU</td>
<td>50</td>
<td>10</td>
</tr>
<tr>
<td>SOU</td>
<td>50</td>
<td>10</td>
</tr>
<tr>
<td>EOU</td>
<td>0</td>
<td>5</td>
</tr>
<tr>
<td>OIT</td>
<td>50</td>
<td>0</td>
</tr>
<tr>
<td><strong>TOTAL</strong></td>
<td><strong>500</strong></td>
<td></td>
</tr>
</tbody>
</table>
The institutions shall establish standards and procedures for administering the award program, including criteria to determine outstanding academic programs (high school grades) and potential for college success (test scores) and indication that the student probably would not attend or continue without this incentive. Scholarships continue for students enrolled in good standing as long as the student is classified as a nonresident. Students who become resident students for fee purposes are no longer eligible for the Oregon Honors Scholarship Program.

Institutions shall record the basis on which academic potential was determined and track the continued enrollment for each recipient. Quota use (new and continuing students) shall be reported to the Office of Academic Affairs annually. Unused quota in a given year will not be continued into an ensuing year. Students who received Oregon Honors Scholarships in 1983-84 and 1984-85, and who are currently enrolled, will be reported in the quota use tally; students who received residency exceptions based on merit in 1983-84 and 1984-85 will not be reported in the continuing quota count.

Cross Reference to Related Policies:
Policy Document
Original Source: OUS Board Policy

OUS Procurement and Contracting Code

Policy Number: IV.09.06
Reason for Policy: This policy outlines matters pertaining to procurement and contracting at the University.
Entities Affected by this Policy: Finance & Administration; all campus entities or business units engaged in purchasing, contracting or procurement.
Responsible Office: For questions about this policy, please contact Purchasing and Contracting Services at 541-346-2416 or uop2help@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-9-purchasing-contracting/ous-procurement-and

Enactment & Revision History:

Policy renumbered to IV.09.06 (from 580.061, et sq) and amendments approved by President Schill on February 18, 2020.

Technical revisions enacted by the University Secretary on September 3, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 61, exclusive of Section 0000.

**Policy:**

**A. Applicable Model Public Contract Rules**

The Attorney General's Model Public Contract Rules adopted by the Oregon Attorney General pursuant to ORS 279A.065 are generally inapplicable to the contracting activities of the University unless specifically referenced and adopted herein.

**B. Definitions**

The following Definitions will apply to UO policies IV.09.05, IV.09.06, IV.07.06 and IV.07.10, unless the context requires otherwise:

1. “Addendum” or “Addenda” means an addition to, deletion from, a material change in, or general interest explanation of the Solicitation Document. Addenda will be labeled as such and posted on the University procurement website for access by all interested Offerors.

2. “Award” or “Awarding” means, as the context requires, identifying the Entity with whom the University intends to enter into a Contract following the resolution of any protest of the selection of that Entity and the completion of all Contract negotiations.

3. "Bid" means an offer, binding on the Bidder and submitted in response to an ITB.

4. "Bidder" means an Entity that submits a Bid in response to an ITB.

5. "Board" means the Board of Trustees of the University of Oregon.

6. "Change Order" or "Contract Amendment" means a written order issued by the University to the Contractor requiring a change in the Work within the general scope of the original Contract.

7. "Closing" means the date and time specified in a Solicitation Document as the deadline for submitting Bids or Proposals.

8. "Competitive Process" means the process of procuring goods and services and construction-related services by fair and open competition, under varying market conditions, with the intent of minimizing opportunities for favoritism and assuring that Contracts are award equitably and economically using various factors in determining such equitability and economy.
(9) "Contract" means a contract for sale or other disposal, or a purchase, lease, rental, or other acquisition, by the University of personal property, services, including personal or professional services, public improvements, public works, minor alterations, or ordinary repair or maintenance necessary to preserve a Public Improvement. "Contract" does not include grants. "Contract" may also mean a purchase order, Price Agreement, or other Contract document in addition to the University’s Solicitation Document and the accepted portions of a Solicitation Response.

(10) "Contract Officer" means the Vice President for Finance and Administration or his or her designee with the authority to negotiate and execute Contracts.

(11) "Contract Price" means, as the context requires, the maximum monetary obligation that the University either will or may incur under a Contract, including bonuses, incentives and contingency amounts, Addenda, Change Orders, or approved alternates, if the Contractor fully performs under the Contract.

(12) "Contractor" means the Entity awarded a Contract to furnish University goods, services, or Work.

(13) "Days" means calendar days, including weekdays, weekends, and holidays, unless otherwise specified.

(14) "Disadvantaged Business Enterprise" means a small business concern as defined in ORS 200.005.

(15) "Disqualification or Disqualify" means the preclusion of an Entity from contracting with an agency of the State of Oregon in accordance with Section FF.

(16) "Electronic Solicitation Response" means a response to a Solicitation Document submitted to the University via the World Wide Web or some other internet protocol.

(17) "Emergency" means an unexpected, serious situation that creates a significant risk of loss, damage, interruption of service, or threat to the public health or safety that requires prompt action to remedy the condition.

(18) "Emerging Small Business" means an Emerging Small Business as defined in ORS 200.005 and that maintains a current certification issued by the Oregon Department of Consumer and Business Services.

(19) "Entity" means a natural person capable of being legally bound, sole proprietorship, corporation, partnership, limited liability company or partnership, limited partnership, profit or nonprofit unincorporated association, business trust, two or more persons having a joint or
common economic interest, or any other person with legal capacity to contract, or a government or governmental subdivision.

(20) "Grant" means:

(a) An agreement under which the University receives money, property, or other assistance, including, but not limited to, federal assistance that is characterized as a Grant by federal law or regulations, loans, loan guarantees, credit enhancements, gifts, bequests, commodities, or other assets, from a grantor for the purpose of supporting or stimulating a program or activity of the University and in which no substantial involvement by the grantor is anticipated in the program or activity other than involvement associated with monitoring compliance with the Grant conditions; or

(b) An agreement under which the University provides money, property, or other assistance, including, but not limited to, federal assistance that is characterized as a Grant by federal law or regulations, loans, commodities, or other assets, to a recipient for the purpose of supporting or stimulating a program or activity of the recipient and in which no substantial involvement by the University is anticipated in the program or activity other than involvement associated with monitoring compliance with the Grant conditions.

(c) "Grant" does not include a Public Improvement Contract or a Contract for Emergency Work.

(21) “Historically Underrepresented Business” means Minority Business Enterprises, Women Business Enterprises, and Emerging Small Businesses certified by the State of Oregon or self-certified, and firms certified federally or by another state or entity with substantially similar procedures to the State of Oregon.

(22) "Invitation to Bid" (ITB) means a Solicitation Document for the solicitation of competitive, written, signed, and Sealed Bids in which Specifications, price, and delivery (or project completion) are the predominant award criteria.

(23) "Minority Business Enterprise" means a Minority Business Enterprise as defined in ORS 200.005 and that maintains a current certification issued by the State of Oregon.

(24) "Opening" means the date, time, and place specified in the Solicitation Document for the public opening of written or electronically submitted Solicitation Responses.

(25) “Offeror” means the entity submitting a binding Solicitation Response.

(26) "UO Retainer Program" means Contracts by which, pursuant to a Solicitation Document, multiple Contractors are authorized to provide specific materials to or perform specific services for a Public University(ties). Contractors on a UO Retainer Program may provide goods or
services on a non-exclusive and as-needed basis. UO Retainer Programs are administered centrally by the Vice Chancellor for Finance and Administration or designee.

(27) "Owner" means the Board, in its own right or on behalf of the University as identified in the Solicitation Document.

(28) "President" means the President of the University. Where the term "President" is used, it refers to the president of the University as context requires.

(29) "Personal or Professional Services" means a Contract with an Entity whose primary purpose is to acquire specialized skills, knowledge, and resources in the application of technical or scientific expertise, or the exercise of professional, artistic, or management discretion or judgment, including, without limitation, a Contract for the services of an accountant, physician or dentist, educator, consultant, broadcaster or artist (including a photographer, filmmaker, painter, weaver, or sculptor). "Personal or Professional Services" under this definition does not include architects, engineers, planners, land surveyors, appraisers, construction managers, and similar professional consultants for construction work.

(30) "Price Agreement" means a nonexclusive agreement in which the Contractor agrees to provide specific items or services to the University at a set price during a specified period of time.

(31) "Proposal" means a binding competitive offer submitted in response to a Request for Proposals.

(32) "Proposer" means an Entity that submits a Proposal in response to a Request for Proposals.

(33) "Public Improvement" means a project for construction, reconstruction, or major renovation on real property by or for the University. "Public Improvement" does not include:

(a) Projects for which no funds of the University are directly or indirectly used, except for participation that is incidental or related primarily to project design or inspection; or

(b) Emergency Work, minor alteration, ordinary repair or maintenance necessary to preserve a Public Improvement.

(34) "Public Improvement Contract" means a Contract for a Public Improvement. "Public Improvement Contract" does not include a Contract for Emergency Work, minor alterations, or ordinary repair or maintenance necessary to preserve a Public Improvement.

(35) "University" means the University of Oregon.
(36) "Public Work" is defined by the Bureau of Labor and Industries (BOLI) in ORS 279C.800(6).

(37) "Qualified Rehabilitation Facility" means a nonprofit activity center or rehabilitation facility authorized by the Oregon Department of Administrative Services to provide goods or services in accordance with ORS 279.835 et seq.

(38) "Request for Information (RFI)" means a Solicitation Document seeking information regarding products or services that the University is interested in procuring.

(39) “Request for Proposals (RFP)” means a Solicitation Document to obtain competitive Proposals to be used as a basis for making an acquisition or entering into a Contract when price will not necessarily be the predominant award criteria.

(40) "Request for Qualifications" means a Solicitation Document issued by the University to which interested Contractors respond in writing by describing their experience with and qualifications to provide the services described in the Solicitation Document.

(41) “Request for Quotes” means a Solicitation Document to obtain competitive quotes to be used as a basis for making an acquisition or entering into a Contract when best value will be the award criteria.

(42) "Responsible Offeror" means an Entity that demonstrates their ability to perform satisfactorily under a Contract by meeting the applicable standards of responsibility outlined below in Section AA.

(43) "Responsive Solicitation Response" means a Solicitation Response that has substantially complied in all material respects with the criteria outlined in a Solicitation Document.

(44) “Retainer Contract” means a Contract by which, pursuant to a Solicitation Document, multiple Contractors are authorized to provide specific supplies or equipment to or perform specific services for the Universities. Contractors on a Retainer Contract may provide goods or services on a non-exclusive and as-needed basis.

(45) “Sealed” means a Solicitation Response to an RFP or an ITB that has not been opened by the University or a Solicitation Response delivered by electronic means that has not been distributed beyond the University personnel responsible for receiving the electronically submitted Solicitation Response.

(46) "Signed or Signature" mean any Written mark, word, or symbol that is made or adopted by an Entity with the intent to be bound and that is attached to or logically associated with a Written document to which the Entity intends to be bound.
(47) "Single Seller" means the only Contractor of a particular product or service reasonably available.

(48) "Solicitation Document" means an Invitation to Bid, Request for Proposals, Request for Qualifications, Request for Information or any other written document issued or posted on the University procurement website by the University that outlines the required Specifications necessary to submit a Bid, Proposal, or other response.

(49) “Solicitation Response” means a binding offer submitted in response to a Solicitation Document.

(50) "Specifications" means a description of the physical or functional characteristics, or of the nature of the goods or services, including any requirement for inspecting, testing, or preparing the goods or services for delivery and the quantities or qualities of the goods or services to be furnished under a Contract. Specifications generally will state the result to be obtained and may describe the method and manner of performance.

(51) "Women Business Enterprise" means a Women Business Enterprise as defined in ORS 200.005 and that maintains a current certification issued by the Oregon Department of Consumer and Business Services.

(52) "Work" means the furnishing of all materials, equipment, labor, transportation, services, and incidentals necessary to successfully complete any individual item or the entire Contract and carrying out and completion of all duties and obligations imposed by the Contract.

(53) "Written or Writing" means letters, characters, and symbols inscribed on paper by hand, print, type, or other method of impression intended to represent or convey particular ideas or means. “Written” or "Writing," when required or permitted by law, or required or permitted in a Solicitation Document, also means letters, characters, and symbols made in electronic form and intended to represent or convey particular ideas or meanings.

C. Purchasing and Contact Records

(1) The University will maintain records relating to all University purchasing and contracting transactions in accordance with the requirements of the Secretary of State and University policies.

(2) Documentation of all purchasing and contracting transactions will be made available for inspection by the public as outlined in applicable public records laws.

(3) The University will maintain records relating to all University purchasing and contracting transactions that may include:
(a) An executed Contract and any amendments or Change Orders;

(b) The record of the actions used to develop the Contract;

(c) A copy of the Solicitation Document, if any;

(d) Any required findings or statement of justification for the selection of the Contractor or the procurement method used;

(e) The record of any negotiation of the Specifications, the Work, the Contract Price and related Contract terms;

(f) All information describing how the Contractor was selected, including the basis for awarding the Contract;

(g) The names of Entities and cost estimates considered.

D. Designation and Contract Officers

The University Vice President for Finance and Administration will designate staff authorized to enter into Contracts and Public Improvement Contracts for the University.

(1) The University will maintain a list identifying Contract Officers and describing the types and Contract Price of Contracts and Public Improvement Contracts they are authorized to enter into. The Vice President for Finance and Administration may designate staff authorized to enter into Contracts and Public Improvement Contracts on behalf of the University.

(2) Contracts or Public Improvement Contracts entered into by individuals not designated as authorized Contract Officers and unauthorized procurements or expenditures that do not follow the University Procurement and Contracting Code will be voidable at the sole discretion of the University. The University may take appropriate action in response to execution of Contracts or procurements contrary to this policy. Such actions include, but are not limited to, providing educational guidance, imposing disciplinary measures, and holding individuals personally liable for such Contracts or procurements.

(3) Authorized Contract Officers will be responsible for ensuring that the proper procedures are followed as outlined in UO policies IV.09.05, IV.09.06, IV.07.06 and IV.07.10.

(4) Unless otherwise specified in policies IV.09.05, IV.09.06, IV.07.06 and IV.07.10, the Contracting Officer will perform all the duties of the Owner on behalf of the Board.

(5) The President may, by Written agreement with the President of another Public University, transfer such delegation to a person at another Public University.
E. Policy Governing the Acquisition of Goods and Services available from Qualified Rehabilitation Facilities

The University will purchase goods and services from Qualified Rehabilitation Facilities in accordance with the provisions of ORS 279.835 to 279.855 and applicable administrative rules.

F. Affirmative Action; General Policy

(1) The general policy of the University will be to expand economic opportunities for Historically Underrepresented Businesses by offering them the contracting and subcontracting opportunities available through University Contracts. Notice of all Contracts over $25,000 procured through a Competitive Process will be provided to the Advocate for Minority, Women, and Emerging Small Business, unless otherwise provided, by fully completing the information set out on the University procurement website. The University is encouraged to unbundle contracts, when appropriate, to expand contract opportunities for Historically Underrepresented Businesses and Oregon-based businesses.

(2) The University will not knowingly contract with or procure goods or services from any Entity that discriminates on the basis of age, disability, national origin, race, marital status, religion, sex, or sexual orientation.

(3) Offerors will certify, as part of the Solicitation Response that such Offeror has not discriminated against Historically Underrepresented Businesses in obtaining any required subcontracts.

(4) The University will comply with the Equity Contracting and Purchasing Policy and Data Reporting Procedures.

G. Emerging Small Business Program

(1) The University encourages participation of Emerging Small Businesses by creating an Emerging Small Business Program. The Emerging Small Business Program is limited to businesses that meet the definition in ORS 200.005(5) and that maintain a current certification issued by the State of Oregon. When conducting procurements, the University may implement the Emerging Small Business Program by methods including, but not limited to:

(a) Priority of Contract Award. In the event of a tie low Bid, when price is the sole determinative factor, give priority to a certified Emerging Small Business;

(b) Exclusive Emerging Small Business Opportunities. The University has the authority to create opportunities that are only open to certified Emerging Small Businesses. When the University issues a Solicitation Document, the University may determine that it is in the University’s interest to limit the opportunity to only qualified and certified Emerging Small Businesses.
(c) Evaluation Criteria. The University may identify in a Solicitation Document that it will award additional evaluation points based on certified Emerging Small Business status.

(2) For Construction-Related Services where price is the determinative factor, if a Responsible Emerging Small Business' Responsive Bid is within one percent of the lowest Responsible Responsive Bid, the University will award the Contract to the Emerging Small Business.

H. Sexual Harassment Policy

All Entities that wish to contract with the University will be notified on the University procurement website that the University has adopted policies applicable to Contractors that prohibit sexual harassment and that the Contractor's company and employees are required to adhere to the University’s policy prohibiting sexual harassment in their interactions with members of the University’s community.

I. Insurance or Bond Requirements

All Contractors will provide and maintain insurance or bonding as may be required by the University. Such insurance or bonding will remain in force throughout the term of the Contract, including any extensions.

J. Interest on Overdue Charges

The University will pay any overdue account charge, in accordance with ORS 293.462, incurred by the University when payment for goods and services have not been reasonably made.

(1) Overdue claims will be those that have not been paid within 45 days from the latest of the following dates: The date of the receipt of the accurate invoice, the date of the initial billing statement if no invoice is received, the date all goods have been received, or the date the claim is made certain by agreement of the parties or by operation of law. However, overdue account charges will not accrue on any purchases made by the University during time of civil emergency or in the event of a natural disaster that prevents the timely payment of accounts. In such instances, accounts will be paid in as timely a manner as possible.

(2) The maximum overdue charge incidental to procurement of the goods or services will be at a rate of two-thirds of one percent per month, but not more than eight percent per annum.


(1) Brand-Name Specification. The University may specify brand names in the procurement of goods and services if that particular product or service has attributes not found in other goods and services of like kind. In addition, when specific design or performance specifications must be met for a good or service to be purchased, the University may specify a list of qualified goods
or services by reference to the qualified goods or services of a particular contractor or potential contractor.

**L. Basis for Awarding Contracts**

The University will select Contractors and award Contracts based on such factors as are identified in the Solicitation Document and such other factors as are reasonable under the circumstances.

**M. Contract Amendments (Including Change Orders and Extra Work) and Expired Contracts**

An amendment for additional Work or goods that is reasonably related to the scope of Work under the original Contract, including Change Orders, extra work, field orders, or other change in the original Specifications that increases the original Contract Price or length of time, may be made with the Contractor without using a Competitive Process provided that the amendment does not materially alter such a Contract. An amendment that extends the Contract past the period set out in the Solicitation Document for anything other than completion of the Work contemplated in the original Contract as extended will require a new Competitive Process, unless approved by the Vice President for Finance and Administration for good cause. Expired Contracts may be revived and reinstated upon the approval of the Vice President for Finance and Administration or their designees.

**N. Solicitation Responses are Offers**

(1) Offer and Acceptance. The Solicitation Response is the Offeror’s offer to enter into a Contract that will be binding upon the Offeror for thirty (30) days, unless a different time frame is specified in the Solicitation Document.

(2) The Solicitation Response will be a complete offer and fully responsive to the Solicitation Document, unless Offerors are specifically authorized by the Solicitation Document to take exceptions or to leave terms open to negotiation.

(3) Unless expressly authorized by the Solicitation Document, Offerors will not make their Solicitation Response contingent upon the University's acceptance of Specifications or contract terms that conflict with or are in addition to those in the Solicitation Document.

**O. Facsimile and Electronic Solicitation Responses**

(1) The University may authorize submission of Solicitation Responses through facsimile or electronic methods.
(2) If the Solicitation Response is in response to an RFP or ITB and the Solicitation Document permits submission via facsimile or electronic means, the University must establish a method of receiving, identifying, recording, and preserving the "Sealed" requirement of the Formal Procurement.

(3) Solicitation Responses submitted through facsimile and electronic methods must contain Written signatures indicating intent to be bound by the offer.

(4) The University may execute or open electronic submissions to verify receipt of documents prior to the Closing, but will not verify responsiveness of Solicitation Responses.

**P. Solicitation Response Submissions**

(1) Identification of Solicitation Responses. To ensure proper identification and special handling, if any, Offeror must appropriately mark its Written Solicitation Response. The University will not be responsible for the proper identification and handling of Solicitation Responses not submitted in the designated manner or format as required in the Solicitation Document.

(2) Receipt of Solicitation Responses. It is the Offeror’s responsibility to ensure that Solicitation Responses are received by the University at the required delivery point, prior to the Closing as indicated in the Solicitation Document, regardless of the method used to submit or transmit the Solicitation Response.

**Q. Pre-Solicitation Response Conferences**

(1) Pre-Solicitation Response conferences may be scheduled. Each pre-Solicitation Response conference will be described in the Solicitation Document as "voluntary" or "mandatory." If such a conference is designated as "mandatory," an Offeror must attend in order to submit a Solicitation Response.

(2) If the Offeror is an individual, the Offeror may authorize a representative other than himself/herself to attend the pre-Solicitation Response conference.

(3) Statements made by University representatives at the pre-Solicitation Response conference will not be binding unless a Written Addendum to the Solicitation Document is issued.

**R. Offer Security**

(1) The University may require in the Solicitation Document submission of a security. Security includes, but is not limited to, a surety bond from a surety company authorized to do business in the state of Oregon, cashier's check, certified check, or savings and loan secured check.
(2) The Solicitation Response security of all unsuccessful Offerors will be returned or released after a Contract has been executed and a performance bond provided (if such a bond is required), or after all Solicitation Responses have been rejected.

S. Addenda to Solicitation Document

(1) The University may change a Solicitation Document by Written Addenda. The University will make reasonable efforts to notify potential Offerors of such Written Addenda by methods that may include, but are not limited to, publication of the Written Addenda on the University procurement website or requiring submission of a notice of interest by potential Offerors to receive Addenda.

(2) The University will issue the Written Addenda within a reasonable time prior to Closing to allow prospective Offerors to consider the Addenda in preparing their Solicitation Responses. The University may extend the Closing if it determines prospective Offerors need additional time to review and respond to Addenda.

T. Clarification of ITBs and RFPs and Requests for Change

Requests for clarification or change of the ITB or RFP must be received by the University in writing by the date indicated in the ITB or RFP.

(1) Such request for clarification or change will include the reasons for the clarification or change, and any proposed changes to Specifications or provisions.

(2) The University will consider all requests for clarification or change and, if appropriate, amend the ITB or RFP by issuing Addenda.

U. Pre-Closing Modifications or Withdrawal of Bids or Proposals

(1) Modifications. An Offeror may modify its Solicitation Response in Writing prior to the Closing. Any modification must include a statement that the modification amends and supersedes the prior Solicitation Response.

(2) Withdrawals. An Offeror may withdraw its Solicitation Response by Written notice, signed by an authorized representative of the Offeror, submitted to the individual and location specified in the Solicitation Document (or the place of Closing if no location is specified), and received by the University prior to the Closing. The Offeror, or authorized representative of the Offeror, may also withdraw its Solicitation Response in person prior to the Closing, upon presentation of appropriate identification and evidence of authority satisfactory to the University.

V. Formal Procurement Receipt, Opening, and Recording of Bids and Proposals
In all Formal Procurements the University will comply with the following:

(1) Receipt. The University will electronically or mechanically time-stamp or hand-mark each Bid or Proposal and any modification upon receipt. Except as provided in Section O(2) the University will not open the Bid or Proposal or modification, but will store it in a secure place until Opening. If the University inadvertently opens a Bid or Proposal or a modification prior to the Opening, the University will reseal and store the opened Bid or Proposal or modification until the Opening.

(2) Disclosure. Unless otherwise specified in the Solicitation Document, the name of the Entity submitting a Bid or Proposal will be the only information that may be made public until notice of the intent to Award or an Award has been issued.

W. Late Bids and Proposals, Late Withdrawals, and Late Modifications

Any Bid or Proposal, modification, or withdrawal received after the Closing is late. The University will not consider late Bids or Proposals, modifications, or withdrawals except as permitted in Section X. However, the University may adopt a University policy or procedure to accept late bids in circumstances that are determined to be in the best interests of the University if policy or procedure is stated in the Solicitation Document.

X. Mistakes

(1) Generally. To protect the integrity of the Competitive Process and to assure fair treatment of Offerors, the University should carefully consider whether to permit waiver, correction, or withdrawal for certain mistakes.

(2) University Treatment of Mistakes. The University will not allow an Offeror to correct or withdraw a Solicitation Response for an error in judgment. If the University discovers certain mistakes in a Solicitation Response after Opening, but before award of the Contract, the University may take the following action:

(a) The University, in its sole discretion, may waive or permit an Offeror to correct a minor informality. A minor informality is a matter of form rather than substance that is evident on the face of the Solicitation Response or an insignificant mistake that can be waived or corrected without prejudice to other Offerors. Examples of minor informalities include an Offeror’s failure to:

(A) Return the correct number of Signed Solicitation Responses or the correct number of other documents required by the Solicitation Document; or

(B) Sign the Solicitation Response in the designated block, provided a Signature appears elsewhere in the Solicitation Response, evidencing an intent to be bound; or
(C) Acknowledge receipt of an Addendum to the Solicitation Document, provided it is clear on the face of the Solicitation Response that the Offeror received the Addendum and intended to be bound by its terms, or the Addendum involved did not affect price, quality, or delivery.

(b) The University may correct a clerical error if the error is evident on the face of the Solicitation Response or other documents submitted with the Solicitation Response and the Offeror confirms the University's correction in Writing. A clerical error is an Offeror's error in transcribing its Solicitation Response. Examples include, but are not limited to, typographical mistakes, errors in extending unit prices, transposition errors, and arithmetical errors, instances in which the intended correct unit or amount is evident by simple arithmetic calculations. In the event of a discrepancy, unit prices will prevail over extended prices.

(c) The University may permit an Offeror to withdraw a Solicitation Response after Closing based on one or more clerical errors in the Solicitation Response only if the Offeror shows with objective proof and by clear and convincing evidence:

(A) The nature of the error;

(B) That the error is not a minor informality under this subsection or an error in judgment;

(C) That the error cannot be corrected under subsection (b) of this section;

(D) That the Offeror acted in good faith in submitting a Solicitation Response that contained the claimed error and in claiming that the alleged error in the Solicitation Response exists;

(E) That the Offeror acted without gross negligence in submitting a Solicitation Response that contained a claimed error;

(F) That the Offeror will suffer substantial detriment if the University does not grant it permission to withdraw the Solicitation Response;

(G) That the University's or the public's status has not changed so significantly that withdrawal of the Solicitation Response will work a substantial hardship on the University or the public it represents; and

(H) That the Offeror promptly gave notice of the claimed error to the University.

(d) The criteria in subsection (2)(a) of this section will determine whether the University will permit an Offeror to withdraw its Solicitation Response after Closing. These criteria also will apply to the question whether the University will permit a Offeror to withdraw its Solicitation Response without forfeiture of its Bid bond (or other Bid security) or without liability to the University based on the difference between the amount of the Offeror’s Solicitation Response and the amount of the Contract actually awarded by the University, whether by Award to the
next lowest Responsive and Responsible Bidder or the best Responsive and Responsible Offeror or by resort to a new solicitation.

(3) Rejection for Mistakes. The University will reject any Offeror in which a mistake is evident on the face of the Solicitation Response and the intended correct Solicitation Response is not evident or cannot be substantiated from documents submitted with the Solicitation Response.

Y. Low Tie Bids

(1) Definition. Low Tie Bids are low tied Responsive Bids from Responsible Bidders that are identical in price, fitness, availability, and quality and that meet all the requirements and criteria set forth in the Solicitation Document.

(2) Award. In the event of a Low Tie Bid, the University will award the Contract based on the following order of precedence:

(a) An Emerging Small Business that meets the definition in ORS 200.005(3) and that maintains a current certification issued by the State of Oregon;

(b) An Entity whose principal offices or headquarters are located in Oregon;

(c) If neither subsection (a) nor (b) apply, award of the Contract will be made by drawing lots.

Z. Rejection of Individual Solicitation Responses and Offerors

(1) The University may reject, in whole or in part, any Solicitation Response not in compliance with all prescribed Solicitation Response procedures, Contract provisions, and Specifications contained in the Solicitation Document or upon a Written finding by the University that it is in the public interest to do so.

(2) Reasons for rejection. The University may reject a Solicitation Response upon the University's findings that include, but are not limited to, the Solicitation Response:

(a) Is contingent upon the University's acceptance of terms and conditions that differ from the Solicitation Document; or

(b) Takes exception to the terms and conditions (including Specifications) set forth in the Solicitation Document; or

(c) Attempts to prevent public disclosure of matters in contravention of the terms and conditions of the Solicitation Document or in contravention of applicable law; or
(d) Offers goods or services that fail to meet the Specifications of the Solicitation Document; or

(e) Is late; or

(f) Is not in substantial compliance with the Solicitation Document; or

(g) Is not in substantial compliance with all prescribed solicitation procedures; or

(h) Does not include the Solicitation Response security as required by the Solicitation Document; or

(i) Does not include an executed certification of non-discrimination in compliance with Section G and compliance with Oregon tax laws.

(3) The University may reject an Offeror upon the University's findings that include, but are not limited to, the Offeror:

(a) Has not met any required mandatory prequalification;

(b) Has been disqualified pursuant to OAR 137-046-0210(3) (Disadvantaged Business Enterprise Disqualification);

(c) Has not met the requirements of the Emerging Small Business Program created in Section G, if required in the Solicitation Document.

(d) That has been debarred in accordance with ORS 279B130 or 279C.440;

(e) Has been declared ineligible by the Commissioner of Bureau of Labor and Industries under ORS 279C.860;

(f) Has within the last five years been found, in a civil, criminal, or administrative proceeding, to have committed or engaged in fraud, misrepresentation, price-rigging, unlawful anti-competitive conduct, or similar behavior;

(g) Is non-Responsible. Offerors are required to demonstrate their ability to perform satisfactorily under a Contract. Before Awarding a Contract, the University must have information that indicates that the Offeror meets the applicable standards of Responsibility. To be a Responsible Offeror, the University may consider:

(A) If the Offeror has appropriate financial, material, equipment, facility, and personnel resources and expertise, or ability to obtain the resources and expertise, necessary to indicate the capability of the Offeror to meet all contractual responsibilities;
(B) If the Offeror has a satisfactory record of contract performance. The University may consider both private and public contracts in determining responsible performance under a contract;

(C) If the Offeror has a satisfactory record of integrity. An Offeror may lack integrity if the University determines the Offeror demonstrates a lack of business ethics such as violation of state environmental laws or false certifications made to a state agency. The University may find an Offeror non-Responsible based on the lack of integrity of any person having influence or control over the Offeror (such as a key employee of the Offeror that has the authority to significantly influence the Offeror’s performance of the Contract or a parent company, predecessor or successor person);

(D) If the Offeror is qualified legally to Contract with the University;

(E) If the Offeror has supplied all necessary information in connection with the inquiry concerning Responsibility. If the Offeror fails to promptly supply information requested by the University concerning responsibility, the University may base the determination of responsibility upon any available information or may find the Offeror non-Responsible.

(4) Form of Business Entity. For purposes of this rule, the University may investigate any Entity submitting a Solicitation Response. The investigation may include the Entity’s officers, directors, owners, affiliates, or any other person acquiring ownership of the Entity to determine application of this policy.

(5) Notice. If an Offeror or a Solicitation Response is rejected in accordance with this policy, the University will provide written notice of such rejection to the Offeror. The notice will include the grounds for rejection and a statement of the Offeror’s appeal rights and applicable appeal deadlines. If an Offeror wishes to appeal the decision to reject the Offeror or Solicitation Response, the Offeror must notify the University, in Writing, within three Days after receipt of the notification.

AA. Rejection of All Solicitation Responses

Rejection. The University may reject all Bids or Proposals whenever the University finds it is in the University’s best interest to do so.

BB. Disposition of Solicitation Responses if Solicitation Cancelled

(1) Prior to Solicitation Response Opening. When a solicitation is cancelled prior to Opening, all Solicitation Responses received will be destroyed.

(2) After Solicitation Response Opening. When all Solicitation Responses are rejected, the Solicitation Responses received will be retained and become part of the University’s permanent solicitation file.
CC. Protest of Contractor Selection, Contract Award, and Protest of Solicitation Document

(1) The purpose of this section is to require adversely affected or aggrieved Offeror on University solicitation to exhaust all avenues of administrative review and relief before seeking judicial review of the University's selection or Award decision.

(2) Types of Protests. The following matters may be protested:

(a) A determination of responsibility or lack thereof;

(b) A determination of responsiveness or lack thereof;

(c) The rejection of a Solicitation Response, unless notice of rejection has been previously provided under Section Z(5) of this policy;

(d) The content of a Solicitation Document;

(e) The selection of one or more Contractors. A protest may be submitted only by an Entity that can demonstrate that it has been or is being adversely affected by University decision or the content of a Solicitation Document.

(3) Delivery. Unless otherwise specified in the Solicitation Document, an Offeror must deliver a Written protest to the University within three (3) Days after the Award of a Contract or issuance of the notice of intent to Award the Contract, whichever occurs first. Protests must be clearly marked on the outside of the envelope with the title or the number of the Solicitation Response and that it is a protest to ensure that it is recognized and recorded.

(4) Content of Protest. An Offeror’s protest must fully specify the grounds for the protest and include all evidence that the protestor wishes the Vice President for Finance and Administration or designee to consider. Failure to include any ground for the protest or any evidence in support of it will constitute a final, knowing, and voluntary waiver of the right to assert such ground or evidence. A protest must include a conspicuous marking identifying the type and nature of the protest.

(5) A protest of a Solicitation Document may be made only if a term or condition of the Solicitation Document, including, but not limited to, Specifications or Contract terms violates applicable law. The University will (upon altering the Solicitation Document in response to a protest) promptly transmit the revised Solicitation Document to all Offerors and extend the Closing where appropriate. The University may choose, in its sole discretion, to close the procurement process without making an Award and begin a new procurement process.

(6) A protest of the selection of one or more Contractors requires the protestor to demonstrate, as applicable;
(a) That all higher-ranked Offerors were ineligible for selection or that the protestor would have been "next in line" to receive the Award and was eligible for selection; and

(b) That the Offeror selected was ineligible.

(c) In the case of a sole source procurement, that the Single Seller selected is not the only Contractor or consultant reasonably available to provide the personal or professional services, goods, services, Professional Consultant services as defined in Section B, Construction-Related Services as defined in Section B, or combination of Professional Consultant services and Construction-Related Services.

(7) A protest of the rejection of a Solicitation Response must demonstrate that the University's decision was materially in error or that the University committed a material procedural error and that any such error, alone or in combination with other errors, was a "but for" cause of the rejection.

(8) Response. The Vice President for Finance and Administration, or their designee, will have the authority to settle or resolve a Written protest. A protest received after the time set out in the Solicitation Document will not be considered. The Vice President for Finance and Administration or designee will issue a Written final agency order of the protest in a timely manner. If the protest is upheld, in whole or in part, the University may, in its sole discretion, either Award the Contract to the successful protestor or cancel the procurement or solicitation. Contract Award may be made prior to issuance of the final agency order if authorized by the Vice President for Finance and Administration, or their designee.

(9) Judicial Review. Judicial review of the University' decision relating to a Contract Award protest will be available pursuant to the provisions of ORS 183.480 et seq.

DD. Right to Inspect Plant

The University may, at reasonable times, inspect the part of the plant or place of business of a Contractor or any subcontractor that is related to the performance of any prospective Contract or Awarded Contract.

EE. Invitation to Bid and Request Proposal Negotiations

(1) The University may negotiate with the lowest-cost Bidders after determining that that the Bids are Responsive and from Responsible Bidders.

(2) The University may, if it has given notice in the Solicitation Document, commence negotiations in accordance with sections EE(3) and EE(4) with Proposers in the competitive range. For purposes of this rule “competitive range” means the highest-ranked Proposers based
on evaluating all Responsive Proposals in accordance with the evaluation criteria set forth in the Solicitation Document.

(3) If the University chooses to enter into discussions with and receive best and final Proposals, the University will proceed as follows:

(a) The University will initiate oral or written discussions with all Proposers submitting Responsive Proposals or all Proposers in the competitive range regarding their Proposals with respect to the provisions of the Solicitation Document that the University identified in the Solicitation Document as the subject of discussions.

(b) The University may conduct discussions with each eligible Proposer necessary to fulfill the purposes of this section (3), but need not conduct the same amount of discussions with each eligible Proposer. The University may terminate discussions with any eligible Proposer at any time. However, the University will offer all eligible Proposers the same opportunity to discuss their Proposals with the University before the University notifies eligible Proposers of the date and time pursuant to subsection (d) that best and final Proposals will be due.

(c) The University may adjust the evaluation of a Proposal as a result of a discussion under this section. The conditions, terms, or price of the Proposal may be altered or otherwise changed during the course of the discussions provided the changes are within the scope of the Solicitation Document.

(d) If best and final Proposals are required, the University will establish a common date and time by which Proposers must submit best and final Proposals. Best and final Proposals will be submitted only once, provided, however, the University may make a written determination that it is in the University's best interest to conduct additional discussions, negotiations, or change the University's requirements and require another submission of best and final Proposals. The University will evaluate Proposals as modified.

(4) Negotiations.

(a) The University may commence serial negotiations with the highest-ranked eligible Proposer or commence simultaneous negotiations with all eligible Proposers.

(b) The University may negotiate:

(A) The statement of Work;

(B) The Contract Price as it is affected by negotiating the statement of Work; and

(C) Any other terms and conditions reasonably related to those expressly authorized for negotiation in the Solicitation Document. Accordingly, Proposers will not submit and the
University will not accept for negotiation, any alternative terms and conditions that are not reasonably related to those expressly authorized for negotiation in the Solicitation Document.

**FF. Disqualification from Consideration for Award of Contracts**

(1) The University may disqualify an Entity from consideration for award of University Contracts for the reasons listed in subsection (2) of this section after providing the Entity with notice and a reasonable opportunity to be heard.

(a) The University may rely upon a disqualification of an Entity by another Public University or exclusion by the federal government or the State of Oregon.

(b) In lieu of the disqualification process described in this section, the University contracting for a Public Improvement may petition the Construction Contractors Board to disqualify an Entity from consideration for award of the University's Public Improvement Contracts for the reasons listed in section FF(2).

(2) An Entity may be disqualified from consideration for Award of a Contract for any of the following reasons:

(a) A primary employee of the Entity has been convicted of a criminal offense as an incident of obtaining or attempting to obtain a public or private contract or subcontract or in the performance of such contract or subcontract;

(b) A primary employee of the Entity has been convicted under state or federal statutes of embezzlement, theft, forgery, bribery, falsification or destruction of records, receiving stolen property, or any other offense indicating a lack of business integrity or business honesty that currently, seriously, and directly affects the person's responsibility for the Entity;

(c) A primary employee of the Entity has been convicted under state or federal antitrust statutes;

(d) A primary employee of the Entity has committed a violation of a contract provision that is regarded by the University or the Construction Contractors Board to be so serious as to justify disqualification. A violation may include, but is not limited to, a failure to perform the terms of a contract or an unsatisfactory performance in accordance with the terms of the contract. However, a failure to perform or an unsatisfactory performance caused by acts beyond the control of the Entity may not be considered to be a basis for disqualification;

(e) The Entity does not carry workers' compensation or unemployment insurance as required by statute.

(3) The University will issue a Written decision to disqualify an Entity under this section. The decision will:
(a) State the reasons for the action taken; and

(b) Inform the disqualified Entity of the appeal rights of the Entity under ORS 279C.445 and 279C.450.

(4) A copy of the decision issued under subsection (3) of this section must be mailed or otherwise furnished immediately to the disqualified Entity.

(5) Appeal of Disqualification. An Entity who wishes to appeal disqualification must, within three (3) business days after receipt of notice of disqualification, notify the University in Writing that the Entity appeals the disqualification. Immediately upon receipt of the notice of appeal, the University will notify the Vice President for Finance and Administration, or designee.

(6) The Vice President of Finance and Administration, or designee, will conduct the appeal generally consistent with the procedures set forth in ORS 279C.450. The Vice President of Finance and Administration, or designee, may share the final outcome of the appeal with all public universities in Oregon.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure
- Chapter 9: Purchasing and contracting

**Related Resources:** N/A

**Original Source:** OUS Board Policy

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**Parental Leave**

**Policy Number:** V.09.01

**Reason for Policy:** This policy outlines the University's parental leave benefits for unrepresented faculty and officers of administration who are expecting a child and/or require time to care for or bond with their child, following birth or adoption.

**Entities Affected by this Policy:** Unrepresented Faculty

**Responsible Office:** For questions about this policy, please contact the office of Human Resources at 541-346-3159 or hrinfo@uoregon.edu.

**Website Address for this Policy:**

[https://policies.uoregon.edu/vol-5-human-resources/ch-9-time-leave/paren...](https://policies.uoregon.edu/vol-5-human-resources/ch-9-time-leave/paren...)

**Enactment & Revision History:**
Revisions (as to Officers of Administration) approved by President Michael H. Schill on February 23, 2017.

7/1/14 Became a UO policy by operation of law.

6/24/14 Enacted by President Michael Gottfredson.

Policy:

The University will provide unrepresented faculty members (UFM) with leave upon the birth or adoption of a child as provided by the Family Medical Leave Act (FMLA) and the Oregon Family Leave Act (OFLA). An OA or UFM who takes parental leave under FMLA or OFLA may take the first six work weeks of such leave with pay, in the following manner:

As part of the first six weeks of leave, the UFM must use any available short term disability insurance benefits, all accrued vacation leave and all but 80 hours of accrued sick leave. If the UFM does not have sufficient accrued disability insurance benefits and accrued paid leave to cover six weeks with full pay, the University will provide the UFM with the necessary amount of paid parental leave to allow the UFM to receive a total of six weeks paid parental leave. If both parents are UFMs of the University, both parents are entitled to this additional paid leave.

Each UFM may use accrued sick leave for his or her remaining six weeks of parental leave (for a total of 12 work weeks of leave). In the event that the UFM does not have sufficient accrued sick leave, he or she may borrow advanced sick leave for the remainder of the last six work weeks pursuant to current policy. Based on the timing of the birth or adoption, this paid leave may extend into a second term for a UFM.

To be eligible for the paid family leave benefit described in this Standard, a UFM must be in a Career NTTF or the Tenure-Track or Tenured Professor classifications.

Use of the benefits described in this Standard shall not adversely affect the UFM’s standing or salary in any manner. A UFM who is employed in a Tenure-Track and Tenured position who experiences pregnancy, childbirth, or the adoption of a child and/or utilizes parental leave shall have the option of an additional probationary year before a tenure or promotional review.

This Standard supersedes all policies to the extent that this Standard conflicts, is inconsistent with, or differs from such policies.

All units are directed to comply with this Standard until further notice.

Chapter/Volume:

- Volume V: Human Resources
Chapter 9: Time-off and leave

**Original Source:** UO Policy Statement

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### Payment Card Acceptance

**Policy Number:** IV.04.01

**Reason for Policy:** This policy establishes roles, responsibilities and rules for debit/credit card processing activities at the University of Oregon and is designed to safeguard Customer Card Data, reduce the risk of card data breach, and facilitate compliance with global payment card industry data security standards.

**Entities Affected by this Policy:** Faculty, Staff and Student Employees

**Responsible Office:** For questions about this policy, please contact the Business Affairs Office at 541-346-3165.

**Website Address for this Policy:**

https://policies.uoregon.edu/payment-card-acceptance

**Enactment & Revision History:**

Approved by Dr. Scott Coltrane, Interim President on June 30, 2015

**Policy:**

**PREAMBLE**

Consumer preferences for debit and credit card payment has steadily increased during the past decade, while cash and check use in particular has declined. The convenience of online payment is a key driver. Cash is still common for small dollar transactions, especially in food service and transportation. Cash and checks are labor intensive and costly means of payment collection.

Some university departments sell goods and services, (particularly events), to students, faculty, staff, and the public. These departments are encouraged to offer debit/credit card payment options both in person and online to improve service and reduce collection costs.

University departments accepting debit/credit card payments must take measures to safeguard Customer Card Data, reduce the risk of data breach, and comply with the Payment Card Industry (PCI) rules.
A data breach exposing cardholder data can have significant consequences including:

1. Damage to university reputation or brand,

2. Loss of customers (students, donors),

3. Financial costs (fines, card re-issue fees, customer notification, credit monitoring, forensic investigation, public relations, and litigation).

DEFINITIONS

University Merchant
Any university department that accepts customer debit/credit card payments.

Customer Card Data
At a minimum, cardholder data consists of the full PAN (Primary Account Number). Cardholder data may also appear in the form of the full PAN plus any of the following: cardholder name, expiration date and/or service code.

Ecommerce
Card processing method where the customer enters their card data into a web page or application using their personal device.

PCI DSS
The Payment Card Industry Security Standards Council (PCI SSC), founded by major brands American Express, Discover Financial Services, JCB International, MasterCard Worldwide, and Visa Inc. created global security standards that apply to all merchants and service providers worldwide to enhance payment account data security.

The PCI security standards include the Payment Card Industry Data Security Standard (PCI DSS) for merchants and service providers, the Payment Application Data Security Standard (PA-DSS) for software vendors, and the PIN Transaction Security (PTS) for device vendors and manufacturers.

SAQ
Self-Assessment Questionnaire (SAQ) is one method for merchants to validate their compliance with PCI DSS. There are eight distinct SAQs (A, A-EP, B, B-IP, C, C-VT, D, and P2PE-HW) each designed for different credit card processing methods and environments.
Data Security Incident Response Plan

The plan that is executed by the Data Security Incident Response Team in the event of a potential data breach.

POLICY STATEMENT

1. The AVP Business Affairs/Controller is responsible for,

a) Ensuring university compliance with PCI rules, merchant banking contract terms and conditions, and state law regarding proper handling of public funds.

b) The distribution of related policies and procedures.

c) Authorizing all debit/credit card activities at the University of Oregon.

2. University Merchants authorized to accept debit/credit card payments will validate their compliance status with PCI DSS at the end of each calendar year. Compliance gaps must also be remediated by University Merchants in a planned and continuous effort throughout the year. Failure to come into compliance with PCI DSS may result in the loss of card acceptance privileges.

3. University Merchants will limit access to Customer Card Data to employees with a legitimate business reason, and will maintain standard operating procedures for its processing, protection and disposal.

4. University Merchants will obtain approval from Business Affairs before contracting with a third party for card processing services or solutions.

5. University employees shall not store Customer Card Data in electronic form on the university network, or send or receive unencrypted cardholder data (for example by email or text message).

6. University employees will avoid creating paper records that contain Customer Card Data. Paper records containing Customer Card Data must be confidentially recycled immediately after processing or when the business reason for retention ends. Maximum retention is 1 year.

7. Whenever practical, University Merchants shall adopt low risk processing methods such as:

- Ecommerce, fully outsourced to service providers validated by the PCI Security Standards Council.
Purpose built payment card terminal, certified by the PCI Security Standards Council.

University employees will not enter Customer Card Data on a university computer without a compelling business reason. University computers used to process or transmit Customer Card Data must be; hardened, dedicated to this purpose (never used for email, social networking or web browsing), firewalled, segmented from other devices, and scanned for vulnerabilities by an Approved Scan Vendor (ASV).

8. The following personnel will participate in formal security awareness training annually:

- Employees involved in accepting customer credit card payments.
- IT professionals supporting university systems that host pay buttons or that process or transmit Customer Card Data.
- Purchasing and leasing agents who craft agreements with third parties who process credit cards on campus or on behalf of the university.

9. In the event of a data breach involving Customer Card Data the university will execute its Data Security Incident Response Plan.

Download Policy

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs

Related Resources:

Procedures for implementing this policy are published on the Business Affairs website

Forms/Instructions/Regulations:

1. Business Affairs Payment Card Services and Instructions
2. Payment Card Acceptance Request Form
3. PCI Security Standards Council

Payment Options for Mobile Technology

Policy Number: IV.04.04
**Reason for Policy:** This policy creates a comprehensive framework and general guidelines for decision-making regarding costs and payment methods for Mobile Technology related to employment activities. This policy is the responsibility of the Business Affairs Office.

**Entities Affected by this Policy:** Employees who use mobile technology and those who approve and process such approvals.

**Responsible Office:** For questions about this policy, please contact the office of Business Affairs at 541.346.3165.

**Website Address for this Policy:**

[https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-4-business-affairs/payment-options-mobile-technology](https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-4-business-affairs/payment-options-mobile-technology)

**Enactment & Revision History:**

07/23/18: Revisions approved by President Michael Schill. Policy number changed to IV.04.04 from 06.00.11.

03/29/17: Technical change made by the University Secretary

12/28/2010: Reviewed and approved by President Richard Lariviere

**Policy:**

Purchases of Mobile Technology and/or reimbursement to employees who utilize Mobile Technology to conduct university business are governed by the principles, general considerations, and payment options described below.

**General Guidelines**

- Cellular phones, smart phones, and similar devices (Mobile Technology) have become commonplace, are readily available, and are convenient mechanisms to support university business practices.
- Provision of university funds for Mobile Technology must meet a general need of the university. The Dean, Director, Department and/or other Unit Head is best-suited to determine if a specific employee or job classification requires the use of university-sponsored Mobile Technology, and to what extent. Guidelines regarding this determination are available in Access to Mobile Technology, Policy IV.06.05.
- University data and information transmitted via Mobile Technology remains the property of the University of Oregon, subject to all appropriate rules and policies, including those covering public records.
• University data and information transmitted or stored on Mobile Technology is subject to the Minimum Security Procedure for Devices with Sensitive Information as referenced in Data Classification, Policy IV.06.02.

**Payment Options**

Each vice president is authorized to determine which payment options are available to units in his/her portfolio.

*Option 1: Unit Purchase*

- The employing unit:
  - Purchases the device and/or pays for the service contract, based upon unit business needs. Choice of contract for unit-purchased devices is limited to service contracts negotiated by the university, the State of Oregon, or another purchasing consortium. Exceptions may be granted by the appropriate dean, vice president, or senior administrator if an alternate service provider better meets the business needs of the unit.
  - Retains ownership of the device and maintains inventory controls over the device.
  - Administers the service plan for the device.
- Personal use of a university-purchased device should be minimal. If costs are incurred due to personal use, the employee will be responsible for those costs and will reimburse the university in a timely manner.

*Option 2: Employee Reimbursement*

- The unit provides a monthly reimbursement payment to the employee who, in turn, is responsible for all costs associated with the device and service. Any equipment or accessories purchased by the employee remain the property of the employee at all times.
- Notwithstanding the above, any Mobile Technology acquired or utilized under this policy shall be provisioned to the university, upon request, if needed for response to a public records request, subpoena, or other university business purpose.
- The monthly payment is not compensation; it is a reimbursement of business-related expense and is processed through the Accounts Payable system. In accordance with Internal Revenue Service guidelines issued in September, 2011, the recurring payment is not considered taxable income to the employee.
- Payment tier maximum amounts are determined in accordance with university guidelines maintained by the Business Affairs Office. These guidelines shall be periodically reviewed and updated as necessary.

**Tiers/Cost Limitations**
Maximum payment amounts (Tiers 1-3) are based upon the median costs of representative voice/data plans plus the allocated cost of an equipment purchase prorated for level of usage.

Representative payment tiers:

- Tier 1 – Low/Infrequent Use – Employee serves in on-call capacity on occasion.
- Tier 2 – Routine Use – Employee is expected to be available throughout the work day, either at a fixed workstation or remote locations. Employee uses mobile technology for both voice and data (i.e., email) interactions.
- Tier 3 – High Use – Employee travels frequently or is otherwise away from a university workstation and utilizes mobile technology as a primary means of conducting university business.
- Tier 4 - International Users and Other Exceptional Circumstances - Example: International roaming service, Satellite Phone service - To be determined on a case-by-case basis

Charges to Grants and Contracts

Payment for Mobile Technology must comply with regulations related to the specific grant or contract. UO Sponsored Projects Services is responsible for communicating the regulations for individual grants and contracts.

Procedures:

For university-purchased Mobile Technology, unit should follow established unit practice for purchasing/contracting. For employee reimbursement payments, unit should contact BAO Accounts Payable for assistance.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs

Related Resources: Related Policies: Access to Mobile Technology
Original Source: UO Policy Statement

Physical and Environmental Security

Policy Number: IV.05.03
Reason for Policy: This policy sets out how the University aims to protect its community members and its assets (including its buildings, property, information, and equipment) against physical threats such as crime (theft and criminal damage), fire, and terrorism through the
implementation of physical fire protection and security controls. Physical fire protection and security requires appropriate 'layering' of physical and technical measures and involves a balance between prevention, detection and response.

**Entities Affected by this Policy:** All members of the UO community and visitors.

**Responsible Office:** For questions about this policy, please contact Safety and Risk Services: (541) 346-8070, safety@uoregon.edu

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Approved by the University President on December 18, 2018.

**Policy:**

I. To support a unified campus implementation of physical fire protection systems, the UO Fire Marshal Office has the responsibility and has been delegated authority to ensure the UO complies with Oregon fire and life safety regulations as adopted in Oregon Fire Code and local municipality ordinances. When these regulations are silent or in conflict, fire prevention decisions are made by the UO Fire Marshal, under guidance of nationally recognized practices or standards such as those promulgated by the National Fire Protection Association, other nationally recognized fire protection agencies, and commonly accepted fire protection practices.

II. To support a unified campus security policy, UO has established three building security levels. Buildings are assigned security levels based on the functions that occur within the building.

a. In certain cases, a portion or room of a building could receive additional security elements beyond the building’s level. Definitions of the building levels and the accompanying security elements are located in the security standard.

III. Based on the principles of common crime prevention, the University will incorporate appropriate and proportionate physical security measures in both the design and layout for new campus buildings and major remodels

IV. Security levels may apply to the internal and exterior design of campus facilities (including buildings and grounds).

VII. Determination of the building level occurs during the programming phase of the design process for major remodels and new construction to determine the plan for physical security elements and will be done in close collaboration with user groups, stakeholders and the the
Campus Vulnerability Assessment Team (CVAT). Determinations shall not negatively impact the unit’s activity.

a. In the event that involved parties disagree on security elements identified above the “Base” levels, then respective unit leadership will be consulted. If agreement cannot be reached there, the decision will go to the vice presidents of the respective units.

VI. Physical security elements are implemented through campus standards, managed by UO Design and Construction and Facilities Services.

VII. UO will integrate industry standard practices in building and space design to enhance crime prevention as part of the Campus Design Process.

VIII. No Department or Auxiliary will install a standalone physical security system (e.g., alarms, cameras, outdoor emergency phone systems, etc) without consulting with the Campus Vulnerability Assessment Team. Centralized systems are encouraged to ensure interoperability.

IX. Certain circumstances, including, but not limited to, large scale special events, temporary displays of high value, or occurrence of an emergency or incident may result in the need to temporarily increase security elements in or around a facility. In these instances, UOPD will be responsible for recommending temporary security measures.

X. In special cases, CVAT and the user group may determine that certain physical security elements identified in the building levels are not necessary. In these cases, the reasoning will be documented and kept by CVAT.

Responsibilities

I. Protecting the people and assets of the University of Oregon is the responsibility of the whole campus community. All university personnel are expected to support the university’s safety and security policy and associated procedures.

II. The University of Oregon Fire Marshal, an officer within the Department of Environmental Health and Safety, in accordance with agreement of the Eugene-Springfield Fire Marshal, is the designated authority having jurisdiction in the interpretation and application of fire protection codes and regulations and authorized to enforce applicable fire and life-safety codes, laws, regulations, and implementation of fire protection systems within campus facilities.

III. The University of Oregon Police Department (UOPD) is the lead department responsible for assessing physical security needs and making recommendations for security improvements for campus facilities. Departments will work in partnership with UOPD to plan, coordinate and implement and install security elements in their facilities. Examples of campus security needs
include but are not limited to site security, assets protection, camera systems, security alarms, and personal safety, etc.

IV. The UO Campus Vulnerability Assessment Team (CVAT) works on enterprise-wide safety, security, and vulnerability policies and protocols to address campus vulnerabilities and vet request for standalone security elements.

V. All administrators, deans, department heads, directors, supervisors and/or principal investigators are directly accountable for the provision of appropriate training and promotion of a culture of security.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources: N/A
Original Source: UO Policy Statement

Political Activities

Policy Number: V.11.01
Reason for Policy: This policy expresses the University’s position on political activities of employees.
Entities Affected by this Policy: All employees of the university.
Responsible Office: For questions about this policy, please contact the Office of Government and Community Relations at 541-346-5020

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources...

Enactment & Revision History:

Related resource to ORS Chapter 260 added and new taxonomy created on February 25, 2016.

Technical revisions enacted by the University Secretary on September 2, 2015.

Sections B and C (former OARs 580-022-0015 and 0020) amended by the President upon recommendation of the Senate on March 22, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 22, Sections 0010-0020.

Policy:

A. Public Activities

(1) Although there is no prohibition against active participation by University employees in various community and public affairs, it is expected that time given to such activities shall not interfere with the duties of the employees concerned.

(2) No employee shall take action that might be construed as committing the institution or the Board to a position on public issues.

B. Candidates for Public Office

(1) In accordance with the Oregon Constitution, it is University policy to allow employees to seek political office and to serve in the event of election. Before an employee shall become a candidate for any public office, whether for a salaried or nonsalaried position, the employee is expected to consult with the President.

(2) Political activity shall in no way interfere with the performance of the major duties prescribed by the University.

(3) Because circumstances under which a campaign is conducted will vary widely depending on the nature of the elective office and the extent of opposition, the determination of whether an employee may continue full-time duties while conducting or engaged in a campaign rests with the employee's President. In the event of election to the State Legislature, an employee normally will be placed on leave of absence without pay during the period of full-time responsibility. If elected or appointed to a full-time salaried office, the employee may be placed on leave of absence without pay during the term of office or may be required to resign.

C. Relationships with State Government

(1) Except for the President and designees, no employee of the University is authorized to represent the University to the Legislature, its members or committees, to the Office of the Governor, and to the Executive Department and its Divisions.

(2) Nothing in this policy shall be construed as inhibiting an employee of the University from exercising the right of citizenship in a personal capacity, or be construed as inhibiting any employee of the University from appearing before a body of state government identified in this policy in response to a request from that body.
(3) Faculty members are encouraged to visit the Legislative Sessions and Hearings with students in the interests of furthering the effectiveness of organized class work, or to respond to requests from the Legislature for establishment and maintenance of special involvements such as student intern programs.

Chapter/Volume:

- Volume V: Human Resources
- Chapter 11: Human resources, other


Post Tenure Review

**Last Updated:** 07/21/1999  
**Effective Date:** 07/21/1999

**Reason for Policy:** To state the University's policy and to outline the procedures for implementing post-tenure review of the faculty as directed by OAR 580-21-0140.

**Policy Statement:** The University provides for a comprehensive post-tenure review of its faculty every three years to encourage, to reward, and to support the continuous development of tenured members of the faculty, and through the process of peer review to identify faculty members who merit special recognition or need special assistance. Two levels of regular, developmental review are required of all tenured faculty who are not evaluated through the established Administrative Review process:

1. A **substantive review** at the three-year point after a prior major review or after promotion. Other reviews (such as those undertaken for regular salary or merit-pay adjustments) may contribute to the third-year review, but may not be substituted for it.
2. A **major review** every six years after a prior major review or after being promoted or receiving tenure.

**PREAMBLE**

A. **Faculty Governance and the Responsibility of Educators: The University of Oregon Charter.** The Charter of the University of Oregon, adopted in 1872, places the governance of the University in the hands of its faculty, with the President at its head. According to the Charter, "The Faculty, consisting of the President and professors, shall be entrusted with the immediate government and discipline of the University." This system of governance imposes a solemn collective responsibility on the professors of the University of Oregon that is in addition to their individual responsibility to their students, their profession, and the larger society. The procedures described here are prepared with that responsibility of faculty governance in mind. Commitment
to faculty governance requires substantial service obligations that must be recognized. The procedures are designed to help each professor, as an educator, more effectively discharge her or his individual responsibilities toward students, profession, and society.

**B. The Responsibility of Educators, Academic Freedom, and Tenure**

1. **Individual Professional Responsibility.** Society entrusts individual professors in its institutions of higher education with tasks of immense sensitivity: the education of its young people; the search for knowledge, wherever that search may lead; and the use of knowledge to help individuals and institutions in society progress and improve. To perform these tasks well requires a lifetime commitment to the profession of the scholar.

2. **Academic Freedom.** To persuade the best scholars to devote their lives to this profession, the University guarantees a healthy measure of freedom in their professional lives. The protection of that freedom -- which is called academic freedom -- is both the precondition to excellence in the professoriate and the precondition to the education of continuing generations of free citizens, in a free society. Therefore, academic freedom is guaranteed not primarily to benefit the professors, but to ensure benefits to society as a whole.

3. **Academic Tenure.** The primary method by which academic freedom is guaranteed is through a conditional grant of tenure with indefinite term. This grant of tenure is offered only to those professors who make it through a rigorous, probationary period. During that period, they bear the burden of proving their potential for lifelong excellence in teaching, research, and service. Those who sustain this burden of proof are then offered, in return, a commitment that the University will not later dismiss them without itself bearing a burden of proof that they are not performing as expected. Tenured professors are not guaranteed their jobs. They are, however, guaranteed that they will not be dismissed without academic due process. This guarantee is central to academic freedom and the societal benefits that it generates.

4. **Evaluation.** In addition to the rigorous evaluation undergone by professors who obtain tenure, professors are continually evaluated by their students, by their local peers, and by a wide range of peers in their profession on a national or international basis after they have obtained tenure. Few professions are practiced as "publicly" as the profession of a University professor. Evaluation and review is therefore a continuing feature of the life of every professor.

5. **The Dynamics of Professorial Careers.** The focus of a faculty member's professional activities may shift over time. The nationally recognized criteria for obtaining indefinite tenure place approximately equal emphasis on demonstrated excellence in teaching and research, and considerably less emphasis on service. As tenured faculty progress through their careers, however, some may redirect their energies. Some may, for example, devote proportionately more time to teaching, advising, administration, and University service than they did as assistant professors. Consequently, expectations for, and the goals of, individual faculty members may also change. For the purpose of post-tenure review, the fundamental criterion is demonstrated excellence in meeting the expectations and goals established jointly by the faculty member and his or her department or program. If, for example, it is in the department's and University's best interest to have a tenured faculty member focus more on teaching and service than upon research, post-tenure review for that faculty member should emphasize, acknowledge, and reward demonstrated excellence in those areas. A key aspect of this program
is therefore the collaborative establishment of professional expectations for each faculty member under review.

6. Collective Professional Responsibility for Faculty Development. In addition to their individual responsibilities, the faculty members in each unit (department, program, school, or college) of the University of Oregon have a collective responsibility to help individual colleagues achieve excellence. The purpose of this procedure is to promote a high level of dialogue among individual faculty members, their colleagues, and heads of units, so that each faculty member can draw upon the advice and resources of others in her or his pursuit of professional excellence.

PROCEDURE

1. The third-year substantive review. This review shall be conducted jointly by each individual faculty member and the appropriate dean, department, or program head. The faculty member shall submit by March 15th of the review year an updated vita and bibliography, and a summary statement of activities and accomplishments in the areas of research, teaching and service covering the previous three years.

2. The sixth-year major review. The review should occur during the winter and spring terms. The faculty member to be reviewed will be notified of such by the appropriate dean, department, or program head no later than October 15th of the review year.

   a) The procedure for this review relates closely to the regular review process for faculty. In addition to the review for promotion and tenure by the Faculty Personnel Committee, yearly evaluation of faculty members is made by many department heads, deans, or other supervising officers. The sixth-year major review shall be conducted by an elected standing committee of the unit (department, program, school, or college) including three or more tenured faculty members of whom one may be outside the unit. The total number of members shall be determined by the unit. The committee shall include no department head or dean.

   b) Each school or college must have an elected, standing oversight committee. In the case of those schools or colleges which have formal departments, the sixth-year major review shall be conducted by an elected committee of the department. In the case of those schools or colleges that do not have formal departments, the sixth-year major review shall be conducted by the elected, standing oversight committee of that school or college, which may be an existing committee or one newly devised for that purpose. In the case of units so small that the creation of an elected standing committee of the unit is impractical, the larger unit's oversight committee will make arrangements for the sixth-year major review.

3. Scheduling. The sixth-year major review should occur during the sixth-year following the last promotion in rank, receipt of tenure, or the last sixth-year major review. The appropriate dean, department, or program head shall determine the schedule for years in which faculty members shall undergo third year and sixth-year reviews in accordance with the guidelines outlined in this document, noting the following:
a) Associate Professors. The review will be timed so that the first third-year substantive review takes place in the third year after the awarding of tenure. Any review for promotion shall be substituted for the third-year substantive review or the sixth-year major review.

b) Any faculty member within three years of retirement or on the 600-hour program may choose not to undergo review if that is the policy of the school or college.

c) At the option of the faculty member, the department head, or the dean, an earlier review may be requested. The request for review, submitted in writing, shall include reasons for the earlier consideration. Copies shall be sent to the faculty member, the department head, and the dean. The time for review shall be determined by the review committee.

d) A faculty member may request, in lieu of the sixth-year major review, a special review by the Faculty Personnel Committee be conducted through the regular review process.

e) In practice, some deviations from normal scheduling may occur for a variety of reasons, including hiring, promotion, and sabbatical cycles.

4. Statements and reports.

a) The third-year substantive review. The dean, department, or program head reviews submitted materials then prepares a brief statement evaluating the performance of the faculty member and, for associate professors, commenting on the degree to which the faculty member is on target for promotion. This statement shall be given to the faculty member and signed by the faculty member to indicate that he or she has read it. The faculty member may submit a written response to the statement within thirty days. A copy of the statement and any response by the faculty member shall be filed in the faculty member's personnel file no later than June 15th of the review year.

b) The sixth-year major review. The report of the elected standing committee is submitted to the department head who then reviews all relevant information and prepares a summary sixth-year major report. These two reports shall be given to the faculty member and signed by the faculty member to indicate that he or she has read it. The faculty member may submit a written response to these reports within thirty days. A copy of these two reports and any response by the faculty member shall be filed in the faculty member's personnel file and a copy of these two reports and any response by the faulty member shall be forwarded to the appropriate dean no later than June 15th of the review year.

5. Appeal process. Within the period specified in OAR 571-03-0000 et. seq. the faculty member may appeal to the University Faculty Grievance Appeal Committee after receipt of the statement or report described in 4a or 4b above.

CRITERIA
1. The following criteria (elaborated in the Faculty Handbook) will be used in post-tenure review:

a) Maintenance of high quality of teaching.

b) Continuing professional growth, scholarly activities, creative and artistic achievement.

c) Exercise of leadership in academic and administrative service.

d) Service and activities on behalf of the larger community.

e) Additional criteria as may be established by individual departments.

2. The information to be considered in decisions concerning post-tenure review will include the faculty member's statement of scholarly, scientific, professional or artistic accomplishments, goals, and plans; an up-to-date vitae and bibliography; accumulated annual faculty evaluation reports; the faculty member's responses, if any. Additional information including any of the following may be requested:

a) A statement from the department head, dean or provost summarizing the past duties and responsibilities of the faculty member, including pertinent information concerning the conditions of appointment.

b) Student evaluations and other materials relating to the quality of teaching or administration.

c) In appropriate instances, letters of evaluation from individuals both on and off campus, with particular attention to evaluations by persons specially qualified to judge the contributions of the faculty member over the period of review.

d) Supportive documents such as copies of publications, manuscripts, photographs of art objects, musical compositions, or reviews of performance.

e) Other evaluation statements.

USE OF REVIEWS

1. The third-year substantive review. This review shall be an element of annual salary adjustment decisions.

2. The sixth-year major review. A positive evaluation at the sixth-year major review of a faculty member holding the rank of Full Professor or Tenured Senior Instructor shall result in the recommendation to the Provost of an increase to the base salary of that faculty member comparable in amount and funding source to that given for promotion. Other faculty rewards should also be considered by the review committee for recommendation to the dean or department head. Faculty rewards may include but need not be limited to the following:
a) reallocation of departmental resources on a temporary basis to allow opportunity for development of new sources to enrich the curriculum, or to allow additional research opportunity;

b) additional research or clerical support; and

c) University recognition of individual faculty members for outstanding achievement.

3. **Career Support Program.** Upon the recommendation of the review committee, the University shall provide to the faculty member such opportunities to improve the performance as the following:

   a) consultation with colleagues for purposes of assistance in problem areas,

   b) appropriate reallocation of department assignments to facilitate updating an improvement in teaching or research,

   c) access to a center for improvement of instruction or scholarly effort, and

   d) personal counseling.

4. **The University of Oregon** shall "deal firmly but humanely with situations in which a faculty member's competence or vitality have diminished to such an extent that formative opportunities are unable to sufficiently stimulate or assist the faculty member's return to a fully effective state." ([IMD 4.002](#)). To preserve the constructive intent of post-tenure review, however, summary post-tenure statements or reports shall not be used in procedures for disciplinary sanctions. The procedures and criteria for sanctions are addressed separately under existing statutes ([OAR 580-021-0320](#), [OAR 580-021-0325](#), and [OAR 580-022-0045](#)).

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**Posthumous Degrees, Conferral Of**

**Policy Number:** II.01.50

**Reason for Policy:** To establish the policy governing conferral of posthumous degrees for University of Oregon students.

**Entities Affected by this Policy:** University employees and students.
**Responsible Office:** For questions about this policy, please contact the Office of Student Life (541) 346-3216 or the office of the University Registrar (541) 346-2935.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-1-c...

**Enactment & Revision History:**

Revisions approved by President Schill on 04/25/2016

07/15/2013 Approved by UO President Michael Gottfredson

01/17/2013 Policy Revised by Vice President for Student Affairs in consultation with the Associate Dean of the Graduate School, Senior Assistant to the President, Vice Provost of Academic Affairs and the University Registrar

02/08/2010 Policy number revised from 2.000 to 02.99.02

Reissued by The President following review/approval by the policy council and university assembly (06/03/1992)

02/10/1971 Originally Implemented

**Policy:**

Upon learning that a student has died, the Vice President for Student Life, with appropriate consultation from Academic Affairs, will confer with the University Registrar, and, if applicable, the Dean of the Graduate School or Dean of the School of Law, to determine if the student is eligible for a posthumous degree. If the student possessed the necessary academic credentials at the time of death, and if the family wishes, the Vice President for Student Life shall recommend that the University President authorize the posthumous issuance of the degree.

To receive a posthumous degree, at the time of death, the University Registrar must confirm that a student was (a) officially enrolled or (b) actively pursuing degree completion and within two terms of degree completion, that is, the current term and one additional term/semester.

If the student meets the above criteria, the University Registrar shall consult with the student’s major department(s), and the dean of the Graduate School or Law School when appropriate, to evaluate the student’s academic record to determine if satisfactory completion of current course and/or completion of one additional term/semester would have satisfied all major course requirements as stipulated by the department(s). If a thesis or dissertation would have been required for graduation, the dean of the Graduate School or Law School shall consult with the chair and members of the thesis or dissertation committee to determine whether the student could
have completed and defended the thesis or dissertation during the current or subsequent term or semester.

The relevant dean(s) and department chair(s)/head(s) shall be notified of a final determination.

Exclusions and Special Situations: Exceptions to the policy will be made by the University President based on a recommendation by the Provost.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 1: Curriculum and instruction

Related Resources: To initiate the process, please contact the Office of Student Life: (541) 346-3216.

Preferred First Name

Policy Number: III.09.01
Reason for Policy: To articulate the UO’s policy on use of preferred names that differ from an individual’s legal name.
Entities Affected by this Policy: All University of Oregon employees and students.
Responsible Office: Office of the Vice President for Student Life: 541-346-1137, vpsl@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-9-student-life-general/preferred-first-name

Enactment & Revision History:

10/31/17 – Policy number changed from 05.00.05 to III.09.01

11/12/13 – Approved by UO President Michael Gottfredson

Policy:

I. Preamble
Currently, the UO allows for use of a preferred name, but additionally lists the legal name in the Find People directory, on class roll sheets, etc. This is a concern for transgender students who may still have a legal first name that confers one gender while having a preferred first name that may confer a different gender (e.g. Legally ‘John’ – preferred “Jennifer”). When legal names are still listed on class roll sheets and in the public Find People directory, it causes repeated and undue ‘outing’ every time a student starts a new class or anyone looks them up in the directory. The proposed policy takes into account the UO’s legal requirements and would not interfere with records where legal names are required (payroll and other official documents), allows the UO to deny requested first names when appropriate, but would allow more flexibility to list students with their preferred name only whenever possible.

II. Policy Statement

The university recognizes that many persons use first names other than their legal names to identify themselves. As long as the use of this preferred first name is not for an improper purpose, is not restricted by state or federal law and does not have an impact on the ability of the university to comply with state or federal law, the university will use "preferred first name" when possible in the course of university activities.

Therefore, it is the policy of the university that any current or former student or employee may choose a preferred first name in addition to that person’s legal name listed within the university’s information systems. The person's preferred first name shall be used in university communications and reporting except where the use of the legal name is required for university purposes. (Please refer to FAQ for further details.)

The university reserves the right to remove a preferred name if it is used improperly, including but not limited to, avoiding legal obligations or misrepresentation.

III. What Is a Preferred First Name?

A current or former student or employee may prefer to use a first name that is different from their legal name. Also, they may want to have this first name appear instead of their legal first name in the online directory and in other university records and documents. The university allows them to do this by setting a preferred first name. They should set the preferred first name in DuckWeb and it will then appear in the online directory and other records, such as Blackboard and the class roster. Some records, such as paychecks and financial aid documents, that require use of a legal name, will not include the preferred first name.

IV. Setting a Preferred First Name

Use Duckweb to set the preferred first name online. All individuals may do this under the personal information tab. If Duckweb is unavailable, a current or former employee may contact the payroll office in order to change preferred name and a current or former student should contact the registrar’s office.
V. Display of the Preferred First Name

Once established, preferred name will be used across university systems, where possible. The legal names will continue to be used for certain university records, documents, and business process where use of legal name is required by law or university policy.

VI. Frequently Asked Questions

a. Can any member of the UO community set a preferred first name?
   Individuals who have access to Duckweb can set preferred first names.

b. Can I set my preferred first name to whatever I want?
   Yes, but the university reserves the right to remove a preferred first name if it is used for an improper purpose (such as for misrepresentation).

c. Can I use my preferred first name for everything at the university?
   No. Your legal name will continue to be used in business processes that require use of the legal name, such as for payroll records and student transcripts.

d. What do I need to know about my ID card?

   If you choose to utilize the preferred first name at the UO your UO ID card can no longer be used as proof of legal identity. This would impact its use as a form of ID for employment verification or other uses for those who do not have other forms of picture ID.

e. How do I correct or change my legal name for university systems?

   i. Students can file a name change form through the Registrar's website or by email (registrar@uoregon.edu) or by phone (541 346-2935)

   ii. Employees, including student employees can file a legal name change by completing the Address/Personal Data Form available on the Human Resources. (Note: this form has not yet been created. Please call HR for more information.)
Printing and Mailing

Policy Number: IV.04.29
Reason for Policy: To describe university policy on use of public funds for printing, copying and mailing.
Entities Affected by this Policy: University units and recognized student groups.
Responsible Office: For questions about this policy, please contact the Vice President of Finance and Administration at 541-346-3003, vpfa@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

Amended by President Michael H. Schill on February 29, 2016. Policy number revised from 06.00.01 to IV.04.29 and policy title changed from "Printing and Publications."
Policy number revised from 1.000 to 06.00.01 on February 8, 2010.
Reviewed and Approval Recommended by President's Staff on March 7, 1986.
Reissued by Vice President for Administration on March 7, 1986.

Policy:

Printing and Mailing Services provide the university community with a fast and economical source for mailing materials off campus and for producing printed material using University facilities and outside contracts. Printing and Mailing Services also serves the University in maintaining graphic identity standard compliance.

All printing, copying and mailing for the University of Oregon (UO) will be performed by or purchased through Printing and Mailing Services. Printing and copying may be done on UO equipment when using Printing and Mailing Services is not practical (for example, general office printing and small batch duplicating).

University printing, copying, and mailing services are available to University departments and committees conducting University business and to registered or recognized student groups. University printing, copying and mailing services may not be used for any purpose other than University business or the activities of registered or recognized student groups.
Exceptions to this policy may be approved by the Vice President for Finance and Administration or his/her designee. University related groups that receive an exception are responsible for all contractual obligations.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs

Related Resources:

http://uoprint.uoregon.edu/

Note: University community members are not permitted to send or receive personal mail via their University address.

Professional Development and Training Policy

Policy Number: 03.08.01
Reason for Policy: The purpose of this policy is to provide guidelines for administering professional development and training at the University of Oregon.
Entities Affected by this Policy: Faculty and Staff
Responsible Office: For questions about this policy, please contact the Office of Human Resources at 541-346-3159.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-8-admissions-oregon-residency/professional-development-and

Enactment & Revision History:

The initial training policy was issued on March 21, 1985. It was revised on June 3, 1992, and then again on October 11, 2000. The Organizational Development and Training Steering Committee revised the current policy in 2009 to make it more inclusive of the types of professional development that teaching faculty and research faculty undertake. It also was revised to provide more clear guidelines and delineation of responsibility for professional development and training at the UO.

3-19-2012: Addendum A: Guidelines for Administration of Release Time added
6-6-2013: Exclusions and Special Situations section updated due to a major change at OUS.

**Policy:**

Definitions:

**Employees and Supervisors:** For purposes of this policy the term “employees” includes all officers of administration, officers of instruction, officers of research, and classified staff. The term “supervisors” includes all employees whose job encompasses supervisory duties, including academic program directors, department heads, and deans.

**Professional Development and Training:** Professional development and training is defined as learning undertaken by employees to maintain and advance their skills, knowledge and competencies, specifically as they relate and add value to the job and workplace. It is a dynamic process and may be achieved not only through participation in formal coursework but also through professional experience, collaboration, mentoring, participation in activities of professional organizations, and independent study and research.

**Policy Statement:**

The University of Oregon recognizes the importance of encouraging and supporting employees in professional development activities that are related to their employment. It extends to work related professional development opportunities including, but not exclusive to, the sabbatical leave policy, reduced tuition fee rates, eLearning, employee workshops, courses, classes, and professional conferences.

Responsibility for professional training and development extends to all levels of the organization:

- The university is responsible for identifying, creating, and providing opportunities for professional development and training to enhance and build the capacity, skills, excellence, and professionalism of employees to enable them to contribute effectively and creatively to the University’s mission.
- Supervisors are responsible for assessing and communicating professional development and training needs of individual employees in their direct reporting line, identifying and actively encouraging and supporting appropriate learning experiences. Supervisors have the final approval for funding and providing time for professional development and training opportunities.
- Individual employees are responsible for assessing their job related skills and knowledge, for maintaining a high level of performance throughout their university employment, and for seeking approval for appropriate professional development and training opportunities in consultation with their supervisors.
- Professional development and training opportunities should be available to all employees:
- Supervisors need to plan for and allow appropriate professional development and training activities that occur as part of work time.
Professional development and training activities that require time away from the employee’s workplace must be approved by the supervisor.

Professional development and training activities outside of and in addition to regular work hours for non-exempt employees require written approval in advance if the activities are to be considered as regular work for overtime compensation.

Exclusions and Special Situations:

OUS Fiscal Policy 70.400 re: Licenses-Occupational-Fee Payment states:

Each public university (including the Chancellor's Office) within the Oregon University System is responsible for establishing policies and procedures for authorizing and approving reimbursement for occupational licenses, including any related guidelines or other criteria the public university deems appropriate.

UO guidelines for these expenditures are available on the Business Affairs website: [http://ba.uoregon.edu/staff/business-expense-policies#Licenses](http://ba.uoregon.edu/staff/business-expense-policies#Licenses). As currently defined:

**Professional Licenses and Certifications**

- As with all university expenditures, payment for a professional license or certification must have a valid, documented business purpose. The VP/Dean/Director/Department Head is best suited to make that determination for his/her area of responsibility.
- The professional license or certification must be applicable to the employee’s current position.
- UO will not pay for a standard Oregon Driver License (Class C). UO will pay for a Class A, B, or C Commercial Driver License if required for the employee’s current position. This requirement must be documented in the employee’s current Position Description.
- In order to maintain relevance and applicability to university purposes, the time period covered by the professional license or certification should be limited (e.g., one or two years).
- Payment for the professional license or certification may not be processed from grant/contract Funds without specific authorization from Sponsored Projects Services.

Procedures:

The responsibility of implementing this policy extends to the following:

- **University leadership and administration (the Executive Leadership Team):** University leadership is responsible for identifying and communicating priorities and goals as well as relevant developments and trends affecting the university.
- **Heads of academic and administrative units:** Deans, directors, and department heads are responsible for assisting unit heads and supervisors in adopting flexible strategies which promote participation in professional developmental/training activities.
• **Supervisors**: Supervisors are responsible for working with their employees to identify needs and for creating a professional development and training plan that will benefit the unit as well as the individual.

• **Employees**: Employees are responsible for engaging in the development of plans in partnership with their supervisor(s), and for participating in the designated learning experiences.

• **Director of UO Organizational Development and Training**: Organizational Development and Training in Human Resources is responsible for administering this policy including annual reports.

• **Training and development advisory committees (ODT Steering Committee, CSTDAC, OA Council)**: The training and development advisory committees are responsible for advocating for their constituent groups in collaboration with the Director of ODT to integrate efforts and optimize resources.

While the particular engagement in professional training and development varies widely between groups of employees and also individual employees, the following areas of knowledge and skill development should be considered relevant to the success of university employees and the institution's educational mission and initiatives:

1. Learning directly related to optimal job performance
   
a. business skills, including financial stewardship, human resource management and strategic leadership; knowledge of university policies, procedures, mission or governance structures;
   
b. communication skills, including basic skills, conflict management and resolution, negotiation and facilitation;
   
c. team communications and/or team building skills;
   
d. research funding and grant administration knowledge and skills;
   
e. knowledge and skills related to acting as a member of an ethnically and culturally diverse student body and workforce in an inclusive and respectful manner;
   
f. knowledge and skills in recognizing and responding effectively to discrimination and harassment;
   
g. knowledge and skills in the uses of technology to increase the efficiency and effectiveness of the university's business and/or educational practices.

2. Maintaining and developing professional expertise

**Funding sources**

The funding sources for professional development opportunities vary depending on the activity. Funding for sabbatical leaves, for example, is based on the funding source of the employee's payroll in the years preceding the sabbatical and is typically borne by the employing unit. Other UO based professional development and training is offered at no cost to the employing department, where possible. For those professional development and training experiences that do require a fee, the following funding resources are available for consideration by the supervisor and/or employee.
1. **University funding for credit courses**: Staff fee privileges
   ([http://hr.uoregon.edu/benefits/staffrates.html](http://hr.uoregon.edu/benefits/staffrates.html)) This benefit offers university classes at reduced tuition and is available to eligible employees in positions of half-time or greater (not including temporary classified employees, graduate assistants, and student employees).

2. **Department funding**: Department funding may be used for the cost of learning experiences, assuming the activity will benefit operational efficiency or effectiveness or is otherwise in line with the guidelines in this policy. Funding is at the discretion of the supervisor and is based on department budget capacity.

3. **The Professional Development Opportunity Fund**: Employees/departments may apply for partial funding of learning activities through the Employee Benefit Fund. Guidelines for the Employee Benefit Fund can be found at [http://hr.uoregon.edu/benefits/ebfpolicy.html](http://hr.uoregon.edu/benefits/ebfpolicy.html)

**Chapter/Volume:**
**Related Resources:**

**Addendum A: Guidelines for the Administration of Release Time** (3-19-2012)

Previous Training Policy: 3.08.01 Personnel Practices - [http://policies.uoregon.edu/ch3e.html](http://policies.uoregon.edu/ch3e.html)
Title: Faculty and Classified Staff Participation in Educational and Development Activities

3.05.01 Personnel Practices - Officer of Administration, Section 9: Professional Development [http://policies.uoregon.edu/ch3b1.html](http://policies.uoregon.edu/ch3b1.html)

OUS/SEIU Contract - Article 61 Education, Training and Development

OAR 580-021-0200 to 0245 [http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_tofc.html](http://arcweb.sos.state.or.us/rules/OARS_500/OAR_580/580_tofc.html)

**Forms/Instructions:**

Employee/Supervisor Training Agreement: [http://odt.uoregon.edu/workresources](http://odt.uoregon.edu/workresources)
OA Professional Development Leave: [http://hr.uoregon.edu/oa/oa-professional-development-leave](http://hr.uoregon.edu/oa/oa-professional-development-leave)

**Original Source**: UO Policy Statement

**Proprietary Research**
Policy Number: II.06.05

Reason for Policy: To record the faculty’s commitment to freedom to publish research results.

Entities Affected by this Policy: Anyone who conducts or supports research at the University of Oregon.

Responsible Office: For questions about this policy, please contact the Office of the Vice President for Research and Innovation at (541) 346-2090, vpri@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-6-research-general/proprietary-research

Enactment & Revision History:

10/12/2016 Policy number changed from 09.00.07 to II.06.05

06/14/2012 Reviewed and Approved Interim President Robert Berdahl

Policy:

Preamble:

To fulfill its mission and meet requirements arising from the University of Oregon's status as a tax-exempt, public educational and research institution, research conducted at the University of Oregon must primarily serve public rather than private purposes. It is expected that research results will be published or otherwise be disseminated on a nondiscriminatory basis and within a reasonable period of time.

Policy Statement:

University researchers may not conduct proprietary research where the freedom to publish is limited inherently and fundamentally, even if such limitation is intended only to permit University project personnel access to proprietary information. The University of Oregon shall not accept any fundamental and inherent limitation on the freedom to publish from any research sponsor and therefore, shall not accept publication restrictions that convey veto or censorship authority to extramural sponsors of University research projects. Publication delays not exceeding sixty (60) days are acceptable so that a research sponsor may review publications and (1) offer comments or suggestions and (2) determine that its proprietary data are not disclosed. Delays not exceeding ninety (90) days also are permitted so that the University and the research sponsor may screen proposed publications for intellectual property protection. If both sixty- and ninety-day delays are applicable, the total period of delay should not exceed ninety (90) days.
Sponsored research projects allowing access to or use of the sponsor’s proprietary data or materials will be accepted only if regulations regarding access, use, and protection of such data or materials do not restrict the full dissemination, excluding the proprietary data or materials, of scholarly findings made under the research agreement. Proprietary data or materials must be labeled as such by the research sponsor before release to University researchers, except that proprietary data or materials disclosed orally must be identified, within 30 days of such disclosure, in writing by the sponsor as proprietary, or as otherwise agreed to in writing by University’s authorized representative. Research sponsor requirements shall not prescribe citation of the sponsor name in publications.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 6: Research, general

Original Source: UO Policy Statement

Proscribed Conduct

**Reason for Policy:** This policy proscribes certain conduct regarding the university, its property, or activities thereupon.

**Entities Affected by this Policy:** Anyone engaging in proscribed conduct.

**Responsible Office:** For questions about this policy, please contact Office of the Vice President for Finance and Administration, vpfa@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/proscribed-conduct

Enactment & Revision History:

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0045.

Policy:
Procedures to impose applicable sanctions may be instituted against any person engaging in any of the following proscribed conduct:

(1) Obstruction or disruption of teaching, research, administration, disciplinary procedures, or other institutional activities, including the University’s public service functions or other authorized activities on University owned or controlled property;

(2) Obstruction or disruption interfering with freedom of movement, either pedestrian or vehicular, on University owned or controlled property;

(3) Possession or use of explosives, dangerous chemicals, or other dangerous weapons or instrumentalities on University owned or controlled property, unless authorized by law, Board, or University rules or policies;

(4) Detention or physical abuse of any person or conduct intended to threaten imminent bodily harm or endanger the health of any person on any University owned or controlled property;

(5) Malicious damage, misuse or theft of University property, or the property of any other person where such property is located on University owned or controlled property, or, regardless of location, is in the care, custody or control of the University;

(6) Refusal by any person while on University property to comply with an order of the President or appropriate authorized official to leave such premises because of conduct proscribed by Section A of this policy when such conduct constitutes a danger to personal safety, property, educational, or other appropriate University activities on such premises;

(7) Unauthorized entry to or use of University facilities, including buildings and grounds;

(8) Illegal use, possession, or distribution of drugs on University owned or controlled property;

(9) Inciting others to engage in any of the conduct or to perform any of the acts prohibited herein. Inciting means that advocacy of proscribed conduct that calls on the person or persons addressed for imminent action, and is coupled with a reasonable apprehension of imminent danger to the functions and purposes of the University, including the safety of persons, and the protection of its property;

(10) Violating University Policy for Intercollegiate Athletics as described in Section 8 of the Internal Management Directives (“Intercollegiate Athletics”), specifically including the subsection thereof entitled Code of Ethics.

Chapter/Volume: 
Original Source: Oregon Administrative Rule
Protection of Minors

Policy Number: IV.05.06

Reason for Policy: This policy intends to outline responsibilities related to the protection of minors at the university. Employees of Oregon higher education institutions, including the University of Oregon, are by law subject mandatory reporters of child abuse and neglect. The university has additional reporting and training requirements for university-affiliated youth programs and activities. The university is committed to providing a safe environment for participants in university-affiliated youth programs and activities.

Entities Affected by this Policy: All employees of the university will gain further clarity as to their obligations and minors who participate in university-affiliated youth programs will be better-served.

Responsible Office: For questions about this policy, please contact the Office of the Vice President for Finance and Administration at 541-346-3003.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

Approved by University President Michael Schill on March 28, 2017.

Policy:

The University of Oregon is committed to complying with mandatory reporting legal obligations and providing a safe and positive experience for minors. Faculty, staff, students, student employees, including undergraduate and graduate employees, and volunteers are expected to hold themselves to the highest standards of conduct when interacting with minors. This policy and the associated Youth Programs procedures (https://hr.uoregon.edu/hr-programs-services/youth-programs-protecting-minors) mandate university-wide standards for those in the university community with the goal of protecting minors. This policy should be read and interpreted to be consistent with state and federal law.

1. Mandatory Reporting Requirements

Pursuant to the Oregon Child Abuse Reporting Statutes, all university employees have a duty to make a report to the Oregon Department of Human Services or a law enforcement agency when there is reasonable cause to believe any child with whom the employee comes in contact has suffered abuse or that any person with whom the employee comes in contact has abused a child. For instances that relate to UO authorized activities, all UO employees are expected to
make the report immediately to the University of Oregon Police Department. For purposes of this reporting responsibility, “abuse” includes, but is not limited to:

- assault of a child;
- physical injury to a child caused by other than accidental means;
- any mental injury to a child caused by cruelty to a child;
- rape of a child;
- sexual abuse;
- sexual exploitation;
- negligent treatment or maltreatment of a child;
- threatened harm to a child;
- buying or selling of a child;
- allowing a child on the premises where methamphetamine is being manufactured; and
- unlawful exposure to a controlled substance that subjects a child to risk of harm.

The duty of employees of public universities to report incidents of child abuse applies at all times, not just to those incidents occurring during working hours or on campus. For this purpose, university employees include all faculty and staff, student employees including graduate employees, and temporary employees.

Under the law, reports must be made to the local office of the Department of Human Services or to a law enforcement agency in the county where the reporting employee identifies child abuse. Failure to report when required to do so is a Class A violation. Persons who make reports in good faith are immune from liability for making the report. For instances that relate to UO-authorized activities, UO employees are expected to make the report immediately to the UO Police Department (541-346-2919).

2. University-affiliated youth programs standards

Events, operations, endeavors, or activities designed for participation by minors and organized by the University of Oregon in which university employees or volunteers are responsible for the care, custody, or control of minors (“youth programs”) have required standards outlined in the
Youth Program Procedures. Youth programs include but are not limited to day camps, overnight camps, clinics, instructional programs, and sports camps. The procedures apply to all faculty and staff, student employees including graduate employees, temporary employees and anyone else employed by the University of Oregon (“university employees”) as well as volunteers who work in youth programs.

These standards do not apply to:

- Undergraduate or graduate academic programs, classes, or activities in which all individuals under the age of 18 are enrolled students or students admitted for enrollment.

- Events open to the public that minors may attend, but where the university is not accepting care, custody, or control for the minor(s), as those terms are defined in the implementing procedures.

- Non-Youth programs where minors are working for the university as employees, volunteers, or interns. University employees and volunteers will be required to comply with the conduct requirements when working with minors.

All university employees will be required to comply with mandatory reporting requirements under this policy and any implementing procedures and under the law.

Youth programs and university employees and volunteers working with youth programs must comply with the Youth Programs procedures, including standards for:

a. Mandatory reporting

b. Criminal background checks

c. Conduct requirements

d. Training

e. Registration of programs

Non-compliance of the youth program procedures may result in discipline up to and including termination of employment or volunteer duties.

To the extent there is a conflict between a separate state or federal law or to the extent that state or federal law already regulate an activity (e.g. licensed child care facilities, Institutional review board (IRB)-approved research), the state or federal law will supersede this policy.
The following Youth Programs procedures provide the standards referenced in the Protection of Minors Policy.

<table>
<thead>
<tr>
<th>Scope</th>
<th>These procedures apply to youth programs covered by the Youth Programs policy.</th>
</tr>
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</table>

### Mandatory Reporting

Pursuant to the Oregon Child Abuse Reporting Statutes and university [Protection of Minors policy](#), all university employees have a duty to make a report to the Oregon Department of Human Services or a law enforcement agency when there is reasonable cause to believe any child with whom the employee comes in contact has suffered abuse or that any person with whom the employee comes in contact has abused a child. For instances that related to UO authorized activities, UO employees are expected to make the report immediately to the University of Oregon Police Department.

### Criminal Background Checks

The university will conduct criminal background checks for any university employee or volunteer working in youth programs consistent with university policy on background checks and applicable Collective Bargaining Agreements. If a criminal background check reveals information that could affect the individual’s suitability for their role in the youth program, the university will follow its usual policies and procedures regarding confidentiality, assessing the results, informing the youth program and the individual, and any other processes.

### Conduct Requirements

In addition to mandatory reporting requirements, university employees and volunteers shall report known violations of these procedures to their supervisor, youth program administrator, or anonymously report to the [Reporting Hotline](#).

When working in youth programs, individuals agree to:
- Conduct themselves in a courteous and respectful manner, exhibit good sportsmanship, and be a positive role model for minors.
- Respect, adhere to, and enforce the rules, policies, and guidelines established by the youth program, this policy, and the university.
Endeavor to provide a safe and healthy experience for all participants. 
Endeavor to avoid private one-on-one situations with a minor. 
Refrain from engaging in any criminal activity. 
Refrain from making comments of a sexual nature in the presence of a minor or making sexually explicit materials available to a minor. 
Comply with all applicable civil rights laws and policies, including and not limited to equal opportunity and nondiscrimination policies. 
Not, under any circumstances, physically, sexually, verbally, or emotionally abuse or fail to provide the basic necessities of care applicable to the youth program, such as food or shelter, to participants.

Supervision of minors: 
The number of supervisors required at a youth program shall be determined by taking into account all aspects of the program, including the age of participants, number of participants, the nature of the activity, and the age and experience of the adult supervisors. In setting an appropriate ratio, it is recommended that the program administrator consult the American Camp Association (ACA) standards. Youth programs shall establish a procedure for checking minors in and out of the program. Minors who are school age (K-12) may be checked in or out in an alternative way (e.g. transport by bus, walking home) if the minor has written permission of parent or legal guardian to check in and out in the manner described in writing.

Training
Youth Program administrators and sponsoring departments are responsible for confirming that university employees and volunteers working in their youth programs will have training on the following topics: 
Child abuse awareness and prevention 
Reporting suspected child abuse and neglect 
All requirements of the policy and these procedures 

Human Resources and partner departments will provide resources to Youth Program administrators and sponsoring departments to facilitate completion of the training requirements. Such resources are currently available online: http://hr.uoregon.edu/minors-campus.

Registration of programs
Each youth program must be registered annually with the Office of Risk Management. 

Youth programs hosted by third-party contractors must be registered by the university entity facilitating the contract.
Definitions:

To the extent there is a conflict between the below definitions and any term defined in the Youth Protection Policy, the Youth Protection Policy definition controls.

Youth Program: all events, operations, endeavors, or activities designed for participation by minors and organized by the University of Oregon in which university employees or volunteers are responsible for the care, custody, or control of minors. Youth programs includes but is not limited to day camps, overnight camps, clinics, instructional programs, and sports camps. Youth Program does not include the following:

- Undergraduate or graduate academic programs, classes, or activities in which all individuals under the age of 18 are enrolled students or students admitted for enrollment.
- Events open to the public that minors may attend, but where the university is not accepting care, custody, or control for the minor(s), as those terms are defined in the implementing procedures.
- Non-Youth programs where minors are working for the university as employees, volunteers, or interns. University employees and volunteers will be required to comply with the conduct requirements when working with minors.
- University employees or volunteers who may have incidental contact with minors but do not work directly with minors in a youth program. All university employees will be required to comply with mandatory reporting requirements under this policy and any implementing procedures and under the law.

Minor: a person under the age of 18 years

Care, custody, or control of minors: when an adult is present and has primary responsibility for supervision of minors at any given point throughout the Youth Program. At least one adult must have care, custody, or control of minors at all times during the Youth Program.

Working in youth programs: when a university employee or volunteer, as part of their duties in the youth program, is present with minors who are participating in a youth program, but the adult does not necessarily have care, custody, or control for the minors because another adult has care, custody, or control

University employee: a faculty member, staff member (including an officer of administration), student employee (including a graduate employee), temporary employee, or anyone else employed by the University of Oregon.

Volunteer: any individual providing services on behalf of the university for no remuneration or expectation that he or she will be compensated except for the reimbursement of actual expenses. This includes interns or students.
Youth Program administrator: a person who is responsible for a youth program which may include human resources, financial, marketing, and strategic operations.

Private one-on-one interactions: An intentional or purposeful interaction where one individual to whom the policy applies is alone with one minor.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources:

Youth Program Procedures

Background checks policy

ORS Mandatory reporting of child abuse

HR website on mandatory reporting

Risk Management website (resources for volunteers, waivers)

UOPD website for reporting suspected child abuse

Oregon DHS website for reporting suspected child abuse

Original Source: UO Policy Statement
Purchasing and Contracts for Goods and Services

Policy Number: IV.09.05
Reason for Policy: This policy outlines matters pertaining to purchasing and contracting goods or services including the use of procurement cards and thresholds. The associated Purchasing and Contracting procedures detail how Purchasing and Contracting Services will implement this policy.

Entities Affected by this Policy: Finance & Administration, all campus entities or business units engaged in purchasing, contracting or procurement.

Responsible Office: For questions about this policy, please contact Purchasing and Contracting Services at 541-346-2416.

Enactment & Revision History:

Amendments approved by President Schill on May 30, 2019; policy renumbered to IV.09.05 (from 580.062 et seq)

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

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

Former Oregon Administrative Rule Chapter 580 Division 62.

Policy:

A. Definitions

All capitalized terms in this Policy have the meanings set forth in Policy 580.061(B) unless the context requires otherwise or except as stated.

“Construction Contracts” are contracts for goods or services where state law requires the University to pay for labor at published prevailing wage rates established by the Oregon Bureau of Labor and Industries, or where the University receives construction related professional services, including services provided by architects, engineers, energy analysts and commissioning agents, planners, land surveyors, construction contractors, and construction managers.

For ease for reference, the following definitions from Policy 580.061(B) used in this Policy are provided below, and subject to change:
"Competitive Process" means the process of procuring goods and services and construction-related services by fair and open competition, under varying market conditions, with the intent of minimizing opportunities for favoritism and assuring that Contracts are awarded equitably and economically using various factors in determining such equitability and economy.

"Qualified Rehabilitation Facility" means a nonprofit activity center or rehabilitation facility authorized by the Oregon Department of Administrative Services to provide goods or services in accordance with ORS 279.835 et seq.

“Retainer Contract” means a Contract by which, pursuant to a Solicitation Document, multiple Contractors are authorized to provide specific supplies or equipment to or perform specific services for the Universities. Contractors on a Retainer Contract may provide goods or services on a non-exclusive and as-needed basis.

"Single Seller" means the only Contractor of a particular product or service reasonably available. "Solicitation Document" means an Invitation to Bid, Request for Proposals, Request for Qualifications, Request for Information or any other written document issued or posted on the University procurement website by the University that outlines the required Specifications necessary to submit a Bid, Proposal, or other response.

B. Procurement and Contracting Procedures

In addition to this Policy, the University follows UO Policy IV.09.02 and UO Policy 580.061 when procuring goods or services. Purchasing and Contracting Services creates and maintains purchasing and contracting procedures that detail how this policy is implemented. This policy does not cover Construction Contracts, as contemplated in Policy IV.07.10.

C. Procurement Card

The University may maintain procurement card services for the benefit of the University. Purchasing and Contracting Services will publish policies and procedures governing use of the procurement card.

D. Goods and Services Contract Procurement Thresholds

(1) When procuring goods or services, excluding Construction Contracts, the University will conduct the procurement in accordance with the Direct Procurement, Informal Procurement, or Formal Procurement method, unless another method is applicable, based on the anticipated contract price, reimbursable expenses, and all amendments contemplated by the parties. Multiple contracts, purchase orders, or purchasing requisitions will not be issued separately with the intent to circumvent this policy. The University may establish lower procurement thresholds for specific procurements or as a University policy or procedure.
(a) $25,000 or less — Direct Procurement or other method of procurement that the Public University deems beneficial.

(b) $25,000.01 to $150,000 — Informal Procurement, Formal Procurement, or other method of procurement, except the Direct Procurement method, that the University deems beneficial.

(c) Greater than $150,000 — Formal Procurement or other method of procurement, except the Direct Procurement or Informal Procurement methods, that the University deems beneficial.

(2) Notwithstanding subsection (1), if the source of the funding for the procurement requires a different procurement method, the University may comply with the procurement method required by the funding source.

E. Methods of Procurement

The University will use the following methods of procurement when procuring goods or services.

(1) Direct Procurement. A process where the University negotiates with a single entity to provide goods or services.

(2) Informal Procurement. An informal process conducted in a manner that is likely to solicit at least three (3) responsive offers.

(3) Formal Procurement. A Competitive Process where the University:

(a) Creates a Solicitation Document that contains the procurement procedures and necessary specifications.

(b) Publishes a notice of the procurement on the University procurement website and, at the discretion of the University, in a trade periodical, newspaper of general circulation, or other historically underrepresented business-targeted periodicals, University website, or other medium for advertising. The notice must specify when and where the Solicitation Document may be obtained and the closing date/time. The notice must be published for a duration reasonable under the circumstances for the procurement.

(c) Conducts the procurement in accordance with UO Policy IV.09.02 and UO Policy 580.061.

(4) Emergency Procurement. The President or Vice President of Finance and Administration, or designee, may declare an emergency in accordance with University policy when such a declaration is deemed appropriate. The reasons for the declaration will be documented and include justifications for the procedure used to select the entity for a contract within the scope of the emergency declaration. After the President or Vice President for Finance and Administration
or designee has declared an emergency, the University may negotiate a contract with any qualified entity for services included in the scope of the emergency. The University will maintain appropriate records of negotiations carried out as part of the contracting process.

(5) Retainer. The University may conduct a Formal Procurement to enter into Retainer Contracts with multiple entities to provide goods or services at contracted rates of compensation, or based on an established set of qualifications.

(6) Alternative Processes. Notwithstanding the foregoing procedures, the Chief Procurement Officer, or designee, may authorize alternative procurements when formal or informal procurement methods are unlikely to produce proposals that are responsive to University objectives or otherwise diminish the University’s obligation to secure best value in connection with the purchase of goods and services. The Chief Procurement Officer may approve an alternative process in the following circumstances:

(a) There are a limited number of qualified respondents able to respond to a public procurement; or

(b) Qualified respondents, including but not limited to certified historically underrepresented businesses, are not able or are unwilling to respond to formal procurement; or

(c) Due to a broad range of possible functional solutions and pricing, the university is unable to develop an adequate specification or project budget without significant vendor engagement.

(7) Exempt. The University need not follow, regardless of value, a Competitive Process when seeking or acquiring or paying for the following goods and services:

(a) Educational services that relate directly to the instruction of University students.

(b) Advertising and media services.

(c) Price-regulated goods and services, including utilities, where the rate or price for the goods or services being purchased is established by federal, state, or local regulatory authority.

(d) Goods or services under federal contracts. When the price of goods and services has been established by a contract with an agency of the federal government pursuant to a federal contract award, the University may purchase the goods and services in accordance with the federal contract. In addition, the University may purchase specific equipment that is only available from one source or use specific entities that are expressly required under the terms of the contract.

(e) Protected intellectual property. Protected intellectual property materials covered by this exemption may include, but are not limited to, copyrighted materials, licenses of patents,
textbooks, workbooks, curriculum kits, reference materials, software, periodicals, library books, library materials, and audio, visual, and electronic media.

(f) Investment contracts and retirement plan services, excluding consulting services.

(g) Food and food-related products.

(h) Maintenance services directly from the contractor providing the goods or services or the original equipment manufacturer or creator of the goods or services.

(i) Used personal property.

(j) Goods or services purchased for resale to outside entities.

(k) Goods or services related to intercollegiate athletic programs.

(L) Cadavers or cadaveric organs.

(m) Hotel reservations at a hotel that is site for the conferences or workshop organized by outside entities.

(n) Dues, registrations, and membership fees.

(o) Gasoline, diesel fuel, heating oil, lubricants, natural gas, electricity, and similar commodities and products and the transportation thereof.

(p) Supplies, maintenance, and services for ocean-going vessels when they are in other than home port.

(q) Repair and overhaul of goods or equipment.

(r) Goods or services purchased and provided in foreign countries.

(s) Insurance and insurance-related contracts.

(t) Grants, including services related to the development of grant applications and proposals.

(u) Contracts for legal services, including professional or expert witnesses or consultants to provide services or testimony relating to existing or potential litigation or legal matters in which the University is or may become interested.
(v) Contracts entered into, issued, or established in connection with:

(A) The incurring of debt by the University, including but not limited to the issuance of bonds, certificates of participation, and other debt repayment obligations, and any associated contracts, regardless of whether the obligations that the contracts establish are general, special, or limited;

(B) The making of program loans and similar extensions or advances of funds, aid, or assistance by the University to a public or private body for the purpose of carrying out, promoting, or sustaining activities or programs authorized by law; or

(C) The investment of funds by the University as authorized by law and other financial transactions of the University that by their character cannot practically be established under the Competitive Process.

(D) Grant-funded projects where professional or personal service providers are named in grant or identified in the grant budget, unless the University determines it is in its best interest to require a Competitive Process.

(w) Contracts for employee benefit plans as authorized by law.

(x) Services provided by those in the medical community including, but not limited to, doctors, physicians, psychologists, nurses, veterinarians, and those with specific license to administer treatments for the health and well-being of people or animals.

(y) Artists, performers, photographers, graphic designers, website design, and speakers.

(z) Sponsorship agreements for University events or facilities.

(8) Sole Source. A process where the Chief Procurement Officer, or designee, has made a written determination that due to special needs or qualifications, only a Single Seller is reasonably available to provide such goods or services. Sole source procurement will be avoided except when no reasonably available alternative source exists.

(a) The University will provide public notice of its determination that the person or professional services or goods or services are only available from a Single Seller. Public notice may be provided on the University procurement website. The public notice will describe the goods or services to be acquired from the Single Seller, identify the prospective contractor, and include the date, time and place that protests are due. The University shall give entities at least seven (7) Calendar days from the date of notice publication to protest the sole source determination.

(b) An entity may protest the University's determination that the goods or services are available from a Single Seller in accordance with Policy 580.061(CC).
(9) Special Entity.

(a) The University may purchase goods or services, without using a Competitive Process, if purchasing from a federal, state, local governmental agency, a federally recognized tribe, or a corporation owned and operated by a government entity, (including, but not limited to, OHSU), or a state Qualified Rehabilitation Facility certified by the Oregon Department of Human Services or the Oregon State Procurement Office.

(b) The University may participate in cooperative procurements with other contracting agencies or entities or utilize other public contracts or cooperatively-procured contracts if it is determined, in writing, that the solicitation and award process used to award that contract was reasonably equivalent to the respective processes established in this policy, including notice during solicitation process that the contract resulting from the procurement may be utilized by other entities. Determinations regarding equivalency and adequacy of processes for cooperating procurements will be made by the Chief Procurement Officer.

(10) Special Procurement. A special procurement is an exemption from competitive procedures that the President or Vice President for Finance and Administration determines is appropriate because it:

(A) Is reasonably expected to result in substantial cost savings to the University or to the public; or

(B) Otherwise substantially promotes the public interest in a manner that could not practicably be realized by complying with other processes described in this section.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 9: Purchasing and contracting

Related Resources:

https://policies.uoregon.edu/ous-procurement-and-contracting-code

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-9-purchasing-contracting/procurement-and-contracting

https://policies.uoregon.edu/capital-construction-and-contracting

Original Source: Oregon Administrative Rule
Real Property, Space Use and Facilities Planning

**Policy Number:** IV.07.06  
**Reason for Policy:** This policy outlines matters pertaining to space use planning, real property, facilities, property records, and authorities relating thereto.  
**Entities Affected by this Policy:** Finance & Administration; Campus Planning and Facilities Management; Provost’s Office; all other university employees working within the matters described in the policy; and all entities occupying space that is owned and/or managed by the university.  
**Responsible Office:** Campus Planning Office in Campus Planning and Facilities Management at 541-346-5562

**Website Address for this Policy:**
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-7-property-facilities-planning-sustainability/real

**Enactment & Revision History:**

Revisions approved by University President Michael Schill on April 19, 2017. Policy renumbered to IV.07.06.

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

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

Former Oregon Administrative Rule Chapter 580 Division 60.

Space Use Policy text from former OUS Board Internal Management Directive 48 (7.105).

**Policy:**

**A. Authority**

This policy establishes the procedures that will be followed by the University of Oregon (University) to acquire, receive, hold, control, convey, sell, manage, operate, lease, lend, improve, and develop all real property of the University under the control of the Board of Trustees (Board), herein referenced as “Real Estate.”

**B. Definitions**
All definitions in this Policy have the meanings set forth in the UO Procurement and Contracting Code Policy 580.061 (P&C Code”) unless the context requires otherwise or except as stated. Delegation of authority for real estate transactions is also described in the P&C Code.

C. Space Use Planning

The university shall establish space use objectives and standards consistent with the university’s mission. The objectives and standards shall ensure that space allocation and usage are consistent with other relevant university policies and in alignment with the university’s strategic plans and goals. They shall apply to all university owned, leased, and managed properties.

The Campus Planning Office in Campus Planning and Facilities Management, working with the Provost’s Office, is responsible for establishing and managing space use objectives, standards, and procedures.

D. Records

The University will maintain the official records of all documents that affect real property under its control and management. Documents affecting real property include, but are not limited to, all instruments that acquire, transfer, sell, or alter the character of land.

E. Purchase of Real Property

(1) All purchases of real property will be for the present or future development of the University.

(2) Legal title to all real property purchased must be taken and held in the name of the State of Oregon.

(3) The President is delegated the authority to execute conveyances for the purchase of real property after the following have been performed to satisfaction of the President:

(a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;

(b) Complete an environmental assessment and determine that any risk associated with the real property is reasonable;

(c) Determine that sufficient ongoing revenues are available to operate and maintain the property

(4) If the consideration for the purchase is $5,000,000.00 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.
F. Gifts of Real Property

(1) Legal title to all real property gifted to the University must be taken and held in the name of the State of Oregon.

(2) The President is delegated the authority to execute conveyances for the gift of real property after the following have been performed to satisfaction of the President:

(a) Complete an environmental assessment and determine that any risk associated with the real property is reasonable under the circumstances;

(b) Determine that sufficient ongoing revenues are available to operate and maintain the property.

G. Condemnation

Acquisition of real property by condemnation will be conducted in accordance with ORS Chapter 35 and must be approved by the Board.

H. Sale of Real Property

(1) The President is delegated the authority to execute conveyances for the sale of real property after the following have been performed to satisfaction of the President:

(a) Obtain at least one appraisal by a licensed and experienced real estate appraiser estimating the fair market value;

(b) Verify whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, ensure continued compliance with IRS regulations.

(2) If the consideration for the sale is $5,000,000.00 or more, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

I. Easements

(1) The President is delegated the authority to execute easements and other nonpossessory interests in real estate.

(2) If granting an easement, the President shall first verify whether any tax exempt financing was used to purchase or improve the property and, if any such debt remains outstanding, ensure continued compliance with IRS regulations.
J. Use of Board Property

(1) If the University intends to lease or license real property owned by the Board and either (a) the term of the lease or license exceeds 50 days in total or (b) the arrangement was not set at fair market value, then prior to the execution of the lease or license, the President or designee will confer with the University’s treasury operations unit to determine compliance with bond restrictions.

(2) The President or designee will obtain prior approval of the Board or an appropriate standing committee of the Board for agreements permitting the construction on or renovation to Board-owned property if such improvements exceed $5 million during the term of the agreement. To obtain approval from the Board or an appropriate standing committee of the Board, the University must specify where funding for operations and maintenance will come from.

(3) If the University permits construction on or renovation to Board-owned property, the University must approve all plans and specifications prior to the commencement of work and obtain record drawings upon termination of the agreement or completion of the work, whichever first occurs.

(4) The University normally will not make available University buildings and other facilities to individuals for essentially private use or to outside organizations, unless approved in University policy or required by law. Exceptions will be made only if the proposed use is consistent with University policies and missions and the individual or organization fully reimburses the University for all appropriate costs.

K. Leases

(1) The President is delegated the authority to execute leases of real property.

(2) If the consideration for the lease is from $5,000,000 to $15,000,000 or the term of the lease is over 10 years but less than 15 years, the President must receive the prior approval of the Board.

(3) If the consideration for the lease is over $15,000,000 or the term of the lease is over 15 years, the President must receive the prior approval of the Board or an appropriate standing committee of the Board.

(4) Prior to executing an amendment to a lease, the President must receive approval under subsection (2) or (3) based on the consideration or term of the amended lease.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 7: Property, facilities and planning; sustainability
Related Resources: Related to UO Procurement and Contracting Policy and the UO Campus Planning Policy. The Campus Planning Office in Campus Planning and Facilities Management is responsible for establishing and managing real estate and space use objectives, standards, and procedures.

Original Source: Oregon Administrative Rule

Relationships with State Government

Reason for Policy: To articulate guidelines around official university relationships with and advocacy of the state and its political instrumentalities.

Entities Affected by this Policy: Employees of the university

Responsible Office: Human Resources: 541-346-3159, hrinfo@uoregon.edu; Office of the Provost: 541-346-3186, provost@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/relationships-state-government

Enactment & Revision History:

Senate-proposed revisions approved by Interim President Scott Coltrane on March 17, 2015.


Policy:

(1) Except for the president and designees, no employee of the university is authorized to represent the university to the Legislature, its members or committees, to the Office of the Governor, and to the Executive Department and its Divisions.

(2) Nothing in this rule shall be construed as inhibiting an employee of the university from exercising the right of citizenship in a personal capacity, or be construed as inhibiting any employee of the university from appearing before a body of state government identified in this rule in response to a request from that body.

(3) Faculty members are encouraged to visit the Legislative Sessions and Hearings with students in the interests of furthering the effectiveness of organized class work, or to respond to requests from the Legislature for establishment and maintenance of special involvements such as student intern programs.

Chapter/Volume:
Required Immunizations

Policy Number: III.04.05
Reason for Policy: This policy outlines required immunizations for students entering the University of Oregon.
Entities Affected by this Policy: All current and incoming students at the UO; all UO employees who deal with these matters.
Responsible Office: For questions about this policy, please contact the University Health Center at 541-346-8393.

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-4-student-health-services/required-immunizations

Enactment & Revision History:

Revisions approved by President Michael Schill on January 12, 2017.

Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 4 Section 0016.

Policy:

Required Immunizations

(1) All students at the University of Oregon must show proof of required immunizations as set forth by the University Health Center:

(a) Students will not be permitted to register for a second term without proof of required immunizations, consistent with the requirements of this policy, on record at the University Health Center;

(b) After the beginning of a term, registered students may be vaccinated at the University Health Center for a charge.
(2) Notwithstanding any other provision of this policy, students who are attending the University of Oregon pursuant to a non-immigrant visa must provide the University Health Center with documentation of required immunizations prior to attending classes. If the student's first dose of a required vaccine series was received less than 30 days prior to attendance, the student has until the beginning of the second term or semester to provide documentation of the completed vaccine series.

(3) Students seeking exemption from this requirement because of age, medical condition, or sincerely held religious belief shall complete and present an exemption form to the designated University Health Center official. Forms are available at no cost upon request at the University Health Center main desk.

(4) Students without evidence of required immunity to certain diseases or conditions may be excluded from classes and other university activities in the event of an outbreak involving University of Oregon students and/or staff.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 4: Student health services

Original Source: Oregon Administrative Rule

Research: Classified Research

Policy Number: II.06.03
Reason for Policy: To articulate university policy regarding research bearing a federal security classification.
Entities Affected by this Policy: Anyone who conducts or supports research at the University of Oregon.
Responsible Office: For questions about this policy, please contact the Office of the Vice President for Research and Innovation at (541) 346-2090, vpri@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-2-academics-instruction-research/ch-6-r...

Enactment & Revision History:

08/10/17 Policy number changed from 09.00.03 to II.06.02
Policy:

University resources may not be used to conduct research that bears a security classification from the federal government, such as top secret, secret, or confidential.

Applications for research grants will not be accepted when all or any portion of the intended research bears a security classification from the federal government or if there is a reasonable likelihood that all or any portion of the intended research will bear a federal security classification in the future.

If all or any portion of ongoing research bears a federal security classification, the research will be terminated within a reasonable amount of time. Nothing in this policy precludes the University from seeking to have the security classification removed.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 6: Research, general

Related Resources: N/A
Original Source: UO Policy Statement

Research: Financial Conflict of Interest in

Policy Number: II.06.01
Reason for Policy: To articulate parameters and required action regarding conflicts of interest in research.
Entities Affected by this Policy: Investigators involved in, or planning to become involved in, research at the UO.
Responsible Office: For questions about this policy, please contact the Office of the Vice President for Research and Innovation at (541) 346-2090 or vpri@uoregon.edu.
& Revision History:

Policy renumbered from 09.00.04 to II.06.01: 08/03/17

Reviewed and Approved by President Michael Gottfredson 12/10/2012

Revised: October 1, 1995; 2001; April 2009 – Issue date: 06/02/2009

Policy:

PREAMBLE:

Objectivity of investigators is the foundation for advancing the frontiers of knowledge and the basis for obtaining and maintaining public trust in research. The University of Oregon encourages outreach to and connections with outside entities. At the same time, these activities may create potential financial conflicts of interest in research which must be addressed to maintain public confidence in research.

DEFINITIONS:

Conflict of Interest in Research (“COIR”) means a Significant Financial Interest that could directly and significantly affect the design, conduct, or reporting of Research, as determined by the university.

Declaration means an Investigator’s formal or explicit statement disclosing Significant Financial Interests to the university.

Financial Interest means anything of monetary value, whether or not the value is readily ascertainable.

Investigator means the project director or principal Investigator, and any other person, regardless of title or position, who is responsible for the design, conduct, or reporting of Sponsored Research. Investigator can include but is not limited to: professorial faculty, research associates, emeritus faculty, research collaborators, post-doctoral students, graduate students, visiting scientists, and individuals with courtesy appointments, external collaborators, or outside consultants, regardless of whether paid or unpaid. The term Investigator does not usually apply to, but does not preclude, departmental grant administrators or financial staff.

Institutional responsibilities means an Investigator's professional responsibilities on behalf of the Institution, and as defined by the Institution in its policy on financial conflicts of interest, which may include for example: activities such as research, research consultation, teaching, professional practice, institutional committee memberships, and service on panels such as Institutional Review Boards or Data and Safety Monitoring Boards.
Management Plan means the prospective plan for COIR mitigation.

Mitigation Report means a retrospective report for COIR mitigation compliant with Sponsor’s requirements.

NIH Standards means the U.S. Department of Health and Human Services (DHHS) regulations on Promoting Objectivity in Research (42 CFR Part 50, Subpart F) and Responsible Prospective Contractors (45 CFR Part 94).

Research means a systematic investigation, study or experiment designed to develop or contribute to generalizable knowledge. The term encompasses basic and applied research (e.g., a published article, book or book chapter) and product development (e.g., a diagnostic test or drug). It includes any activity for which research funding is awarded through grant, award, fellowship, training, project, or research resources award.

Significant Financial Interest means:

(1) A financial interest consisting of one or more of the following interests of the Investigator (and those of the Investigator’s spouse and dependent children) that reasonably appears to be related to the investigator’s institutional responsibilities:

   (i) With regard to any publicly traded entity, a Significant Financial Interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure and the value of any equity interest in the entity as of the date of disclosure, when aggregated, exceeds $5,000. For purposes of this definition, remuneration includes salary and any payment for services not otherwise identified as salary (e.g., consulting fees, honoraria, paid authorship); equity interest includes any stock, stock option, or other ownership interest, as determined through reference to public prices or other reasonable measures of fair market value;

   (ii) With regard to any non-publicly traded entity, a Significant Financial Interest exists if the value of any remuneration received from the entity in the twelve months preceding the disclosure, when aggregated, exceeds $5,000, or when the Investigator (or the Investigator’s spouse or dependent children) holds any equity interest (e.g., stock, stock option, or other ownership interest); or

   (iii) Intellectual property rights and interests (e.g., patents, copyrights), upon receipt of income related to such rights and interests.

(2) Any reimbursed or sponsored travel (i.e., that which is paid on behalf of and not reimbursed to the Investigator), that, when aggregated, exceeds $5,000 per individual entity and that is related to the Investigator’s institutional responsibilities, including the purpose of the trip, the identity of the sponsor/organizer, the destination, and the duration; but not including travel reimbursed or sponsored by a Federal, state, or local government agency, an Institution of higher
education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute affiliated with an Institution of higher education.

(3) Significant Financial Interest does not include the following types of financial interests:

(i) Salary, royalties, or other remuneration paid by the university, including intellectual property rights assigned to the university and agreements to share in royalties related to such rights;

(ii) Income from investment vehicles, such as mutual funds and retirement accounts, as long as the Investigator does not directly control the investment decisions made in these vehicles;

(iii) Payment from a Federal, state, or local government agency, an Institution of higher education as defined at 20 U.S.C. 1001(a), an academic teaching hospital, a medical center, or a research institute affiliated with an Institution of higher education for

(a) seminars, lectures, or teaching engagements; or

(b) service on advisory committees or review panels.

Subrecipient means any Investigator outside the university community receiving Research funds from the university through subaward, subcontract, or consortium agreement.

POLICY STATEMENT:

At the University of Oregon, the design, conduct, and reporting of Research will be free from real or potential influence by any related Investigator’s Significant Financial Interest that constitutes COIR. Each Investigator engaged, or planning to be engaged, in Research is obligated to file a Declaration with the university reciting all Significant Financial Interests that could reasonably appear to be related to his/her institutional responsibilities in accordance with this Policy and university Procedures. The university will determine whether a disclosed Significant Financial Interest constitutes COIR. Each Investigator is obligated to complete a 42 CFR 50.604(b) compliant COIR training program in conformance with university procedures. Within the university, disclosed Significant Financial Interests constituting COIR will be assessed and managed in conformance with NIH Standards and all other applicable federal, state and Sponsor requirements. Outside the university, reports to Sponsors regarding disclosed Significant Financial Interests constituting COIR will be provided in conformance with Sponsor requirements and any applicable federal and State of Oregon requirements. Each Subrecipient will certify in writing that it has a COIR Policy that complies with all applicable
federal, state and Sponsor requirements or, alternatively, that it will comply with this university policy.

The Sponsor will be promptly notified, in accordance with its requirements, in the event that (1) bias is found in the design, conduct or reporting of Research, including the provision of any Sponsor-required Mitigation Report; (2) an Investigator fails to comply with this policy; or, (3) a Management Plan appears to have biased the design, conduct, or reporting of the Research. The university will complete and document retrospective reviews within 120 days of a determination of noncompliance with the Policy. In the event that a Significant Financial Interest relating to Research to evaluate the safety or effectiveness of a drug, medical device, or treatment is not disclosed or managed in conformance with the Sponsor’s requirements and this Policy, the university will require that the Investigator disclose the COIR in each public presentation of the research results and request an addendum to previously published presentations. All COIR-related records will be retained in conformance with 42 CFR 50.604(i) and state record retention laws.

Chapter/Volume:

• Volume II: Academics, Instruction and Research
• Chapter 6: Research, general

Related Resources:

UO Policy on Potential Conflicts of Interest
UO Purchasing and Contracting Policy
UO Policy on Procurement and Contracting Code of Ethics
UO Policy on Guidelines for Overload Compensation for Faculty

Original Source: UO Policy Statement

Residence Classification

Policy Number: III.08.01
Reason for Policy: This policy contains matters pertaining to classification of residency.
Entities Affected by this Policy: All students and employees who interact with the above mentioned matters
Responsible Office: For questions about this policy, please contact the Office of Admissions at 541-346-3201
Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-8-admissions-oregon-residency/residence-classification

Enactment & Revision History:

Revisions approved by University President Michael Schill on August 2, 2018.

Revisions approved by University President Michael Schill on March 3, 2017.

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 10, Sections 0029 through 0047

Policy:

A. Definitions

(1) "Domicile" is a person's true, fixed, and permanent home and place of habitation. It is the place where a person intends to remain and to which the person expects to return when the person leaves without intending to establish a new domicile elsewhere. In order to establish a domicile in Oregon, a person must maintain a predominant physical presence in Oregon for 12 consecutive months after moving to the state.

(2) A "financially independent person" is a person who, at the time of application for residency status: (a) has not been claimed as a dependent during the immediately preceding tax year, and will not be claimed as a dependent during the current tax year, on the federal or state income tax returns of any other person; or (b) has not received in the immediately preceding calendar year, and will not receive during the current calendar year, one-half or more of financial support, in cash or in kind, from another person or persons, except for support received from the individual’s spouse.

(3) A "financially dependent person" is a person who, at the time of application for residency status: (a) has been claimed as a dependent on the federal and state income tax returns of another person during the immediately preceding tax year; or (b) is eligible to be claimed as a dependent for tax purposes and can provide evidence that one-half or more of the individual’s financial support was provided by another person or persons.
B. Determination of Residence

(1) For purposes of admission and instruction fee assessment, the University shall classify a student as Oregon resident or nonresident. In determining resident or nonresident classification, the primary issue is a person's intent in coming to Oregon. Intent is inferred from a person's conduct and history as they relate to the requirements of these residency policies. If a person is in Oregon primarily for the purpose of obtaining an education, that person will be considered a nonresident. It is possible for an individual to qualify as a resident of Oregon for purposes of voting or obtaining an Oregon driver's license and not meet the residency requirements established by this policy.

(2) An Oregon resident is a financially independent person who, prior to the term for which Oregon resident classification is requested, has both: (a) established and maintained a domicile in Oregon as provided under Section A 12 consecutive months; and (b) during that period, has been primarily engaged in activities other than those of being a college student.

(3) A student may be considered primarily engaged in educational activities regardless of the number of hours for which the student is enrolled. However, a student who is enrolled for more than 8 hours in any semester or quarter during the 12-month period referred to in Section B(2) of this policy shall be presumed to be in Oregon for primarily educational purposes. Such period of enrollment shall not be counted toward the establishment of a bona fide domicile of 12 consecutive months in this state unless the student proves, in fact, establishment of a bona fide domicile in this state primarily for purposes other than educational.

(4) An Oregon resident is also a financially dependent person who is claimed as a dependent by, or for whom one-half or more of the individual’s financial support is provided by, another person who has both: (a) established and maintained an Oregon domicile as provided under Section A(1) for 12 consecutive months; and (b) during that period, has been primarily engaged in activities other than those of being a college student.

(5) A financially dependent person who is claimed as a dependent by another person who has not established and maintained an Oregon domicile shall be presumed to be a non-resident. This presumption may be overcome by evidence of the student's long-standing presence in Oregon and demonstration of other factors under Section C.

(6) The criteria for determining Oregon resident classification shall also be used to determine whether a person who has moved from Oregon has established a non-Oregon residence.

(7) If University records show that the residence of a student or the person upon whom the student is dependent is outside of Oregon, the student shall continue to be classified as a nonresident until entitlement to resident classification is shown. The burden of showing that the residence classification should be changed is on the student requesting the change.
(8) Notwithstanding Section B(4) of this policy, a student who is financially dependent on a non-
Oregon resident may nonetheless be considered an Oregon resident if the student resides in
Oregon for at least 12 consecutive months with a parent or legal guardian who has both: (a)
established and maintained an Oregon domicile under Section A(1) for 12 consecutive months;
and (b) during that period, has been primarily engaged in activities other than those of being a
college student.

C. Residency Consideration Factors

(1) The following factors, although not necessarily conclusive or exclusive, have probative value
in support of a claim for Oregon resident classification:

(a) Reside in Oregon for 12 consecutive months prior to the beginning of the term for which
resident classification is sought and during that period be primarily engaged in activities other
than those of a college student;

(b) Reliance upon Oregon resources for financial support;

(c) Domicile in Oregon of persons legally responsible for the student;

(d) Acceptance of an offer of permanent employment in Oregon; and

(e) Ownership by the person of his or her living quarters in Oregon.

(2) The following factors, standing alone, do not constitute sufficient evidence to effect
classification as an Oregon resident:

(a) Voting or registration to vote;

(b) Employment in any position normally filled by a student;

(c) The lease of living quarters;

(d) Admission to a licensed practicing profession in Oregon;

(e) Automobile registration;

(f) Public records, for example, birth and marriage records, Oregon driver’s license;

(g) Continuous presence in Oregon during periods when not enrolled in school;

(h) Ownership of property in Oregon or the payment of Oregon income or other Oregon taxes; or
(i) Domicile in Oregon of the student's spouse;

(3) Reliance upon non-Oregon resources for financial support is an inference of residency in another state.

**D. Evidence of Financial Dependency**

(1) In determining whether a student is financially dependent, a student must provide:

(a) Evidence of established domicile as provided under Section A(1) of the person claiming the student as a dependent; and

(b) The identification of the student as a dependent on the federal and state income tax returns of the person claiming the student as a dependent. Additional documentation to substantiate dependency during the current calendar year may be required at a later time if deemed necessary by the institution.

(2) A student who provides evidence of being a financially dependent person under these rules shall not be required to establish a 12-month domicile prior to classification of resident status, provided such a student may not be classified as a resident while receiving financial assistance from another state or state agency for educational purposes.

**E. Residence Classification of Armed Forces Personnel**

(1) For purposes of this policy, members of the armed forces means officers and enlisted personnel of:

(a) The Army, Navy, Air Force, Marine Corps, and Coast Guard of the United States;

(b) Reserve components of the Army, Navy, Air Force, Marine Corps, and Coast Guard of the United States;

(c) The National Guard of the United States and the Oregon National Guard.

(2) Notwithstanding Section B, active members of the armed forces and their spouses and dependent children shall be considered residents for purposes of the instructional fee if the members:

(a) Reside in this state while assigned to duty at any base, station, shore establishment, or other facility in this state;
(b) Reside in this state while serving as members of the crew of a ship that has an Oregon port of shore establishment as its home port or permanent station; or

(c) Reside in another state or a foreign country and file Oregon state income taxes no later than 12 months before leaving active duty.

(3) An Oregon resident entering the armed forces retains Oregon residence classification until it is voluntarily relinquished.

(4) An Oregon resident who has been in the armed forces and assigned on duty outside of Oregon, including a person who establishes residency under Section E(2)(c) of this policy, must, within a reasonable time, demonstrate an intent to retain classification as an Oregon resident. Such intent may be shown by returning to Oregon within six months after completing service in the armed forces.

(5) A person who continues to reside in Oregon after separation from the armed forces may count the time spent in the state while in the armed forces to support a claim for classification as an Oregon resident.

(6) The dependent child and spouse of a person who is a resident under Section (E)(2) of this policy shall be considered an Oregon resident. "Dependent child" includes any child of a member of the armed forces who:

(a) Is under 18 years of age and not married, otherwise emancipated or self-supporting; or

(b) Is under 23 years of age, unmarried, enrolled in a full-time course of study in an institution of higher learning, and dependent on the member for over one-half of his/her support.

**F. Residence Classification of Members of Oregon Tribes**

(1) Students who are enrolled members of federally recognized tribes of Oregon or who are enrolled members of a Native American tribe which had traditional and customary tribal boundaries that included parts of the state of Oregon or which had ceded or reserved lands within the state of Oregon shall be assessed resident tuition regardless of their state of residence.

(2) For purposes of this policy, the federally recognized tribes of Oregon are:

(a) Burns Paiute Tribe;

(b) Confederated Tribes of Coos, Lower Umpqua and Siuslaw;

(c) Confederated Tribes of Grand Ronde Community of Oregon;
(d) Confederated Tribes of Siletz Indians of Oregon;
(e) Confederated Tribes of the Umatilla Indian Reservation;
(f) Confederated Tribes of the Warm Springs Indian Reservation;
(g) Coquille Indian Tribe;
(h) Cow Creek Band of Umpqua Indians;
(i) Klamath Tribes.

(3) For purposes of this policy, the Native American tribes which had traditional and customary tribal boundaries that included parts of the state of Oregon or which had ceded or reserved lands within the state of Oregon are:

(a) CALIFORNIA:

(A) Benton Paiute Tribe;
(B) Big Bend Rancheria;
(C) Big Lagoon Rancheria;
(D) Blue Lake Rancheria;
(E) Bridgeport Indian Colony;
(F) Cedarville Rancheria;
(G) Fort Bidwell Indian Tribe;
(H) Hoopa Valley Tribe;
(I) Karuk Tribe of California;
(J) Likely Rancheria;
(K) Lookout Rancheria;
(L) Lytton Rancheria;
(M) Melochundum Band of Tolowa Indians;

(N) Montgomery Creek Rancheria;

(O) Pit River Tribe;

(P) Quartz Valley Indian Community;

(Q) Redding Rancheria;

(R) Roaring Creek Rancheria;

(S) Smith River Rancheria;

(T) Susanville Rancheria;

(U) Tolowa-Tututni Tribe;

(V) Winnemucca Colony;

(W) XL Ranch.;

(X) Yurok Tribe.

(b) IDAHO:

(A) Nez Perce Tribe of Idaho;

(B) Shoshoni-Bannock Tribes.

(c) NEVADA:

(A) Duck Valley Shoshone-Paiute Tribes;

(B) Fallon Paiute-Shoshone Tribe;

(C) Fort McDermitt Paiute-Shoshone Tribe;

(D) Lovelock Paiute Tribe;
(E) Pyramid Lake Paiute Tribe;

(F) Reno-Sparks Indian Colony;

(G) Summit Lake Paiute Tribe;

(H) Walker River Paiute Tribe;

(I) Winnemucca Indian Colony;

(J) Yerington Paiute Tribe.

d) OKLAHOMA: Modoc Tribe of Oklahoma.

e) WASHINGTON:

(A) Chehalis Community Council;

(B) Colville Confederated Tribes;

(C) Quinault Indian Nation;

(D) Shoalwater Bay Tribe;

(E) Yakama Indian Nation.

(4) A student seeking to be assessed resident tuition under the provisions of this policy shall submit, following procedures prescribed by the University, a photocopy of tribal enrollment which documents tribal membership.

G. Residence Classification of Non-Citizens

A person who is not a citizen of the United States may be considered an Oregon resident if the person qualifies as a resident under Section B and is one of the following:

(1) A lawful permanent resident. The date of receipt of an application for lawful permanent residency shall be the earliest date upon which the 12-month residency requirements under Section B may begin to accrue.

(2) An immigrant granted refugee or political asylum in the United States, or entering through a special parole program (such as the Haitian Family Reunification Parole Program, the Cuban
Family Reunification Parole Program, the Central American Minor Refugee/Parole Program, or the Filipino World War II Veterans Parole Program). The date of receipt of an application for political asylum, refugee status, or qualifying special parole program shall be the earliest date upon which the 12-month residency requirements under Section B may begin to accrue.

(3) A person holding one of the following non-immigrant visa classifications: A, E, G, H-1B, H-1C, I, K, L, NATO, O, R, S, T, TN, U, or V, or the spouse or child of a person holding an H-1B or H-1C visa. The date of the issuance of a visa for one of these classifications shall be the earliest date upon which the 12-month residency requirements under Section B may begin to accrue. A person possessing a non-immigrant or temporary visa that is not identified under this policy shall not be considered an Oregon resident.

(4) A person who is a citizen of an American territory or a sovereign nation that does not require a nonimmigrant visa to travel to the United States.

(5) An immigrant granted federal status leading to the establishment of permanent residency or citizenship in the United States. Documentation of a status that is not explicitly included in this compact will be at the discretion of the Interinstitutional Residency Committee.

H. Changes in Residence Classification

(1) If an Oregon resident student enrolls in an institution outside of Oregon and later seeks to re-enroll in the University, the residence classification of that student shall be re-examined and determined on the same basis as for any other person.

(2) A financially dependent student who is dependent on a person who establishes a permanent Oregon residence as defined Section B(2) during a term when the dependent student is enrolled at the University may register as a resident at the beginning of the next term.

(3) Once established, classification as a resident continues so long as the student remains in continuous academic year enrollment in the University.

(4) A person who seeks classification as a resident under these rules shall complete and submit a notarized Residence Information Affidavit. The affidavit and all required supportive documents and materials must be submitted by the last day to register for the term in which resident status is sought.

(5) The University is not bound by any determination of residency except by duly authorized officials under procedures prescribed by this policy including timely submittal of the notarized affidavit.

I. Review of Residence Classification Decisions by IRC
(1) An interinstitutional residency committee (IRC) is established consisting of the officers determining student residence classification at Eastern Oregon University, Southern Oregon University, Oregon State University, Oregon Tech, Portland State University, Western Oregon University and the University of Oregon. A majority of the members of the Committee shall constitute a quorum. A majority of a quorum may make decisions.

(2) Residence cases of unusual complexity, especially where there may be conflict of rules, may be referred by an institution residence classification officer to the IRC for decision.

(3) Any person who is aggrieved by the institution residence classification may, within ten days of the date of mailing or other service of classification decision, appeal the classification to the IRC. The appeal must be in writing and shall be filed with the institution. An aggrieved person may supply written statements to the IRC for consideration in reviewing the case and may also make an oral presentation to the IRC on a date to be scheduled by the IRC. The decision of the IRC shall be final unless appealed.

(4) A person dissatisfied with the IRC decision may, within ten days of the date of the mailing or other service of the IRC decision, appeal the IRC decision to the president or designee of the originating University. An appeal to the president shall be in writing only. The decision of the president or the president’s designee shall be final.

(5) A person granted a meritorious hardship exception to residency under this rule prior to July 1, 1990, shall not lose the exception solely because of the repeal of the exception authorization.

Chapter/Volume:
- Volume III: Administration of Student Affairs
- Chapter 8: Admissions, Oregon residency

Related Resources: Residency FAQs Website (UO Admissions): https://admissions.uoregon.edu/freshmen/residency/FAQ
Original Source: Oregon Administrative Rule

Residence Hall Governance

Policy Number: III.02.01
Reason for Policy: This policy outlines matters relating to residence halls and residence hall governance within the University.
Entities Affected by this Policy: Individuals living in residence halls; those working with residence halls or residence hall residents.
Responsible Office: For questions about this policy, please contact the office of University Housing at 541.346.4277
**Website Address for this Policy:**

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-2-housing-residence-life/residence-hall-governance

**Enactment & Revision History:**

Revisions approved by the President and renumbered on September 20, 2017.

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

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

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

**Policy:**

**A. Policies and Procedures**

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

**B. Preface**

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

(2) The safety of individuals, protection of state property, and maintenance of standards involving public health and sanitation are the responsibility of the Director of University Housing. The Director of University Housing reserves the right to evict students from the residence halls when violation of the above standards occurs. If interpretation of the extent of the Director of University Housing's responsibility is in question, the Vice-President for Student Life shall resolve the issue of jurisdiction.

Judicial procedures for violations of the code of student conduct shall follow those outlined in policy III.01.01, Code of Student Conduct.
C. Residence Hall Governance Structure

(a) The Residence Hall Association (RHA), the voice of the residents, relays ideas and feedback as a way of communication with University Housing; advocates for residence hall students; stimulates an environment of growth, learning, and development in the residence hall through programming and submits recommendations and ideas regarding policy to University Housing.

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

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

(c) The authority of the RHA Council is delegated through the Director of Housing, and operates within the parameters as outlined in the RHA Constitution, By-Laws and Addendum.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 2: Housing and residence life

Related Resources: NA
Original Source: Oregon Administrative Rule

Residence Halls, Reimbursement for Space Used on a Temporary Basis

Policy Number: III.02.05
Reason for Policy: To articulate guidelines by which University Housing should be reimbursed for residence hall spaces temporarily used for other purposes.
Entities Affected by this Policy: University Housing; departments using space within University Housing
Responsible Office: For questions about this policy, please contact University Housing (housing@uoregon.edu, 541.346.4277) or Student Services and Enrollment Management (ssems@uoregon.edu, 541.346.9386).

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-2-h...

Enactment & Revision History:

Technical amendments made by the University Secretary on March 22, 2017.

Became UO policy by operation of law on July 1, 2014.

Adopted by the Oregon State Board of Higher Education July 26, 1971.

Policy:

When University Housing spaces are used for educational or administrative purposes on a temporary basis, payment shall cover utilities, maintenance, insurance, administrative costs, and the same rate of debt service that is required for the space used as dormitories.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 2: Housing and residence life

Related Resources: NA

Resignations and Terminations

Reason for Policy: This policy outlines certain matters relating the resignation and/or termination of academic staff members.

Entities Affected by this Policy: All faculty at the UO and individuals who work with faculty.

Responsible Office: For questions about this policy, please contact the Office of Academic Affairs at 541-346-3081

Enactment & Revision History:

Technical revisions enacted by the University Secretary on August 31, 2015.

Section E (formerly OAR 580-021-318) amended by the President upon recommendation of the Senate on March 22, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 21, Sections 0300 through 0470.

Policy:

A. Resignations

Notice of resignation shall be filed in the President’s office as early as possible but in no event later than one month before the resignation is to take effect.

B. Timely Notice

(1) If any appointment of a full-time academic staff member who is on an annual tenure appointment as defined in UO Policy 580.021.0100-135 Section (1)(b)(A) is not to be renewed for reasons other than for cause or financial exigency, timely notice of nonrenewal shall be given in writing as follows: during the first annual appointment, by March 15 for those whose contracts expire June 15, or at least three months' notice given prior to expiration of the appointment; during the second year of service, by December 15 for those whose contracts expire on June 15, or at least six months given before expiration of the appointment; in the third and subsequent years, at least 12 months' notice that may be given at any time. In the event that notice is given to faculty members who are in the first or second year of an annual tenure appointment after the prescribed deadline, they shall also receive 12 months' notice of nonrenewal.

(2) Timely notice shall be given to part-time academic staff members on annual appointments on the same basis as to full-time faculty members cited above, except that the length of timely notice for part-time faculty members shall be calculated in terms of FTE years of service rather than in calendar years.

C. Terminations

Terminations can be either for cause or not for cause. Policies regarding terminations for cause and other sanctions apply to all members of the academic staff, both those having indefinite tenure and those not having indefinite tenure.

D. Termination Not for Cause

Termination not for cause is defined as any termination other than for cause as set forth in Section F:

(1) Staff Members with Indefinite Tenure:
(a) The appointment of an academic staff member with indefinite tenure will not be terminated for reasons other than for cause, except for financial exigency or program or department reductions or eliminations. Before the appointment of any academic staff member on indefinite tenure can be terminated for financial exigency, a bona fide determination will be made by the President that a financial exigency does exist, and that sufficient funds are not available for payment of compensation for the position concerned. Program or department reductions or eliminations may be made by the President, upon determination, pursuant to University procedures providing for faculty and other appropriate input, that such reductions or eliminations are consistent with University goals and needs;

(b) Responsibility for the decision as to whether a state of financial exigency exists, and the subsequent decision on actions necessary to meet the financial exigency, or the decision as to the necessity for program or department reductions or eliminations resulting in termination of employment of tenured faculty, shall rest with the President. In considering such matters, the President shall confer in a timely manner with appropriate faculty and other University councils and with the Board concerning the issues involved in arriving at decisions in the foregoing areas;

(c) University procedures relating to program or department reductions or eliminations shall reflect a regard for the rights of the affected academic staff member, and such procedures may not be used as a substitute for the provisions of Sections G through S that set forth the procedural protections to be accorded staff members;

(d) If a tenured faculty member's appointment is terminated or if the appointment of a nontenured faculty member is terminated before the end of the period of appointment because of financial exigency, or because of program or department reductions or eliminations, the released faculty member's place will not be filled by a replacement within a period of two years, unless the released faculty member has been offered reappointment and a reasonable time within which to accept or decline it;

(e) If the staff member cannot be retained either in the position in which presently employed or in some alternate position, maximum possible notice of termination shall be provided the academic staff member being terminated for financial exigency, and in the case of faculty terminated because of program or department reductions or eliminations not demonstrably related to a state of financial exigency, 12 months' notice shall be given.

(2) Staff Members without Indefinite Tenure. Appropriate notice of termination shall be provided staff members holding annual tenure appointments as set forth in Section B. If the employment of such staff member is being terminated for financial exigency or program or department reductions or eliminations so as to render impossible the provision of notice as set forth in Section B, maximum possible notice will be provided.

E. Other Personnel Actions Not for Cause
As authorized by statute and by authority delegated to the President, personnel may be transferred or reassigned within an institution in accordance with the staff needs of the institution or other units. Such personnel actions should not be considered sanctions for cause unless they result from actions described in Section G.

F. Termination and Other Sanctions for Cause

The appointment of a tenured or nontenured academic staff member may be terminated, or other sanctions imposed, for cause. Sanctions for cause include oral or written warning or reprimand, removal from an assigned post and reassignment, suspension for a period not to exceed one year and termination. Sanctions more severe than oral or written warning or reprimand shall be imposed in accordance with the procedure in Sections G through S. Sanctions of oral or written warning or reprimand may be imposed in accordance with University procedures.

G. Definition of Cause

(1) "Cause" shall mean:

(a) Conviction of a felony or of a crime involving moral turpitude during the period of employment by the University (or prior thereto if the conviction was willfully concealed in applying to the University for employment);

(b) Conduct proscribed by UO Policy 580.022.0045; or

(c) Failure to perform the responsibilities of an academic staff member, arising out of a particular assignment, toward students, toward the faculty member's academic discipline, toward colleagues or toward the University in its primary educational and scholarly functions and secondary administrative functions of maintaining property, disbursing funds, keeping records, providing living accommodations and other services, sponsoring activities and protecting the health and safety of persons in the University community.

(2) Evidence to demonstrate cause under the standard set forth in subsection (1)(c) of this definition of "cause" may include, but is not limited to, evidence of incompetence; gross inefficiency; default of academic integrity in teaching, research or scholarship; intentional or habitual neglect of duty and failure to perform adequately for medical reasons.

H. Initiation of Formal Proceedings

If the President determines that there is probable cause to impose a sanction or sanctions more severe than an oral or written warning or reprimand on an academic staff member, the President shall attempt to reach a satisfactory resolution of the matter. If no satisfactory resolution is reached within a reasonable time, the President shall authorize the preparation of formal charges in accordance with University procedure. The charges shall specifically state the facts believed to
constitute grounds for imposition of a sanction or sanctions. The person authorized to prepare the charges shall not participate in evaluating the charges. Charges shall be filed with the President, and a copy personally delivered, or sent by certified mail, to the academic staff member within ten days after the authorization of preparation of charges. The charges or a notice accompanying the charges shall inform the academic staff member of the right to a formal hearing on the charges and of the academic staff member's duty to notify the President within ten days after the charges have been delivered or sent whether such hearing is desired.

I. Temporary Suspension of Academic Staff Member

No restraints shall be placed on the academic staff member between the filing of charges and the President’s action on the hearing committee's report. However, if at any time during the pendency of charges against an academic staff member, the President makes a written finding stating the reason that there is a clear and present danger that the academic staff member's continued performance of duties will be harmful to the University, to the academic staff member or to the public at large, the President may suspend the academic staff member, without loss of compensation, from some or all duties.

J. Academic Staff Member's Request for a Formal Hearing

Within ten days after the personal delivery or mailing of a copy of the charges to the academic staff member, the academic staff member who is so charged shall state in writing to the President whether a formal hearing on the charges is desired. This ten-day period may be reasonably extended by the President. If the academic staff member requests in writing that a formal hearing not be held, the President may impose an appropriate sanction or sanctions on the academic staff member to be effective as determined by the President. The President shall promptly give written notice thereof to the academic staff member provided, however, that the appointment of an academic staff member shall not be terminated except as provided in Section O.

K. Hearing Committee

Unless the academic staff member requests in writing that a formal hearing on the charges not be held, such hearing shall be held before a special ad hoc committee of from three to five members. Committee members shall be selected in the following manner: the advisory council, faculty senate or other proper elective faculty body shall appoint one or more permanent panels each consisting of ten faculty members; from one, or if necessary, two, of the permanent panels, the same elective body will name from three to five to serve as the hearing committee. The academic staff member and the administration are each allowed one peremptory challenge; a committee member so challenged will then be replaced from the same panel or panels of ten each by the elective body initially charged with impaneling. The committee shall be constituted promptly and shall complete the hearing and its report within 30 days of its constitution, if possible. The hearing committee shall elect a chair from among its members.

L. Conduct of Hearing
(1) The committee shall set a date for the hearing, giving the academic staff member and the administration sufficient time to prepare the case. The academic staff member and the administration shall have the option of assistance by counsel, both in preparing for and at the hearing. Not less than one week before the hearing date, the academic staff member shall file with the committee any written statement regarding the case. The committee shall review the charges and the academic staff member's statement, if any, prior to the hearing.

(2) The committee shall consider the case on the basis of the obtainable information and decide what, if any, sanction or sanctions it will recommend be imposed on the academic staff member. The academic staff member shall have the option of a public or private hearing. The conduct of the hearing shall be under the control of the committee chair, subject to the requirements of this chapter and the procedure of the committee. The committee chair shall have the powers of a hearing officer as defined in Section Y.

(3) A verbatim record of the hearing shall be kept. At the hearing, the committee shall receive the testimony of witnesses, on oath or affirmation, and other evidence concerning any disputed facts. The administration shall have the burden of proving its formal charges against the academic staff member, and the committee findings shall be according to the preponderance of the evidence.

(4) The committee shall not be bound to follow court procedures or rules of evidence, except as otherwise required by law. The academic staff member shall have the right to appear, to participate in the hearing, and to present relevant evidence to the committee. The academic staff member may be represented by counsel with or without being present. The academic staff member and the administration shall have the right to confront and cross-examine all witnesses. Insofar as possible, the administration will secure the cooperation, for attendance at the hearing, of witnesses requested by the academic staff member. The academic staff member and the administration shall be given reasonable opportunity to submit rebuttal testimony or other evidence. At the conclusion of the testimony, the committee may permit each side to make an oral or written summation; if the privilege is extended to one side, it must be extended to the other side. When the committee is satisfied that all pertinent and available evidence has been received, and that such summations as it deems appropriate have been presented, the hearing will be adjourned. The committee will then go into executive session for the purpose of deliberation.

M. Committee’s Report

The committee, by agreement of a majority of the members thereof, shall make explicit findings based on the hearing record with respect to each specification in the formal charges lodged against the academic staff member. Within ten days following determination of its findings, the committee shall recommend, by agreement of a majority of its members what, if any, sanction or sanctions shall be imposed on the academic staff member. The President and the academic staff member shall be given copies of the findings and recommendation. The verbatim record of the hearing shall be made available to the President and to the academic staff member. A copy shall be made available at cost on request by the academic staff member.
N. Action by the President

If deemed necessary, the President may refer the matter back to the committee for further findings of fact. The President shall, promptly after receipt of the committee's final report and after reasonable opportunity to consult with the Board and others, give the academic staff member and the Board written notice of the decision. If the decision is to impose a sanction or sanctions on an academic staff member, the notice shall include the reasons therefor, and when it is to be effective, provided, however, that the appointment of an academic staff member shall not be terminated except as provided in section O.

O. Date of Termination

If the appointment of an academic staff member is to be terminated for cause, the appointment shall neither be terminated earlier than one month nor later than one year from the date of the written notice of the President’s decision, provided however, that an academic staff member having indefinite tenure whose appointment is terminated for cause other than misconduct shall continue to receive salary at the current rate for one year from the date of the written notice of the President’s decision.

P. Review of the Board

(1) The Board shall review any case involving imposition of a sanction or sanctions on an academic staff member having indefinite tenure on written notice of appeal by the academic staff member. The appeal shall be filed with the Board Secretary within ten days (or within such extension of time as permitted by the Chair) of the date of the written notice of the President’s decision, stating grounds for the appeal, with a copy to the President. The Board may on its own initiative review any case involving the question of imposing a sanction or sanctions on an academic staff member. On receiving written notice of appeal by an academic staff member having indefinite tenure or on notice of the Board's decision to review a case, the President shall forward to the Board Secretary a copy of the charges in the case and the academic staff member's written statement, if any, in answer thereto, and the verbatim record of the hearing, and any exhibits, the committee's findings and recommendations and a copy of the notice of the President’s decision.

(2) The Board may review the case on the record only; return the case to the institution from which it came for the receipt of further evidence or testimony; conduct such hearings as it deems proper for its review; refer the matter to a committee of Board members for consideration, including possible hearings, and recommendations; or refer the matter to a hearing officer for hearings and recommendation. The Board shall make such determination of the case, pursuant to its policies, as it deems just.

(3) If the Board sustains the decision to impose a sanction or sanctions on the academic staff member, the sanction or sanctions shall be effective at the date originally named by the President, or such later date as determined by the Board.
Q. Board's Initiative in Bringing Investigation or Charges

On any occasion when it appears to the Board that there is probable cause to impose a sanction or sanctions on an academic staff member, the Board may direct the President to determine whether there is such probable cause. If the President finds that there is probable cause to impose a sanction or sanctions on the academic staff member, the President shall have formal charges prepared and proceed with the case as provided in Section H. If the President finds that there is not probable cause to impose a sanction or sanctions on the academic staff member, the President shall transmit such report to the Board, including a full statement of reasons for the finding. If the Board, after receipt of the report, deems that the facts of the case warrant the filing of formal charges, the Board shall provide the President with a statement explaining its exceptions to the findings and may direct the President to have formal charges prepared or, at the request of the president, the Board may direct some person within the University to prepare the formal charges. The subsequent procedure shall be the same as if charges were initially authorized to be prepared by the President.

R. No Reprisals

No employee of the University shall be subject to any reprisals by the University for appearing as a witness or for participating as a member of a committee in any of the proceedings provided for in this division.

S. Personnel Records

No notation shall be made in the personnel record of an academic staff member of any investigation that has not resulted in formal charges being brought against the academic staff member under Sections F through Q or that has not resulted in the imposition or a sanction of oral or written warning or reprimand in accordance with University procedures, as provided in Section F.

T. Construction

These rules shall be liberally construed to secure just, speedy, and inexpensive determination of the issues presented. These rules are intended to carry out the intent of the Oregon Administrative Procedure Act and are to be interpreted consistent therewith. Any situation not provided for in this policy shall be governed by the Act and, to the extent applicable, by the law applicable to suits in equity in the circuit courts of Oregon.

U. Notice of Hearing

If a contested case hearing is to be held by the Board, or by a hearing officer designated by the Board, the Board shall ascertain the time most convenient for the hearing and shall give all parties thereto at least ten days' notice of the time, place and nature of the hearing. The time may be shortened or extended by stipulation of all parties.
V. Subpoenas

Subpoenas requiring attendance of witnesses or the production of documentary or tangible evidence at a hearing may be issued by the Board, when authorized by law, on request by any party to the proceeding, including the Board itself, on proper showing of general relevance or reasonable scope of the evidence sought.

W. Assignment to Hear Proceedings

(1) The hearing shall be before the Board except in those cases assigned by the Board to a hearing officer.

(2) The word "Board" in this policy shall include hearing officer wherever applicable.

X. Disqualification

Any party to a proceeding before the Board may file an affidavit of personal bias against any officer conducting the hearing. Any hearing officer may withdraw from the proceeding because of personal bias or for any reason deemed sufficient by the Board. The Board, in its discretion, may order a hearing on a question of disqualification of a hearing officer.

Y. Powers of Hearing Officers

(1) A hearing officer or the Board when authorized by law shall have the following powers:

(a) To give notice of and hold hearings;

(b) To administer oaths and affirmations;

(c) To examine witnesses;

(d) To issue subpoenas;

(e) To rule on offers of proof and receive evidence;

(f) To regulate the course of the hearing, including the power to eject any person who in any manner interferes with the orderly procedure of a hearing;

(g) To hold conferences, before or during the hearing, for the settlement or simplification of issues, with consent of the parties;

(h) To dispose of procedural requests or similar matters;
(i) To make initial decisions;

(j) To take any other action proper under this policy, including the making of findings of fact, and recommendations to the Board.

(2) The hearing officer's authority in each case will terminate when:

(a) The hearing officer withdraws from the case for any reason;

(b) The time for appeal has terminated.

**Z. Who May Appear**

(1) Each party may be represented by counsel.

(2) Any individual may appear for himself or herself, and any member of a partnership that is a party to any proceeding may appear for such partnership on adequate identification.

**AA. Standard of Conduct**

Contemptuous conduct by any person present at a hearing shall be grounds for exclusion from the hearing by the hearing officer.

**BB. Hearing Recorder**

The official record of the hearing shall be stenographically or mechanically recorded by a person or persons assigned by the Board capable of doing such recording. The method used shall be in the discretion of the Board.

**CC. Transcript of Testimony**

A transcript of the official record shall be furnished by the Board for the purposes of rehearing or judicial review. The cost of the record shall not be taxed to parties other than the Board except as is specifically provided in ORS 183.415(8).

**DD. Continuances and Postponements**

Motion for continuance or postponement of any hearing may be granted by the Board for good cause.

**EE. Evidence**
(1) In general:

(a) The testimony of witnesses at a hearing shall be on oath or affirmation administered by an officer of the Board authorized to administer oaths and shall be subject to cross-examination;

(b) Any witness may, in the discretion of the Board, be examined separately and apart from all other witnesses except those who are parties to the proceeding;

(c) The Board may limit oral argument in its discretion.

(2) The oath or affirmation taken by a witness before testimony shall be in the same form and manner as is provided by law.

(3) Every party shall have the right to present a case or defense by oral, documentary, or other satisfactory evidence, to submit evidence in rebuttal, and to conduct such cross-examination as may be required for a full and complete disclosure of the facts.

(4) The party having the affirmative of the issue shall have the burden of proof.

(5) Admission and exclusion of evidence:

(a) Evidence of a type commonly relied on by reasonably prudent persons in the conduct of their serious affairs shall be admissible, but irrelevant, immaterial, or unduly repetitious evidence shall be excluded;

(b) Hearsay evidence shall not be admissible over an objection based on lack of opportunity to cross-examine;

(c) The Board may limit expert and opinion evidence in its discretion.

(6) If a party objects to the admission or rejection of any evidence or to the limitation of the scope of any examination or cross-examination, that party shall state briefly the grounds of such objection, whereupon the Board shall give the party adversely affected by its ruling on the objection an automatic exception.

(7) After first advising all parties of its intention to do so, the Board may take notice of judicially cognizable facts as is provided by law and of general, technical or scientific facts within the specialized knowledge of the Board members.

**FF. Informal Disposition**
Informal disposition may be made of any contested case by stipulation, agreed settlement, consent order, or default, unless precluded by law.

GG. Record

The stenographic or mechanical record of the testimony and exhibits, together with all pleadings, motions, and rulings filed in the proceedings, all stipulations, statements of matters officially noticed, questions, and offers of proof, objections and rulings thereon, and proposed findings and exceptions, shall constitute the exclusive record for decision. The record shall also include any Board proceeding on disqualification of any hearing officer and the proposed, intermediate or final order, if any.

H. Decision

(1) Except as provided in subsection (2) of this section, the Board shall render its decision within 60 days after completion of the hearing. The decision shall be accompanied by findings of fact and conclusions of law. A copy of the decision and the findings of fact and conclusions of law shall be mailed to each party.

(2) If a majority of the Board officials has not heard the proceedings or read the transcript, a proposed decision of the Board, including findings of fact and conclusions of law, shall be mailed to each party, who shall have 15 days after receipt to submit written exceptions to the proposed decision to the Board and to request an opportunity to present argument to the Board. The Board shall grant such opportunity for argument as soon as it can reasonably be arranged. The Board shall render its decision, accompanied by findings of fact and conclusions of law, within 60 days after presentation of the argument.

Chapter/Volume: Retention and Delegation of Authority
Original Source: Oregon Administrative Rule

Retention and Delegation of Authority

Policy Number: I.01.01
Reason for Policy: The Board of Trustees has ultimate governing authority for the University. The Retention and Delegation of Authority articulates lines of authority delegated to the President of the University (or his designee(s) from the Board of Trustees, and specifies which governing authorities require action or contemplation by the Board itself.
Entities Affected by this Policy: All units of the University.
Responsible Office: University Secretary, 541-346-3166, trustees@uoregon.edu

Website Address for this Policy:
Enactment & Revision History:

First passed by the BOT on June 12, 2014 and amended by the BOT on March 4, 2015

Policy:

Preamble

As provided in ORS 352.025, the Legislative Assembly has found that the State of Oregon will benefit from having public universities with governing boards that provide transparency, public accountability and support for the university and act in the best interests of both the university and the State of Oregon as a whole.

As provided in ORS 352.029, the Board of Trustees manages the affairs of the university by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the board by law, or that are implied by law or are incident to such powers, rights and duties.

As provided in ORS 352.107, the Board of Trustees may perform any other acts that in the judgment of the Board are required, necessary or appropriate to accomplish the rights and responsibilities granted to the board and the university by law.

As provided in ORS 352.096, the president of the university is the president of the faculty. The president is also the executive and governing officer of the university, except as otherwise provided by statute or action of the governing board. Subject to the supervision of the governing board, the president of the university has authority to direct the affairs of the university.

As provided in ORS 352.146, the president and professors constitute the faculty and as such have the immediate government and discipline of a university with a governing board and the students therein, except as otherwise provided by law or action of the Board of Trustees. The faculty may, subject to the supervision of the Board and ORS 352.089 prescribe the course of study to be pursued in the university and the textbooks used.

Nothing in this Policy affects any collective bargaining agreement entered into prior to the adoption of this Policy.

1.0 Authority of the Board of Trustees; Appointment of the President of the University

1.1 Board Authority. The Board of Trustees is the final University authority and has full control of the University and its property of various kinds. The Board may take any and all Board actions as it determines necessary or appropriate to the extent permitted by law. Board actions have precedence over other policies, standards, directives and other actions of the University and
its constituent parts. Any policies, standards, directives and other actions of the University and its constituent parts shall be consistent with Board actions. To the extent permitted by law, The Board may review and intervene in any and all aspects of the University; modify any policy, standard, or directive; amend or rescind any existing policy, standard or directive; and enact and issue such policies, standards and directives as it deems proper for the University. The Board shall adopt a mission statement for the University in consultation with the faculty, students and staff members.

1.2 Appointment of the President of the University. As provided in ORS 352.096, in consultation with the Governor, or the Governor's designee, the Board shall appoint and employ a President of the University. Except in the case of an interim or acting president, the hiring committee for the president of the University shall include representatives of the university community and at least one other president of a public university based in Oregon. The President reports exclusively to the Board, and the Board supervises the President. The Board shall prescribe the President's compensation and terms and conditions of employment and is responsible for the reappointment or removal of the President. The President shall perform such duties as are assigned by the Board. Except as otherwise provided by law or Board action, the President is the executive and governing officer of the University and President of the faculty. The President shall, from time to time, report to the Board all significant matters within the President's knowledge related to the affairs of the University.

1.3 University Budget. The Board shall adopt the budget of the University.

1.4 Tuition and Fees.

1.4.1 The Board shall determine tuition and mandatory enrollment fees in accordance with ORS 352.102, ORS 352.105, and other applicable law.

1.4.2 The incidental fee is a mandatory enrollment fee. The recognized student government will, in consultation with the President, establish a process for requesting the amount of the incidental fee, all uses of the proceeds of the incidental fee, and the modification of the existing incidental fee.

1.4.3 The amount of the incidental fee, uses of the proceeds of the incidental fee, and a decision to modify the existing incidental fee may be refused by the Board or the President if the Board or President determines that: (a) the recognized student government assessed or allocated the mandatory incidental fees in violation of applicable local, state or federal law; or (b) the allocation conflicts with a preexisting contractual financial commitment; or (c) the total mandatory incidental fees budget is an increase of more than five percent over the level of the previous year; or (d) the request is not advantageous to the cultural or physical development of students.

1.4.4 The mandatory incidental fee, use of the fee or decision to modify an existing fee may not be refused by the Board or the President based on considerations about the point of view that the funding seeks to advance.
1.4.5 The President determines all other fees, fines and charges, after providing notice to the Board. In arriving at a determination of fees, fines and charges, the President shall consult with employees and students as the President deems appropriate.

1.5 Student Conduct. The Board has the authority to establish written standards of student conduct in consultation with the President, faculty and students.

1.6 Employees and Volunteers.

1.6.1 The Board has the authority, subject to any collective bargaining agreements, to appoint and employ any instructional, research, administrative, professional, trade, occupational and other personnel as are necessary or appropriate and establish their compensation and other terms and conditions of employment. The Board also has the authority to appoint volunteers as necessary or appropriate and establish the terms and conditions of the activities of such appointed volunteers. The Board has delegated the authority described in this subsection as set forth in Board actions.

1.6.2 Subject to any collective bargaining agreements, the Board has the authority to establish written codes of conduct for instructional, research, administrative, professional, trade, occupational and other personnel, including volunteers.

1.7 Business and Administrative Affairs. The Board retains authority for the following:

1.7.1 The approval of the naming of University buildings or outdoor areas in recognition of individuals or organizations.

1.7.2 The approval of the execution of instruments relating to real property where the anticipated cost or value to the University exceeds $5,000,000.

1.7.3 The approval of the appointment of external auditors.

1.7.4 The approval of a capital project budget that is anticipated to exceed $5,000,000, including for architects, construction managers, engineers and other professional consultants; and approval of any increase to a capital project budget that causes the total of all increases to the capital project budget to exceed $5,000,000.

1.7.5 The approval of the execution of instruments relating to any borrowing or debt finance transactions which are or may be in excess of $5,000,000, singularly or in the aggregate.

1.7.6 The approval of the execution of instruments relating to any shares, stock or other equity or interests in or obligations of any entity other than the University in excess of $5,000,000, unless the shares, stock or other equity or interests in or obligations of the entity are publicly traded or
provided through the State Treasurer, University of Oregon Foundation or a brokerage firm, investment bank, depository or other licensed firm.

1.7.7 Consent to the encumbrance of University real property by the State of Oregon.

1.7.8 The approval of the execution of any other instruments, including but not limited to instruments related to the acquisition, disposal or provision of goods and services, where the anticipated cost or value to the University exceeds $5,000,000; and approval of any increase or decrease in cost or value that causes the total of all increases or decreases in cost or value to exceed $5,000,000. When the ultimate aggregate cost to the University is not known in advance for instruments relating to the acquisition, disposal or provision of goods or services on a continuing or intermittent basis (e.g. rental, service, or supply contracts), the amounts set forth in this paragraph shall be calculated on an annual basis.

1.7.9 The approval of the execution of any instrument that the President, Treasurer, Chair of the Board of Trustees, or a majority of the Trustees deems appropriate for consideration by the Board or a Board committee, so long as the instrument has not been executed.

1.8 Academic Programs; Degrees; Admissions.

1.8.1 The Board has the authority to establish, eliminate, control or substantially reorganize academic programs and units of operation. Any significant change in the University's academic programs as defined by the Higher Education Coordinating Commission must be approved by the Board prior to submission to the Commission.

1.8.2 The Board confers academic degrees, certificates and other forms of recognition upon the recommendation of the faculty. Such academic degrees, certificates and other forms of recognition are granted in the name of the Board of Trustees of the University of Oregon and are executed by the Board Chair and the University President. The Board reserves the right to review and approve the granting of any degree, certificate or recognition. The Board shall have the exclusive authority to approve honorary degrees.

1.8.3 The Board has the authority to establish standards, qualifications, policies and practices relating to admission to study at the University and the curriculum, grading, credits, scholarships, and academic standards of the University. Except as set forth in law or Board action, the faculty (the "president and professors") has the immediate government and discipline of the university and the students therein and the authority to prescribe the course of study to be pursued in the University and the textbooks to be used. The faculty shall have primary authority over choice of method of instruction; subject matter to be taught; academic standards for admitting students; and standards of student competence in a discipline.

1.9 Gifts. The Board retains authority for the acceptance of the following gifts:
1.9.1 Gifts that create obligations on the part of the University for which there is no established funding source.

1.9.2 Gifts with a value exceeding $5,000,000 which involve: (1) Construction of facilities not previously approved; or (2) Non-traditional investment assets (such as real estate, debt instruments, closely held stock, partnership interests, permanent insurance policies, royalties, copyrights, licenses, and other illiquid assets); provided that gifts described in this subsection with a value between $1,000,000 and $5,000,000 will be reported to the Board of Trustees quarterly.

1.9.3 A gift requiring naming of a University building or outdoor area.

1.9.4 Any other gift that the President, Treasurer, or a majority of the Board of Trustees deems appropriate for Board consideration.

1.9.5 Current gifts of non-traditional investment assets, charitable lead trusts where the University is to act as trustee, bargain sale gifts of property, and partial interest gifts.

1.9.6 Deferred gifts, if the University is to act as trustee or custodian of the deferred gift.

1.9.7 Gifts of real estate, interests in real estate, or gifts of debt instruments secured by real estate from other than the University of Oregon Foundation. The Treasurer shall determine in each such case, including when the gift is from the University of Oregon Foundation, whether a hazardous waste inquiry or other due diligence is required, and the scope and extent of such inquiry. The President and the Treasurer, in consultation with the Vice President for Advancement, shall establish further policies and procedures regarding evaluation of gifts of real estate, as may be necessary or desirable from time to time.

1.10 Gifts to the University of Oregon Foundation. Gifts to the University of Oregon Foundation shall be accepted by the University of Oregon Foundation in accordance with then-current agreements between the University and the Foundation (as may be amended from time to time).

2.0 Policies, Standards and Directives

2.1 Governing Documents. The University shall have the following governing documents:

2.1.1 Bylaws of the University of Oregon, policies, standards, directives and other actions approved by the Board of Trustees or a committee of the Board as appropriate ("Board actions").

2.1.2 Policies, standards and directives approved by the President of the University regarding matters within the authority of the President ("Presidential actions").
2.1.3 A University Constitution as described in this policy by which the President, professors and University constituencies shall exercise their shared governance roles in accordance with ORS Chapter 352.

2.2 **Force of Law; Emergency and Temporary Actions.** Board actions shall have the force of law to the extent set forth therein. Emergency and temporary Presidential actions may have the force of law to the extent set forth therein. Any Board action or Presidential action that is intended to have the force of law must include an opportunity for appeal.

2.3 **Enforcement.** Any Board action or Presidential action may be enforced by the University through internal procedures and in any court of competent jurisdiction. All Board actions and Presidential actions are binding on University employees, students, volunteers, contractors and members of the public, except as set forth therein.

2.4 **Public Notice.** Except for emergency and temporary Board actions and Presidential actions, meeting materials and public notice shall be provided according to the Oregon Public Meetings Law.

2.5 **Posting.** After approval, emergency and temporary Board actions and Presidential actions shall be posted on the University website in a manner reasonably calculated to provide public notice of the approval.

### 3.0 Authority of the President of the University

3.1 **Executive and Governing Officer; Delegation.** The President of the University is the executive and governing officer of the University, except as otherwise provided by statute or Board actions. Subject to the supervision of the Board and Board action, the President shall direct the affairs of the University. The authorities and responsibilities of the President of the University include, but are not limited to, the authorities and responsibilities set forth in and modified by section 1.0 and this section 3.0, and the President may delegate any authorities and responsibilities, except as provided by Board actions. Any delegation must be consistent with Board actions. The President remains responsible for the proper functioning of the University, notwithstanding any delegation.

3.2 **Policies, Standards and Directives; Consultation.** The President of the University shall formulate, prescribe and issue Presidential actions regarding matters within the authority of the President when the Board or the President deems it necessary or appropriate. Any Presidential actions are subordinate to and must be consistent with Board actions. In carrying out these duties, the President shall consult with the faculty, other employees, and students as deemed appropriate by the President. Consultation shall not remove from the President the authority and the responsibility vested in the President by law and Board actions.

3.3 **Emergency and Temporary Actions; Technical Corrections.** The President of the University shall establish emergency and temporary policies, standards and directives when the Board or the
President deems it necessary or appropriate. Such policies, standards and directives may have the scope and force of Board actions and must be reported to the Board expeditiously. Pursuant to expedited procedures, the President of the University may amend Board actions and Presidential actions in order to correct typographical errors, make address or formatting changes, or clarify language without changing their effect. Such amendments must be reported to the Board quarterly. The President may make expedited repeals of Board actions (upon notice to the Board) and Presidential actions, provided that expedited repeals of Board actions must be ratified at the next Board or Executive Committee meeting.

3.4 Committees, Councils and Advisory Groups. The President of the University shall establish and define the charge of any and all University committees, councils, and advisory groups, except as provided in Board action. The establishment and charge of any and all University committees, councils and advisory groups shall be consistent with law and Board actions. The recommendations and reports of all committees, councils and advisory groups shall be made to the President. The President shall inform the Executive Committee of the Board regarding significant recommendations and reports related to the affairs of the University. Upon request by the Chair of the Board or a majority of the Trustees, the President shall provide the Board with a recommendation or report of a University committee, council or advisory group.

3.5 Students. Subject to Board action, the President is responsible for development and administration of University policies and rules governing the role of students and their conduct. In carrying out this responsibility, the President shall take into account the views of students, faculty, and others. The guidelines for student conduct which set forth prohibited conduct and provide for appropriate disciplinary hearings and sanctions for violations of institutional rules must be consistent with standards of procedural fairness. The Board recognizes and affirms the importance of active student involvement in the deliberative and decision-making processes.

3.6 University Personnel.

3.6.1 The President of the University shall act for the Board of Trustees regarding all personnel and employment matters, including labor relations and approval of collective bargaining agreements. Subject to Board action, the President has the exclusive authority to and shall establish necessary or appropriate written policies, standards and directives covering all employees not represented by a collective bargaining organization and necessary or appropriate written policies, standards and directives covering employees represented by a collective bargaining organization, subject to any legal obligation to negotiate the terms and conditions of such policies, standards and directives with the exclusive representative of the relevant bargaining unit. Upon request by the Chair of the Board or a majority of the Board, the President shall provide the Board with requested information regarding personnel and employment matters, including labor relations and collective bargaining.

3.6.2 In a manner consistent with applicable state law and applicable collective bargaining agreements, the President may appoint any instructional, research, administrative, professional, trade, occupational and other personnel as are necessary or appropriate and establish their compensation and other terms and conditions of employment.
3.6.3 The President may appoint volunteers as necessary or appropriate and establish the terms and conditions of the activities of such appointed volunteers.

3.7 Research Grants and Contracts. The President of the University shall act for the Board of Trustees regarding grants and contracts for research, development, service, and training. However, a quarterly report to the Board is required for each initial contract or grant award that exceeds $5,000,000, and when any increase or decrease to a contract or grant award causes the total of all increases or decreases to the contract or grant award to exceed $5,000,000.

3.8 Execution and Administration of University Affairs. Except as provided by Board action, the President of the University shall act for the Board regarding the execution and administration of instruments and the affairs of the University. Notwithstanding the dollar limits specified in section 1.0 above, the President shall act for the Board of Trustees regarding the execution and administration of all instruments, business affairs, and operations relating to:

3.8.1 Acquisition of electricity, natural gas, sewer, water, and all other utility services;

3.8.2 Subcontracts for collaborative research entered into in furtherance of sponsored research programs.

3.8.3 The acquisition of goods and services made by participating in contracts entered into by group purchasing organizations or pursuant to collaborative purchasing initiatives with public or non-profit entities.

3.8.4 The acquisition of fixtures, equipment and furnishings that are included in capital project budgets that have been authorized by the Board of Trustees.

3.8.5 The acquisition of goods and services for sponsored research programs when the source of the goods or services is directed by the sponsor, or the sponsor retains title to the goods acquired.

3.8.6 The settlement of claims or lawsuits brought against the University.

3.8.7 The acquisition of insurance or self-insurance.

3.8.8 Leases and licenses of real property and modifications thereto of up to 20 years.

3.8.9 Deferred gift assets.

3.8.10 Real property acquired through gift or devise from the University of Oregon Foundation;

3.8.11 The protection of the University's interests, property and operations in an emergency.
3.8.12 Actions and execution of documents necessary to establish legal entities, controlled by the University, through which the University may conduct business;

3.8.13 The selection of depositories and investments.

3.8.14 The execution of instruments or the conduct of business affairs where approval by the Board or a Board committee is impractical due to time or other constraints. The President shall submit a report of any actions taken pursuant to this delegation to the Board of Trustees or its Executive Committee on or before the next regularly scheduled meeting.

3.9 **Legal Action.** The President of the University shall act for the Board of Trustees regarding all legal action necessary or appropriate to protect the interests of the University. However, no litigation shall be instituted against a public entity or official or in exercise of the power of eminent domain without approval by the Board of Trustees. The Board Chair may authorize the institution of other litigation.

3.10 **Gifts.** Subject to Board action, the President of the University shall act for the Board of Trustees regarding all current and deferred gifts to the University, including gifts to establish quasi-endowed or permanently endowed funds. Notwithstanding any delegation by the President, a gift with unusual terms or conditions affecting an academic program shall be accepted only with the concurrence of the President to the proposed terms or conditions. The proceeds of any gift, devise, bequest, or contribution received by the University shall be administered in accordance with the intention of the donor and any directions of the Board of Trustees in accepting the gift. Wherever possible, the University of Oregon Foundation shall manage gifts. The President of the University is authorized to act for the Board of Trustees regarding the disposition of gifts.

3.11 **Fees, Fines and Charges.** Subject to Board action and applicable laws, the President of the University shall establish fees, fines, and charges after providing notice to the Board. In arriving at a determination of fees, fines and charges, the President shall consult with employees and students as the President deems appropriate. The President shall enforce the collection of tuition, mandatory enrollment fees, other fees, fines, charges, and all other amounts due to the University.

4.0 **Authority of the Faculty**

4.1 **Role of the Faculty.** As provided in ORS 352.146, the faculty, which consists of the President and the professors, has:

4.1.1 The immediate government and discipline of the university and the students therein, except as otherwise provided by law or action of the Board.

4.1.2 The authority, subject to the supervision of the Board, to prescribe the course of study to be pursued in the University and the textbooks to be used.
4.2 **The President and the Professors.** The President and the professors constitute the faculty. The President of the University is the president of the faculty. Shared governance, as a principle in American higher education, is embedded in longstanding practices, and reflects the regard for all stakeholders in the academic endeavors of the University.

4.3 **Higher Education Coordinating Commission.** Any significant change in the University's academic programs as defined by the Higher Education Coordinating Commission must be approved by the Board committee responsible for academic affairs prior to submission to the Commission.

4.4 **University Constitution.** The faculty has adopted a University Constitution which was ratified by the President in 2011. A University Constitution, and any amendments to it, must be consistent with law and Board actions.

4.5 **Modification.** A University Constitution is subject to modification as set forth therein or by the Board of Trustees in consultation with the President and the professors consistent with applicable law.

5.0 **Channel of Authority**

The faculty and officers and employees of the University shall, through appropriate channels, be responsible to the President of the University and through the President to the Board of Trustees, except that the Treasurer, General Counsel and Secretary are responsible to the Board in relation to the business of the Board.

**Download policy**

**Chapter/Volume:**
- Volume I: Governance
- Chapter 1: Governance and board affairs

**Retention of Evaluative Materials**

**Reason for Policy:** This policy outlines the University’s position regarding the retention of evaluative materials concerning candidates for possible employment.  
**Entities Affected by this Policy:** All employees and candidates for employment  
**Responsible Office:** For questions about this policy, please contact Human Resources at 541-346-3159.

**Enactment & Revision History:**
Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 22, Section 0110.

Policy:

Retention of Evaluative Materials Concerning Candidates for Possible Employment

(1) If an individual is not employed, it is expected that the evaluative materials brought together by the institution as it evaluates an individual's qualifications in connection with possible employment will be retained as long as may be necessary to respond to affirmative action investigations and investigations of any claimed violation of the civil rights of any person in connection with employment. Thereafter, they will be disposed of in a manner designed to assure confidentiality, in accordance with rules of the State Archivist.

(2) When federal rules or orders require certain personal records to be compiled before the employment of a faculty member and retained thereafter, such records pertaining to persons not employed that have been obtained with the promise of confidentiality will be closed to all persons except as required by federal rules or orders.

Chapter/Volume:
Original Source:
Oregon Administrative Rule

Review of Undergraduate Admission Requirements

Responsible Office: Office of Enrollment Management at vpem@uoregon.edu
Enactment & Revision History: Became a University of Oregon policy by operation of law on July 1, 2014.

Former OUS Internal Management Directive 3.001-005.

Policy:

3.001 Review of Undergraduate Admission Requirements
The Board shall review and set undergraduate academic admission requirements for the institutions. To enable timely institutional planning, program implementation, publications, and notice to prospective students, the Board shall approve admission requirements for each academic year not later than in February of the preceding calendar year.

Institution and Chancellor’s Office staff shall work with Oregon schools, the Oregon Department of Education and others, on effecting a coordinated transition from the traditional admission policy to the proficiency-based admission standards system (PASS) that aligns with legislatively-mandated changes in public K-12 education.

3.005 Establishment of Minimum Standards for Entry Into Programs

Each institution may establish minimum academic and other standards for entry into particular programs in excess of those established for the institution by general Board policy. In addition, the institution may selectively admit students into these programs on the basis of established standards. All standards established pursuant to this directive and the procedures applying to them shall comply with OAR 580-015-0025.

Chapter/Volume:  
Original Source: Internal Management Directive

Sabbatical Leave

Policy Number: II.03.05  
Reason for Policy: This policy outlines certain matters relating to sabbatical leave.  
Entities Affected by this Policy: All faculty at the UO and individuals who work with faculty.  
Responsible Office: For questions about this policy, please contact the Office of Academic Affairs at 541-346-3081

Website Address for this Policy:

http://policies.uoregon.edu/sabbatical-leave

Enactment & Revision History:

Revisions approved by President Michael Schill on June 9, 2016 (revisions approved by the University Senate on May 11, 2016).

Technical revisions enacted by the University Secretary on August 31, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 21, Sections 0200 through 0245.

Policy:

A. Purposes of Sabbatical Leave

Sabbatical leave is granted to faculty for purposes of research, writing, advanced study, travel undertaken for observation and study of conditions in our own or in other countries affecting the applicant’s field or related scholarly or professional activities. Sabbatical leave is granted when it can be shown that the applicant is capable of using this period in a manner which will thereafter increase the applicant’s effectiveness to the university and to the state. Only the Provost or designee can approve applications for sabbatical leave.

B. Eligibility for Sabbatical Leave

(1) A faculty member at .5 FTE or greater with the rank of Senior Instructor I or II, Senior Lecturer I or II, Associate Professor, Professor, Senior Research Assistant I or II, Senior Research Associate I or II, Associate Research Professor, Research Professor, Associate Librarian or Senior Librarian may be considered for sabbatical leave:

a. After having been continuously appointed without interruption by a sabbatical leave for 18 quarters (excluding Summer Session) or, in the case of 12-month faculty, 72 months; or
b. After having accumulated the equivalent of 6.0 FTE academic or fiscal years over an indefinite period of 9-month or 12-month appointments uninterrupted by a sabbatical leave.

c. Prior service at the ranks of Instructor, Lecturer or Assistant Librarian, Research Assistant, Research Associate, or Assistant Research Professor when leading to a promotion to a higher rank, may be considered as part of the period of accumulated service for the purposes of the time requirement for sabbatical eligibility.

(2) A series of appointments shall be considered continuous whether or not interrupted by one or more authorized leaves of absence other than a sabbatical leave. An authorized leave of absence will not prejudice the faculty member's eligibility for sabbatical leave. Faculty members may be considered for subsequent sabbatical leaves after again satisfying the conditions specified in subsections (1)(a) or (b) of this section. Cases involving mixed terms of service may be adjusted by the Provost or designee, in accordance with the principles set forth in this section. Funding contingent faculty members with an appointment in the Instructor, Lecturer, Research Assistant or Research Associate category are ineligible for sabbaticals pursuant to this policy.

(3) Applicants for a sabbatical leave must present a careful statement of plans for the leave period, and a justification of the leave in terms of the criteria stated above. The request must be accompanied by an official application form, a curriculum vitae, and a description of current
teaching; scholarship; research and creative activity; service; and other professionally relevant activities.

(4) For institutional convenience, and at the initiative and sole discretion of the institution, a sabbatical leave may be delayed by up to two years. In such instances, the faculty member will become eligible for a succeeding sabbatical leave after an equivalently reduced period of years. This section applies to a maximum of 14 consecutive years, covering two possible sabbatical leaves. The same agreement may be agreed to in subsequent 14-year periods.

(5) Salary received by a faculty member during a sabbatical shall be calculated as follows:

(a) Salary during sabbatical leave shall be a percentage determined under subsection 5(b), (c) or (d) of this policy of the faculty member’s annual rate in effect at the time the sabbatical leave begins. The percentage is determined by multiplying the faculty member’s base salary rate at the time of sabbatical leave by the average FTE at which the faculty member was appointed during the 6.0 FTE years immediately prior to the sabbatical leave.

(b) For faculty on 9-month appointments, salary shall be:

i. One academic year (three terms) on 60% salary determined under subsection 5(a);
ii. Two-thirds of an academic year (two terms) on 75% salary determined under subsection 5(a);
iii. One-third of an academic year (one term) on 100% salary determined under subsection 5(a).

(c) For faculty on 12-month appointments, salary shall be:

i. One year on 60% salary determined under subsection 5(a);
ii. Two-thirds of a year on 75% salary determined under subsection 5(a);
iii. One-third of a year on 100% salary determined under subsection 5(a).

(d) For faculty with appointments in the School of Law, salary shall be:

i. One academic year (two semesters) on 50% salary during the period of sabbatical leave;
ii. One-half academic year (one semester) on 100% salary during the period of sabbatical leave.

D. Sabbatical Leave Reports

At the end of the sabbatical leave, the staff member shall submit a report of the accomplishments and benefits resulting from the leave to the department head, the dean and the Provost.
E. Obligation to Return

Each faculty member, in applying for sabbatical leave, shall sign an agreement to return to the University for a period of at least one year's service on completion of the leave. If a faculty member fails to fulfill this obligation, he or she shall repay the full salary paid during the leave plus the health care and retirement contribution paid by the University on behalf of the faculty member during the leave. This amount is due and payable three months following the date designated in the sabbatical agreement for the faculty member to return to the University.

F. Supplementing of Sabbatical Incomes

To the extent approved in writing by the Provost or designee, faculty members on sabbatical leave may supplement their sabbatical salaries to a reasonable degree, provided that such supplementation strictly conforms to the stated and approved purposes of the sabbatical leave.

Chapter/Volume:

- Volume II: Academics, Instruction and Research
- Chapter 3: Faculty, general

Original Source:
UO Policy Statement

Safety - Physical Space and Environment

Policy Number: IV.05.01
Reason for Policy: To protect human health and the environment, ensure regulatory compliance, and preserve university interests and assets.
Entities Affected by this Policy: All members of the UO community and visitors.
Responsible Office: Safety and Risk Services, (541) 346-3192, entriskserv@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

Revisions, merge and renumbering approved by University President Michael Schill on 03/03/2017

Title change from University Safety to Safety on 10/05/2010
Policy number revised from 8.000 to 08.00.02 on 02/08/2010

Approved by President’s staff on 10/11/2000

Policy:

Safety - Physical Space and Environment Policy

I. Responsibilities

a. Safety is the shared responsibility of everyone. The president expects all university personnel to support the university’s safety policy and associated procedures.

b. The provost and vice presidents are responsible to ensure implementation and enforcement of this policy in all facilities and operations within their respective portfolios.

c. All administrators, deans, department heads, directors, supervisors and/or principal investigators are directly accountable for the safety and health of the total environment(s) (work and/or living) for which they are responsible. This includes all students, visitors, staff, the environment and university property for which they have oversight. This also includes establishment and management of safety programs and ongoing support by each unit for safety, including the provision of appropriate training and personal protective equipment.

d. Safety and Risk Services is responsible for providing training, technical expertise and assistance to campus partners regarding compliance with laws, regulations, and policies and the protection of human health and the environment. The University Safety Representative is an employee in Safety and Risk Services and is responsible for responding to employee inquiries about safety.

e. All employees are responsible for reporting accidents, unsafe working conditions or hazards of any nature. Such a report shall be made to an immediate supervisor who shall report the situation to the appropriate person or office for action except in instances of immediate medical attention needs when 9-1-1 should be the first notification.

f. The University will annually advise employees of the name and contact information of the University Safety Representative.

II. Imminent Danger

In case of imminent danger to life or health, Environmental Health and Safety (EHS), the University Fire Marshal, and/or a designee of either has authority to suspend an activity immediately until the hazardous condition is abated or adequate measures are
taken to minimize exposure of students, faculty, staff, visitors and the environment to that danger.

III. Corrective Action and Reporting

a. If after reporting to the supervisor that a specific task or assignment may jeopardize personal health or safety, and correction is not made, the employee may refuse to perform such activity without penalty until the appropriate health or safety representative has reviewed the situation and made a finding. Any employee has the right to report any unsafe or hazardous condition directly to a safety representative or to appropriate local, state, or federal authorities.

b. Safety violations, injury reports, and corrections made will be reviewed and reported to the university’s Safety Advisory Committee at its regularly scheduled meeting.

IV. Committees

Safety and Risk Services unit may form such committees as the head of that unit deems necessary and appropriate to ensure and maintain regulatory compliance.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources: The UO has a number of standing committees and teams, such as: Safety Advisory Committee, Laboratory Safety Committee, Radiation Safety Committee, Environmental Issues Committee, Accident Review Board, Institutional Biosafety Committee, Incident Management team, and Strategic Enterprise Risk Management and Compliance Committee to uphold the expectations of this policy and to develop procedures for compliance. It also maintains plans required to maintain regulatory compliance.

The responsibilities of the committees include:

- Promoting occupational and personal safety, wellness and environmental consideration.
- Protecting life, property, the environmental, and mission critical essential services and facilities.
- Identifying and correcting health and safety hazards and encouraging students, faculty and staff to report potential hazards.
- Providing information and training related to potential safety hazards.
- Adhering to compliance requirements by federal, state and local authorities.
- Increasing the university’s resilience to health and safety conditions impacting its ability to achieve the core mission of teaching, discovery, and service.

Original Source: UO Policy Statement
Sexual Harassment

Effective Date: 09/09/2005
Office for the Vice President for Student Life
vpsl@uoregon.edu

Policy Statement:

Sexual harassment is contrary to the mission, goals, and positive learning environments of the Oregon University System and its institutions. Each institution shall set forth its policy; shall establish effective means to notify the university community of the policy; shall provide mechanisms to educate the university community regarding the policy and its application; shall ensure fair investigations and review of allegations of sexual harassment; and shall periodically evaluate the effectiveness of its policies and procedures.

Institution policies shall:

1. Use common definitions of “Sexual Harassment.” For students, sexual harassment is defined in the Board’s Administrative Rule, OAR 580-015-010(2). For employees, sexual harassment is unwelcome sexual advances, requests for sexual favors or other verbal or physical conduct of a sexual nature when:

   (a) Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment; or

   (b) Submission to or rejection of such advances, requests, or conduct by an individual is used as a basis or condition for employment; or

   (c) Such conduct is unwelcome and sufficiently severe or pervasive that it interferes with an individual’s work performance because it has created an intimidating, hostile, or offensive working environment for the individual who is the object of such conduct, and where the conduct would have such an effect on a reasonable woman (if the object is a woman) or a reasonable man (if the object is a man).

2. Prohibit sexual harassment and retaliation for reporting sexual harassment.
3. Identify a source of assistance to those wishing to file sexual harassment complaints.
4. Identify the process by which allegations of sexual harassment will be investigated and reviewed.
5. Contain the following:
• A description of the grievance process;
• Timelines for resolution and/or requests for time extensions of complaints;
• A statement of the possible consequences for violating the sexual harassment policy, consistent with Board, institution and collective bargaining agreement requirements for the imposition of sanctions; and
• A statement of the policy’s applicability to employees and students.

6. Require notice to all contractors that contractors and contractors’ employees are expected to adhere to the institution’s policy prohibiting sexual harassment in their interactions with members of the campus community.

7. Establish campus-wide educational programs.

The policy shall be broadly and regularly disseminated to the entire campus. Institutions shall also offer training to faculty and administrators and ensure that those responding to complaints have training and knowledge to fulfill their responsibilities. Institutions shall periodically assess the effectiveness of their notification and training processes.

8. Establish requirements for reporting and recordkeeping.

Each institution shall maintain records showing for each academic year:

The number of formal complaints of sexual harassment;

The number or percentage of those complaints in which sexual harassment was found to have occurred; and

The sanction imposed (to the extent consistent with restrictions on disclosure of records).

Beginning in September 2006, every four years, each institution shall report to the Board the results of a study designed to measure the effectiveness of the policy as perceived by students and employees. This report is to include comments on the efficacy of education, information dissemination, and training efforts.

Cross Reference to Related Policies: Policy Document
Original Source: OUS Board Policy

Sexual Misconduct

Effective Date: 01/05/2010
Policy Statement:

POLICY/PURPOSE

The State Board of Higher Education is committed to providing a learning environment free of all forms of abuse, assault, harassment, and coercive conduct, including sexual misconduct. As such, the Board does not tolerate sexual misconduct by students in any form. The Board is committed to enacting, improving, and enforcing efforts to prevent sexual misconduct, to support victims should it occur, and to obtain appropriate resolution in order to keep it from recurring.

APPLICABILITY

While this Board policy outlines expectations for resources and processes on OUS institutions, including, but not limited to, an annual reporting requirement, this policy applies to the conduct of OUS students or any other person subject to the student conduct code of an OUS institution.

PRINCIPLES

(A) Board Expectations

The Board expects OUS institutions to incorporate the above-mentioned values of prevention, support and resolution into the resources and services available to students regarding sexual misconduct. In addition, the Board expects OUS institutions to reflect upon the following principles in devising the institution’s response mechanism to sexual misconduct on its campus:

Victim-Directed

Sexual misconduct—in all its forms—is a harrowing experience for victims and largely removes their sense of control over their environment, decision-making, and choices. The Board expects a process that places as much control as possible back with victims at each step. The Board expects OUS institutions to provide victims with access to reasonable resources including advocacy, medical treatment, emotional support, assistance with filing of reports/charges, assistance with class schedules, room assignments, and no-contact orders, and clear and complete explanations of options.

Offender-Focused

The Board recognizes that regardless of circumstances including use of alcohol/other drugs, previous relationship with the offender, and sexual history, there is no excuse for engaging in
non-consensual sexual activity. As such, the Board expects the investigation and resolution of sexual misconduct instances be focused on offender behavior in relation to clear definitions of proscribed conduct.

**Committed to Due Process**

Should sexual misconduct be alleged on an OUS campus, the Board expects a thorough investigation and adjudication by a sexual misconduct review board or hearing officer that is appropriately trained in the myriad issues involved with sexual misconduct on college campuses. Clearly defined proscribed conduct relating to sexual misconduct—in all its forms—will serve as the basis for all determinations of responsibility and appropriate sanctions.

(B) **Definition**

The Board defines sexual misconduct, as applicable to all OUS students and any other person subject to the student conduct code of an OUS institution, at OAR 580-022-0045.

(C) **Report**

(1) The president or designee of each OUS institution will file a written report annually with the Chancellor, specifically addressing how the institution’s resources and services uphold the above-referenced expectations of prevention, support, and resolution and how the institution’s sexual misconduct response mechanism is victim-centered, offender-focused, and committed to due process. The report will also include, for the relevant calendar year, the number of reported incidents of sexual misconduct, the number of sexual misconduct adjudications, the dispositions of the completed adjudications, and the disciplinary sanctions, if any, issued to any student found responsible for sexual misconduct.

(2) The institution’s report is due no later than December 31 of each calendar year.

(3) Appendix A—“Values in Actions”—is attached to this policy, which identifies best practices and relevant research to assist the OUS institution in the development and deployment of resources and services.

**Appendix A**

**Values in Action**

**Prevention—“Keep it from Happening”**

**Prevention** – comprehensive strategies which focus efforts on the root causes (e.g., attitudes, behaviors, conditions) of sexual violence in order to stop sexual violence before it occurs.
**Education/Outreach** – individual activities which raise awareness of the scope and impact of sexual violence and address how to respond to sexual violence (e.g., definition and prevalence of sexual violence, victim impact, risk reduction, supporting victims).

**Support** for victims of sexual violence and sexual violence prevention are not mutually exclusive. The likelihood that a prevention programming participant has had direct or indirect experience with sexual violence is high. As such, sexual violence prevention providers must be cognizant of the potential for programming to trigger memories of participants, and must be prepared to offer and provide support to participants. Moreover, supporting participants is crucial to both the effectiveness of the prevention program and the healing process of participant victims.

**Prevention** strategies should incorporate the nine principles of effective prevention (see footnote)

1. **Comprehensive**: Strategies should include multiple components and affect multiple settings to address a wide range of risk and protective factors of the target problem.
2. **Varied Teaching Methods**: Strategies should include multiple teaching methods, including some type of active, skills-based component.
3. **Sufficient Dosage**: Participants need to be exposed to enough of the activity for it to have an effect.
4. **Theory Driven**: Preventive strategies should have a scientific justification or logical rationale.
5. **Positive Relationships**: Programs should foster strong, stable, positive relationships between children and adults.
6. ** Appropriately Timed**: Program activities should happen at a time (developmentally) that can have maximal impact in a participant’s life.
7. **Socio-Culturally Relevant**: Programs should be tailored to fit within cultural beliefs and practices of specific groups as well as local community norms.
8. **Outcome Assessment & Evaluation**: A systematic outcome assessment and evaluation is necessary to determine whether a program or strategy worked.
9. **Well-Trained Staff**: Programs need to be implemented by staff members who are sensitive, competent, and have received sufficient training, support, and supervision.


**Education** should utilize constructs shown to have an effect on attitudes and behaviors. Additionally, education should not be seen as solely the responsibility of the co-curriculum. A commitment should be developed to integrate education into the academic curriculum and to ensure appropriate education and training of faculty. Issues of power, sexual interactions with students, and bystander responsibilities must be included. Sexual violence prevention providers must be cognizant of the potential for programming to trigger memories of participants, and must be prepared to offer and provide support to participants.
**Knowledge & Awareness** – includes factual information such as legal and OUS definitions, descriptions of who are victims and offenders, local responses and resources, and examples of behaviors that are inappropriate/in violation of expectations

**Uses:** to establish relevance and motivation for change.

**Importance:** should be included as there are almost always individuals in any audience who have experienced sexual violence.

**Effectiveness:** HAS NOT shown to be effective in changing attitudes and behaviors, although with a focus on naming and dismantling behaviors rather than on describing victims and perpetrators, may be particularly useful on the college campus. See footnote

**Recommendation:** initial focus, especially information on OUS expectations.

"Rape Myths"

**Uses:** to address the cognitive distortions which justify rape.

**Importance:** were found to be the second most frequent precursor to rape.

**Effectiveness:** has been shown to be effective in changing attitudes.

**Recommendation:** correcting myths should continue to be a primary target of any sexual violence prevention program. Social norming/marketing via presentation of factual information vs. population perceptions is one highly recommended approach—but requires the collection of pertinent data.

**Victim Empathy**

**Uses:** to help others understand the experiences of victims of sexual violence (during the actual event and the aftermath).

**Importance/Effectiveness/Recommendation:** evaluation literature shows strong support for including in sexual violence prevention programs.

**Communication, Assertiveness & Limit Setting**

**Importance:** everyone can benefit from these skills.
**Effectiveness**: has been shown to have some level of success in changing knowledge and attitudes. 

**Recommendation**: must BE CAREFUL NOT TO inadvertently send the message that individuals who do not communicate clearly may be somewhat responsible for being sexually assaulted.


**Bystander Intervention**

**Uses**: moves beyond women having to identify as "victims" and men having to identify as "perpetrators"; teaches individuals how they can intervene to prevent sexual violence and assist victims

**Importance**: reframes sexual violence as a social problem that requires both men and women to intervene in others' behavior.

**Effectiveness**: individuals are more likely to intervene if they feel personally responsible to stop the witnessed event and if they feel certain about *how* to intervene (and what to expect); moves into the realm of changing behaviors.

**Recommendation**: should be included in more comprehensive programs with sufficient time to practice prevention skills. Additionally, should utilize peer-to-peer education and training opportunities whenever possible, which requires a commitment to develop well-trained peer advocates/trainers.

**Single-Gender Audiences**

**Uses**: targets information appropriate to each gender and decreases male defensiveness.

**Importance**: information for men can focus on bystander approach and discuss negative consequences for perpetrating, while information for women can focus on bystander approach and risk reduction for victimization.

**Effectiveness**: single-gender audiences have been found to be more effective for both men and women.
Recommendation: single-gender audiences should be used whenever possible, particularly if the information provided goes beyond general knowledge and awareness.

NOTE: It is recognized that there are those who identify outside of the traditional gender binary of male female, including trans-gender and gender-neutral. This approach is not meant to diminish the needs of any individual, but rather to focus on the prevalence of male violence against women. Similar approaches can be taken with trans-gender and other audiences.

Support during prevention programming should take into account the following guidelines:

Before the program begins

Describe the nature of the program to participants.

Notify participants about available support services.

During the program

Provide counseling service information to participants.

Have advocates on-site for participants.

Use gender-neutral and culturally sensitive language.

Minimize the level of graphic detail within a survivor’s story.

Maximize the level of educational content.

Directly address, dispel and redirect any victim-blaming or rape myths coming from participants.

After the program, remind participants of support resources available.

Support—“If it happens”

Each campus has various offices, personnel, procedures, and resources in place to assist victims of sexual assault. Regardless of varying roles and titles between campuses and in the communities in which those campuses exist, it is critical that there be sufficient redundancy of resources to ensure adequate support. In other words, whenever possible institutions should seek to have support staff in place, even when those same resources exist in the surrounding community.
In order to ensure timely, coherent, integrated response to sexual assaults, campuses should have in place a Sexual Assault Response Network, composed of the following entities.

On campus, these areas should, at a minimum, include:

- Campus Public Safety/Police
- Student Health Center/Medical Staff
- Student Counseling Staff
- Student Conduct/Judicial Affairs Staff
- Residence Life/Housing Staff
- Campus Crisis Line/Resource Center(s)/Other

Community partners should, at a minimum, include:

- Sexual Assault Victim Services
- Police Department
- District Attorney’s Office/Victim Services
- Local Hospital

These areas—each of which may be the initial contact point for a victim or friend—together with community partners, must provide the following response services:

- Adequate numbers of well-trained staff in each area
- Access to 24 hour support, advocacy, and crisis intervention services
- Access to 24-hour medical services, provided by a SANE Nurse (Sexual Assault Nurse Examiner), preferably both on campus and in the community, including an on-campus forensic collection site
- Filing of reports/charges, both through campus safety staff and local law enforcement
- Counseling assistance
- Family/relationship crisis management
- Assistance with class schedules, room assignments, no contact orders, etc.
- Anonymous reporting opportunities

Since multiple areas will likely be involved with provision of these services, it is recommended that these on-campus areas work in concert with the following points in mind:

- Clearly define and publish the role(s) of each area.
- Clearly define and publish a flow chart of roles.
- Clearly define and publish the type and nature of communication between areas.
- Clearly define learning outcomes for training of staff in each area.
- Clearly define with community partners each area’s roles, responsibilities, and procedures.
• Establish quarterly meetings designed to promote communication, discuss trends, review case-studies, etc.
• Ensure that staff in every area can and do provide accurate, consistent information about the university’s sexual assault policy, resources, and procedures.
• Ensure that information about resources is published and disseminated in a coordinated fashion in appropriate ways, including web and print.

By taking these steps, campuses can create a Sexual Assault Response Network composed of existing resources that will give accurate information and effective referrals appropriate for a victim’s particular circumstances no matter where the victim initially goes for assistance.

Resolution—“Stop it from happening again”

Student conduct procedures should be viewed as a resource to the victim of sexual misconduct. A student charged with sexual misconduct can be prosecuted under the Oregon Criminal Code if the victim chooses and separately disciplined by the institution. Even if the criminal justice authorities choose not to prosecute, a student charged with any type of sexual misconduct will be subject to the OUS institution student conduct process. If the OUS institution, through its conduct procedures, finds that the alleged misconduct occurred, the institution should take swift and appropriate disciplinary action.

Hearing procedures and disciplinary sanctions should strive to accomplish the following:

• The victim is shepherded through the process by well-trained campus personnel and understands procedures and “next steps” at each phase of the conduct process;
• The victim is given as much control over timing and how to proceed through the conduct process as is deemed feasible and appropriate;
• Victims are not re-victimized in any way—this includes safeguards so that victims are not required to re-state their story multiple times; not required to come face-to-face with the accused student; not questioned directly by the accused student; not having their past sexual history considered by the hearing officer/board, etc.;
• All hearing officers/board members receive comprehensive training with established learning outcomes. Topics covered should include sensitivity to victim reactions; characteristics of Rape Trauma Syndrome; myths and facts about sexual assault; sensitivity to both race and sexual orientation of individuals; and appropriate standards of proof;
• The conduct process is completed in a timely manner so that the victim does not have to “re-live” the trauma of the event for a prolonged period of time;
• The accused student may be suspended in an “interim” manner should it be determined that the student is a continuing risk to the victim and/or the campus population;
• Allegations of sexual misconduct, to the extent permitted by law, will be addressed by the conduct process regardless of whether the alleged infraction occurs on- or off-campus. Codes of conduct and hearing procedures should make clear that by being enrolled as a student at an
OUS institution means a student is responsible for the conduct code regardless of the location of the infraction;

- Any student found to be responsible for attempted or completed sexual misconduct at an OUS institution not be allowed to transfer to another OUS institution without relevant information about the infraction and sanctions being provided to the new institution. NOTE: This provision will necessitate further work and coordination between institutions within OUS.

Cross Reference to Related Policies:
Policy Document
Original Source: OUS Board Policy

Smoke and Tobacco-Free University

Policy Number: IV.07.09
Reason for Policy: This policy outlines smoking and tobacco restrictions on properties owned or controlled by the University of Oregon.
Entities Affected by this Policy: Any individual on University Property.
Responsible Office: For questions about this policy, please contact Human Resources at 541-346-3159.

Enactment & Revision History:

Policy updates approved by the president effective January 6, 2020.

Policy renumbered to IV.07.09 on November 8, 2018.

Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 50 Section 0005.

Policy:

The University of Oregon is committed to maintaining a healthy and safe learning, working, and living environment for our students, faculty, and staff, and other members of our community. Research shows that tobacco use in general constitutes a significant public health hazard. The University therefore strictly prohibits all Smoking or Tobacco Use on University Property and in University Vehicles. This policy applies to all persons, including but not limited to students, faculty, staff, contractors, and visitors.
(1) Definitions.

(a) “Smoking”: Inhaling, exhaling, burning, vaping or carrying any lighted or heated Tobacco or nicotine product, including legal smoking substances (e.g., dip replacements, kratom, salvia) that are not Tobacco.

(b) “Tobacco”: All forms of Tobacco, including but not limited to cigarettes, cigars, shisha, pipes, water pipes (hookah), clove cigarettes, electronic cigarettes (e-cigarettes), and similar devices, and all forms of smokeless Tobacco including but not limited to chew, snus, snuff, sticks, strips and orbs.

(c) “Tobacco Use”: Smoking, chewing, dipping or any other use of Tobacco products.

(d) “University Property”: All property owned, leased or controlled by the University.

(e) “University Vehicle”: Any vehicle owned, rented or leased by the University.

(2) Prohibitions.

Smoking and Tobacco Use is prohibited on all University Property and in all University Vehicles. The sale, distribution, and/or advertisement of any Tobacco products is prohibited on University Property and in University publications. Products exclusively designed to support smoking cessation are not prohibited.

An employee who violates this policy may be subject to discipline. A student who violates this policy may be subject to action under the Student Conduct Code.

Visitors who violate this policy may be cited and asked to leave pursuant to the Campus Visitors policy.

(3) Assistance to Employees and Students.

The University will publicize the availability of Tobacco addiction treatment assistance for employees and students.

(4) Exceptions.

Exceptions to this policy may be approved by the President and must be consistent with federal and state law (e.g., the Oregon Indoor Clean Air Act).

Chapter/Volume:
Special Fees, Fines, Penalties, Service Charges

Reason for Policy: This policy outlines certain regulations pertaining to certain special fees, fines, penalties and services charges at the University.

Entities Affected by this Policy: All students and employees of the UO.

Responsible Office: For questions about this policy, please contact Business Affairs at 541-346-3165.

Enactment & Revision History:

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

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

Former Oregon Administrative Rule Chapter 571 Division 60.

Policy:

A. Special Fees, Fines, Penalties, Service Charges

The University of Oregon (University) has adopted by reference a list of Special Fees, Fines, Penalties, Service Charges, etc., for the current fiscal year:

(1) The fees, fines, penalties and service charges listed by reference in this policy are updated annually and copies are on file in the listed departments by July 1.

(2) The amounts and conditions of these fees may change from time to time throughout the year due to administrative considerations, changing costs, changes in institutional budgets, etc. If the size and the amount of these fees are or could be of importance to users, they should verify the
details prior to making a commitment, before entering into any planning activities or before actually incurring any charges.

(3) The master copy of the current list of fees is maintained in the Office of the Director of Business Affairs and is available upon request to any person during regular business hours. The Director of Business Affairs also maintains a bulletin board where fee changes made during each 30-day period are posted. Following that posted period, the changes are filed within the master copy.

(4) University departments charging fees shall maintain a copy of at least that department's section of the list of special fees, fines, penalties and service charges including any updates made during the course of the fiscal year. The list and all current changes shall be available upon request to any person during regular departmental business hours.

(5) No department may change fees between annual amendments to this policy without first obtaining an approved statement of justification signed by the appropriate Vice-President. Prior to granting approval of any fee charged to students, the Vice-President shall consult with the Office of Student Advocacy. Changes in fees approved by the Vice-President and the justification statement shall be posted for 15 days in a public area of the departmental office. The new fee, fine, penalty or charge becomes effective at the end of the 15-day posting period after it is filed with the Director of Business Affairs along with the justification statement.

(6) However, student loan service charges, charges levied as penalties for prohibited conduct, general tuition, building fees, incidental fees, health service fees, and residence hall and housing charges, shall be adopted in accordance with the provision of ORS 183.310 to 183.500.

(7) Certain charges, fees or fee schedules may, according to ORS 351.072(b), be adopted without compliance with policy-making provisions of ORS 183.310 to 183.500. They are: charges relating to symposiums, conferences, short courses, food, books or other retail goods, prices of admission to athletic, entertainment or cultural events or advertising rates in student or institutional publications.

B. Interest on Overdue Accounts

(1) Interest at the rate of nine percent may be charged and collected on all liquidated debts which are six months past due.

(2) Interest at rates up to 12 percent may be charged and collected on all debts six months past due when so stated in the contract, promissory note, or other written agreement for extension of credit.

C. Library Fines Appeal Process
(1) University Library borrowers who believe they have been assessed in error library fines or charges for lost or damaged materials or that extenuating circumstances warrant reduction or cancellation of the amount billed them by the Library through the Business Office shall first appeal to the classified staff member or Library faculty member in the Library unit where the borrowing transaction originally took place. Student employees are not authorized to handle appeal requests:

(a) Any appeal should be made within 30 calendar days of the original billing by the Business Office or of the date of the notice of deduction from the student deposit;

(b) The Library shall publish notice of the availability of this appeals process and shall provide copies of such notice at circulation desks and/or upon request.

(2) The following reasons do not constitute legitimate grounds for appeal:

(a) Lack of understanding of Library policy;

(b) Failure to receive notices mailed by the Library. It is the borrower's responsibility to provide a correct address;

(c) Borrower's absence when materials were due or when notices were sent;

(d) Materials charged out by one borrower and then lent to another. The borrower whose name appears on the charge card is fully responsible. Borrowing privileges are non-transferable;

(e) Accounts referred to a collection agency;

(f) Charges incurred over 545 days before the date of appeal.

(3) The Library employee shall review with the borrower Library circulation records, explain the questioned transaction referring to applicable Library policies, describe any alleged damage or loss and/or other evidence leading to the assessment of the fine or charge.

(4) If the explanation and review do not satisfy the borrower of the appropriateness of the fine or charges, the borrower may ask to be referred to the appropriate supervisor:

(a) Library supervisors are authorized to cancel all or part of any fine or charge; or

(b) Library supervisors may determine that the fine or charge was correctly applied.

(5) Appeal of a supervisor's decision shall be made by the borrower completing an "Appeal of Library Charges" form and returning it within two weeks to the supervisor whose decision is
unsatisfactory. Upon receipt of the appeal form, the supervisor shall arrange a mutually convenient appointment for the borrower and the appropriate Library Department Head. The Department Head may, upon reviewing the facts, waive a part or all of the fine or charge or may uphold the billing. The Department Head shall explain the decision to the borrower and record the decision on the appeal form.

(6) Department Head's decision may be appealed to the Assistant University Librarian for Public Services within two weeks of the Department Head's decision. The Assistant University Librarian for Public Services shall make a decision within two weeks of receipt of the appeal of the Department Head's decision. The decision shall be recorded on the appeal form.

(7) Assistant University Librarian for Public Services' decisions may be appealed to the University Librarian within two weeks of receipt of the Assistant University Librarian for Public Services' decision. The University Librarian shall make a decision in writing within two weeks of receipt of the appeal:

(a) For public borrowers, appeal to the University Librarian shall constitute the end of the available appeals within the University;

(b) For members of the University community (faculty, students and staff), appeal to the University Librarian shall be considered as satisfying Step One of the University's grievance procedure outlined in Policy 571.003(B). Continuation of the complaint through all the steps in Policy 571.003(B) shall exhaust University community borrowers' appeals within the University.

D. Appeals of Library Policy

(1) In the event a member of the University community (faculty, student or staff) believes a University of Oregon Library circulation policy is unjust, unclear, or unfair (either universally or individually), two avenues of appeal exist:

(a) A statement of particulars (including name and a contact address) may be placed in the Library Suggestion Box located between the Circulation Desk and Reference area on the first floor of the Main Library. A response to the suggestion or proposed policy reform will be posted above the suggestion box and sent to the person making the suggestion if a name and adequate address are provided; or

(b) An appointment may be made with the Assistant University Librarian for Public Services to discuss the policy in person.

(2) If the Assistant University Librarian for Public Services concludes that a Library policy should be reconsidered, suggested changes shall be brought to the attention of the University Library administration.
(3) Appeal of the Assistant University Librarian for Public Services' decision may be made in writing to the University Librarian within two weeks of receipt of that decision.

(4) Appeal to the University Librarian shall exhaust the University's appeal process for members of the general public. For members of the University community (faculty, students and staff), appeal to the University Librarian shall be considered as satisfying Step One of the University's grievance process outlined in Policy 571.003(B). Continuation of the appeal through all the Steps in Policy 571.003(B) shall exhaust University community members' appeals within the University.

E. Collecting Receivables

(1) As directed by Policy 580.041(A), the University of Oregon Business Office exercises due diligence in collecting accounts and notes receivables by using, as appropriate, the following remedies:

(a) Withhold transcripts;

(b) Deny registration;

(c) Withhold further account receivable privileges;

(d) Evict from residence hall or student family housing for nonpayment of room and/or board fee;

(e) Apply any credits in favor of the debtor to the debt;

(f) Assess penalties, interest, late fines, and collection charges as allowed by statutes and regulations;

(g) Utilize telephone inquiries;

(h) Send letters of demand;

(i) Use "skip trace" information as allowed by statutes;

(j) Utilize offset procedures with other state agencies;

(k) Utilize Department of Revenue as a collection agent;

(l) Institute legal action as permitted by statutes and regulations;
(m) Seek collections on judgments as permitted by statutes;

(n) Contract with outside collection agencies.

(2) Before initiating remedies listed in subsections (1)(c), (d), (j), (k), (l), (m), or (n) of this section, the University of Oregon Director of Business Affairs shall:

(a) Give at least seven days notice to the debtor of the deficiency asserted (if that person has not been properly notified by the department which initiated the charge);

(b) The notice shall list the possible remedies and/or collection procedures to be followed;

(c) Inform the debtor of the existence of informal and formal hearing appeal processes in cases where the amount of the debt is challenged.

(3) The University of Oregon Director of Business Affairs may waive any of the above remedies if approved by the Vice-President for Administration, but only in those instances which serve the best interest of the institution, the state or the federal government, or where required by state or federal statutes.

(4) A debtor shall have 60 days after receiving initial notification of the charge (or such shorter time as the department or unit initiating the charge may specify in published procedures available for the asking at the departmental or unit office) in which to present to the department or unit initiating the charge a challenge to the debt. Such a challenge must have been made and denied in whole or in part (or must not have produced a departmental/unit response within 20 days after submission) to qualify the debtor for a further hearing in the Office of Business Affairs. If the debtor is eligible for such a hearing, he/she must request it no later than 60 days after the denial (or non-response) of his/her challenge at the highest available level of the initiating department or unit or 60 days from the date on the notice provided for in section E(2) of this policy. The University of Oregon Director of Business Affairs shall grant a hearing upon written request from any debtor disputing the amount owed or circumstances related thereto. The written procedures to be followed in requesting a hearing are available at the University of Oregon Business Office during regular business office hours Monday through Friday.

(5) In the event the hearing before the Director of Business Affairs does not satisfy the complaint, the debtor may appeal in writing within seven days of receipt of the Director of Business Affairs' decision to the Vice-President for Administration.

(6) The procedures in this policy conform with the requirements of federal and state laws and regulations.

F. Revolving Charge Account Program
(1) The University of Oregon offers extended payment terms utilizing a revolving charge account program as authorized by University policy (580.040.0041).

(2) Any person, organization, or agency that incurs charges, fines, or penalties at the University of Oregon is eligible to participate in the revolving charge account program, except that the University of Oregon may deny use of the minimum payment privilege to persons, organizations, or agencies that do not have a good credit history with the University of Oregon, and to anyone who has been in default status on student loans.

(3) Participants in the revolving charge account program shall sign a revolving charge account agreement and abide by the terms and conditions of the program as set forth in that agreement.

(4) The terms and conditions of the revolving charge account program may be imposed upon debts arising from fines, penalties, and the like, without the requirement that the debtor sign a revolving charge account agreement.

(5) Revolving charge account debtors have the right to pay the outstanding debt in full at any time without penalty.

(6) The interest rates and service charges applicable to revolving charge accounts are described in Section A as amended.

(7) The collection policies applicable to the revolving charge account program are described in Section E.

(8) Students must pay, in full, all tuition and fees incurred in any given term or semester, prior to the start of the next term or semester.

(9) The University of Oregon reserves the right to amend the terms and conditions applicable to revolving charge accounts without securing a new agreement. Debtors shall be notified, in writing, of any changes in applicable interest rates, charges or fees, in advance of these changes taking place.

(10) In cases of errors or questions, a debtor may challenge a charge within 60 days after the first bill on which the suspected error or problem appeared. Inquiries should be directed to the office initiating the charge. If an error is found, affected charges will be adjusted. Further appeals shall be processed under the procedures described in Section E(4).

**Chapter/Volume:**
**Original Source:** Oregon Administrative Rule
Strategic Purchasing of Services and Goods

**Policy Number:** IV.09.03

**Reason for Policy:** To centrally coordinate the University of Oregon’s purchases to obtain the best overall value, service, and efficiency.

**Entities Affected by this Policy:** All University academic, administrative, and auxiliary departments and units.

**Responsible Office:** For questions about this policy, please contact Purchasing and Contracting Services at 541.346.2419 or pcsadmin@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

**Enactment & Revision History:**

Approved by University President Michael Schill on June 6, 2017.

**Policy:**

The University of Oregon uses strategic purchasing to purchase goods and services for the University in an efficient, price effective manner. Strategic purchasing is best practice in higher education and allows universities to impose greater accountability in purchasing, comply with ethical duties and grant requirements, and reduce University costs paid by student tuition and state funds. This policy will be implemented in accordance with the Board of Trustees’ delegation of authority to University officers, applicable law, and the University’s established ethics and financial stewardship policies, rules, and procedures.

**I. RATIONALE**

Strategic purchasing is the process of negotiating a large-scale contract with a company or vendor that will provide the best price and service in exchange for the exclusive right, with some exceptions, to sell to the buyer. Large enterprises like the University of Oregon frequently buy groups of similar goods and services in nearly each of their various units and departments. This includes, for example, computer hardware, office supplies, copiers, printers, office furniture, event services, and other goods and services. Large enterprises leverage their buying power to get better prices and receive better service by identifying multiple categories of goods and services that can each be supplied by a single vendor.
For example, many large enterprises, including universities, will choose a single vendor for desktop or laptop computers, such as Dell, Apple, or another vendor and receive lower prices and better service in return.

As the department responsible for establishing University purchasing guidelines, Purchasing and Contracting Services (“PCS”) is responsible for implementing this policy, including determining those goods and services that will be subject to strategic purchasing requirements and individual purchases that will be exempt from strategic purchasing requirements.

II. ENTITIES AFFECTED BY THIS POLICY

This policy affects and applies to all entities within the University, including, but not limited to, academic departments, research centers and institutes, grant-funded programs, and auxiliary departments.

III. APPLICATION OF POLICY

1. Selection of Services and Goods for Strategic Purchasing

The Vice President for Finance and Administration (“VPFA”), or designee, under delegated contracting authority from President of the University, will select those services and goods that must be purchased exclusively from a selected vendor using central University contracts negotiated by PCS. The Director of PCS will be responsible for making recommendations to the VPFA for strategic purchasing following the process described below.

Prior to recommending any category of service or good for strategic purchasing, PCS must consult with a standing strategic purchasing advisory committee to determine whether it is in the best interests of the University. The strategic purchasing advisory committee will have access to review the proposed terms and conditions for any anticipated contract for strategically purchased goods and services. The strategic purchasing advisory committee will consist of:

- One representative from each of at least three academic departments;
- One representative from the Business Affairs Office;
- One representative from Information Services;
- One representative from Sponsored Projects Services;
- One representative from the Associated Students of the University of Oregon;
- One representative from Finance and Administration Shared Services; and
- Representatives from any other department determined to be relevant to the category of services or goods discussed.

The strategic purchasing advisory committee’s membership described above will include at least one officer of administration and at least one classified employee.
After consultation with the strategic purchasing advisory committee, if PCS anticipates recommending a category of services or goods for strategic purchasing, it will post its proposed selection on its University internal website, pcs.uoregon.edu, and notify all campus buyers and contract officers of the proposed selection. The online posting of PCS’s proposed selection will solicit comment from campus employees. Campus buyers and contract officers will be encouraged to invite faculty and staff to review recommendations and provide comments.

The Vice President for Finance and Administration, or designee, is responsible for determining which services and goods will be selected for strategic purchasing. The VPFA will consider the recommendations of the Director of PCS and the strategic purchasing advisory committee and comments provided by campus employees when making the decision of whether to select a service or good for strategic purchasing.

2. Considerations for Selecting Services and Goods for Strategic Purchasing

PCS and the strategic purchasing advisory committee will consider all relevant information, including, but not limited to, the following items when determining whether to select a category of services or goods for strategic purchasing:

- The number of University departments that purchase the service or good;
- The ability to fulfill the needs and specifications of each department with one vendor;
- The ability to contract for exceptions, to the extent necessary, to the vendor’s exclusive right to provide the services or goods to the University;
- The cost of integrating and committing to a new product, service, or technology;
- The level of impact on University personnel;
- Whether the service or good will cause increased ongoing operational or support costs;
- Whether the service or good is a creative work or otherwise relies on the unique skill of the individual rendering the service or making the good;
- The amount of money saved by contracting with one vendor to provide the service or good for the entire University; and
- The level of service provided by contracting with one vendor to provide the service or good for the entire University.

3. Selecting Vendors for Strategic Purchasing

PCS will select a vendor for exclusive strategic purchasing through a competitive procurement process. Specifically, each vendor will be selected through a Request for Proposal process as described in the University’s policies located at policies.uoregon.edu and PCS’s procedures located at pcs.uoregon.edu/content/statutesregulationspolicies. This includes the use of cooperative or government procurement contracts if it is determined, in writing, that the solicitation and award process for the procurement contract is reasonably
equivalent to the competitive procurement process established by the University and the competitive procurement process was advertised in Oregon.

4. Exemptions from Strategic Purchasing Contracts

The Director of PCS, or a designee, may grant exemptions from this strategic purchasing policy to allow a campus employee to purchase a service or good from an alternative vendor. The buyer must request an exemption prior to making the purchase. Any purchase from an alternative vendor without prior authorization is an unauthorized procurement as described in the University Procurement and Contracting Code Policy.

The Director of PCS, or designee, will consider all relevant information, including, but not limited to, the following items when determining whether to grant an exemption from this policy:

- The purchaser’s need for required specifications or brands, including, but not limited to, exact specifications required to perform effective research;
- The purchase is a creative work or otherwise relies on the unique skill of the individual rendering the service or making the good;
- An alternative service or good can be purchased, implemented, or maintained at a substantially lower price. This also includes the same service or good purchased from an alternative vendor. This consideration depends both on the amount of the purchase and the percentage of savings; and
- If time is of the essence for the success of a critical University activity, whether the service or good can be obtained substantially earlier through an alternative vendor.

5. Applicable Purchasing Methods

PCS’s selection of an exclusive vendor for a service or good applies to all categories of University purchases, including, but not limited to:

- Purchase Card
- Duck Depot online procurement system
- Purchase Orders
- Banner Purchase Orders
- Personal Service Contracts

6. Notification of Changes to Strategic Purchasing Designations

PCS will notify campus purchasers and contracting officers of any changes to the list of goods and services selected for strategic purchasing and the vendors selected to supply those services and goods. Notice will be provided through email to all campus buyers, purchasers, and contracting officers, and on PCS’s website, pcs.uoregon.edu.
Student Conduct Code

Policy Number: III.01.01
Reason for Policy: The Student Conduct Code establishes community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon.
Entities Affected by this Policy: All students enrolled at the University of Oregon, Division of Student Life, and Academic Affairs
Responsible Office: For questions about this policy, please contact the Office of Student Conduct and Community Standards at (541) 346-1141 or conduct@uoregon.edu

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-conduct/student-conduct-code

Enactment & Revision History:
Amended by the Board of Trustees at the recommendation of the Conduct Committee on May 23, 2019
Amended by the Board of Trustees at the recommendation of the Conduct Committee on March 5, 2019
Temporary Emergency Changes Approved by the President and made effective Dec. 17, 2018
Amended by the Board of Trustees on June 8, 2018
Technical revisions made by the Secretary on June 29, 2015
Amended by the Board of Trustees on June 4, 2015
Amended by the Board of Trustees on September 11, 2014
Become UO policy by operation of law on July 1, 2014
Enacted as OAR Chapter 571, Division 21 in 2006

Policy:
All revisions to Student Conduct Code procedures, including but not limited to jurisdictional revisions, shall apply retroactively to pending Student Conduct complaints, filed on or after September 11, 2014.

Section 1: Student Conduct Policies

I. Mission

1. The primary mission of the Student Conduct Code is to set forth the community standards and procedures necessary to maintain and protect an environment conducive to learning and in keeping with the educational objectives of the University of Oregon. Founded upon the principle of freedom of thought and expression, an environment conducive to learning is one that preserves the freedom to learn -- where academic standards are strictly upheld and where the rights, safety, dignity and worth of every individual are respected.

2. Learning is a process defined by the exchange of ideas and the advancement of knowledge. As such, learning entails a community of scholars united by their participation in, and commitment to, intellectual exchange. The University is, first and foremost such a community. Learning also involves reflecting on decisions and improving decision-making in the future. By establishing the standards of this community, the Student Conduct Code serves not just as a disciplinary system, but also as a part of the educational system. Hence, a corollary mission of the Student Conduct Code is to teach students to live and act responsibly in a community setting, with respect for the rights of other students and members of that community, and for the property, common resources, code of conduct, and laws associated with that community, and to encourage the development of good decision-making and personal integrity.

3. Students are simultaneously members of the University community and the broader community (e.g. city, state, nation, and world). The Student Conduct Code, and the processes of its administration and enforcement, is directed specifically toward maintaining the standards of the University community. Within its jurisdiction the University may impose disciplinary sanctions against students or student organizations when their conduct materially interferes with the educational objectives of the University or university community member.

II. Definitions

For purposes of the Student Conduct Code,

1. “Academic Misconduct” means the violation of university policies involving academic integrity. Examples include, but are not limited to:
   a. Intentional tampering with grades, resubmitting assignments for more than one class without the permission of the professor; and
   b. Intentionally taking part in obtaining or distributing any part of a test that has not been administered;
   c. Cheating, as defined in this code;
   d. Plagiarism, as defined in this code;
   e. Knowingly furnishing false information to a University Official; and
   f. Fabrication, as defined in this code.

2. “Accused Student” means any student accused of violating the Student Conduct Code.

3. “Cannabis” means the parts, products, and derivatives of the plant Cannabis sativa, indica, ruderalis and hybrid strains, regardless of the delta-9-tetrahydrocannabinol level. Cannabis is a Schedule I substance under the Controlled Substances Act, 21 U.S.C. 811 to
This does not include FDA approved substances as permitted in 1 CFR 1308.15(f) or industrial hemp as permitted by federal law, 7 U.S.C. 1639o. Pursuant to federal law, medical use of cannabis is prohibited on University Premises and at University Sponsored Events.

4. “Cheating” means any act of deception by which a student misrepresents or misleadingly demonstrates that the student has mastered information on an academic exercise that the student has not mastered. Examples include but are not limited to:
   a. Giving or receiving unauthorized help in an academic exercise;
   b. Use of sources or resources beyond those authorized by the instructor in writing papers, preparing reports, solving problems, or carrying out other assignments;
   c. Acquisition, without permission, of tests or other academic material belonging to a member of the University faculty or staff; and
   d. Engaging in any behavior specifically prohibited by a faculty member in the course syllabus or class discussion.

5. “Community Standards Administrator” means the University official, as designated on a case-by-case basis by the Director of Student Conduct and Community Standards, authorized to impose sanctions upon any student found to have violated the Student Conduct Code.

6. “Student Conduct Committee” means the Committee established pursuant to this Code, comprised of persons appointed by the President with the responsibility for formulating, approving or recommending changes related to the Student Conduct Program.

7. “Complainant” means any person who submits a complaint alleging that a student violated the Student Conduct Code. The Complainant need not be a person who was the target or victim of the alleged violation.

8. “Contacting” has its common meaning. It includes, but is not limited to, communicating with or remaining in the physical presence of the other person. “Contact of a sexual nature” for purposes of Sexual Misconduct in the Student Conduct Code means: intentionally touching part of another person’s body that, under the circumstances, a reasonable person would know that the other person regards as an intimate part, including but not limited to the other person’s genitals, breasts, groin, or buttocks, without the consent of the other person; intentionally causing a person to touch an intimate part of another person; or, intentionally causing a person to touch their own intimate part. For this definition, “touching” includes contact made with bodily fluids.

9. “Contempt” means disregard of, or disobedience to, the rules or orders of any process under this Code or an interruption of its proceedings by disorderly behavior or insolent language in a way or place that disturbs the proceedings or ignores the authority of the tribunal.

10. “Controlled Substance” means a drug or its immediate precursor classified in Schedules I through V under the federal Controlled Substances Act, 21 U.S.C. 811 to 812, or as defined in ORS 475.005 or modified under ORS 475.035.

11. “Dean of Students” is the person designed by the University President and Vice President for Student Life as the person titled with and given responsibility for oversight of the Dean of Students portfolio.
12. “Director of Student Conduct and Community Standards” is the person designated by the University Senate, Board of Trustees and University President or designee to be responsible for the administration of the Student Code.

13. “Explicit Consent” for purposes of Sexual Misconduct in the Student Conduct Code means voluntary, non-coerced and clear communication indicating a willingness to engage in a particular act. “Explicit consent” includes an affirmative verbal response or voluntary acts unmistakable in their meaning.

14. “Fabrication” means the intentional use of information that the author has invented when the student states or implies otherwise, or the falsification of research or other findings with the intent to deceive.

15. “Faculty Member” means a person hired by the University to conduct classroom, research or teaching activities or who is otherwise considered by the University to be a member of its faculty, including officers of instruction, officers of research and officers of administration.

16. “Gambling” means an activity in which a person stakes or risks something of value upon the outcome of a contest of chance or a future contingent event not under the control or influence of the person, upon an agreement or understanding that the person or someone else will receive something of value in the event of a certain outcome. “Gambling” does not include those activities expressly excluded by ORS167.117.

17. “Harassment” means:
   a. Intentionally subjecting a person to offensive physical contact;
   b. Unreasonable insults, gestures, or abusive words, in the immediate presence, and directed to, another person that may reasonably cause emotional distress or provoke a violent response (including but not limited to electronic mail, conventional mail, social media and telephone) except to the extent such insults, gestures or abusive words are protected expression; or
   c. The University’s policy prohibiting sexual harassment specifically prohibits discrimination on the basis of sex or gender, sexual harassment, sexual violence, sexual assault, dating or domestic violence, sex or gender based stalking or bullying, and other gendered harassment. “Harassment” as defined under the Student Conduct Code will be interpreted to include sexual harassment as defined by the university’s discrimination complaint and response policy. Sexual harassment and sexual misconduct may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identity of those involved.
   d. Other types of prohibited discrimination, discriminatory harassment, and sexual harassment as defined by law.

18. “Hazing” means any initiation rites, recruitment and continuing involvement and belonging to an organization on or off campus, involving any intentional action or situation that a reasonable person would foresee as causing mental or physical discomfort, embarrassment, or ridicule. Individual acceptance of or acquiescence to any activity that occurs during an initiation rite does not affect a determination of whether
the activity constitutes hazing. Activities and situations that may occur as part of hazing include, but are not limited to:

a. Sleep deprivation or causing excessive fatigue;
b. Physical or psychological shock;
c. Public stunts or jokes;
d. Compelled ingestion of any substance;
e. Degrading or humiliating games or activities;
f. Activities that have an adverse effect on academic progress;
g. Forced servitude;
h. Activities which are not consistent with the parent organization's rules and regulations; or

a. Other activities which violate Federal, State, or local laws or University of Oregon policy.

19. “Institution” means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with “University.”

20. “May” is used in the permissive sense.

21. “Mental Disorder” for purposes of Sexual Misconduct in the Student Conduct Code means that a person suffers from a mental disease or disorder that renders that person incapable of appraising the nature of the conduct of another person.

22. “Mental Incapacitation” for purposes of Sexual Misconduct in the Student Conduct Code means that a person is rendered incapable of appraising or controlling one’s own conduct at the time of the alleged offense because of the influence of a controlled or intoxicating substance or because of any act committed upon the person without consent. Minors and children are unable to provide consent when defined as such by Oregon law.

23. “Member of the University Community” includes any person who is a student, faculty member, University official or any person employed by the University.

24. “Penetration” for purposes of Sexual Misconduct in the Student Conduct Code means any degree of insertion, however slight, by any body part or object into the oral, anal, or vaginal parts of a person.

25. “Physical Helplessness” for purposes of Sexual Misconduct in the Student Conduct Code means that a person is unconscious or for any other reason is physically unable to communicate unwillingness to engage in an act.

26. “Plagiarism” means using the ideas or writings of another as one’s own. It includes, but is not limited to:

a. The use, by paraphrase or direct quotation, of the published or unpublished work of another person without full and clear acknowledgement; and
b. The unacknowledged use of materials prepared by another person or agency engaged in the selling of term papers or other academic materials.

27. “Policy” means the written regulations of the University. Examples of where written policies may be found include, but are not limited to:

a. The Student Conduct Code;
b. Residence Life Contract;
c. Information posted by the University on its web pages;
d. Computer Acceptable Use Policy;
e. Living Group Alcohol Policy;
f. Greek Social Policy;
g. Graduate/Undergraduate Catalog; and
h. Student Handbook.

28. “President” means the University President.
29. “Shall” and “will” are used in the imperative sense.
30. “Sexual Misconduct” means:
   a. Unwanted Penetration is Penetration of another person, or causing the Penetration of another person, when one:
      A. Does not first obtain Explicit Consent from that person; or
      B. Knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

   b. Nonconsensual personal contact occurs when a student subjects another person to contact of a sexual nature when a reasonable person would know that such contact would cause emotional distress:
      A. Without having first obtained Explicit Consent; or
      B. When he or she knows or should have known the person was incapable of explicit consent by reason of Mental Disorder, Mental Incapacitation, or Physical Helplessness.

   c. Sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature that is unwelcome and sufficiently severe or pervasive that interferes with work or access to educational benefits and opportunities because it has created an intimidating, hostile, or degrading environment and would have such an effect on a reasonable person of the alleged complainant’s status.

   d. A single episode of behavior that meets a., b., or c. can be sufficient for a finding of sexual misconduct.

31. “Student” means any person who has student status pursuant to Section IV (Jurisdiction) of this code.
32. “Student Organization” means any group of University of Oregon students meeting criteria for organizational recognition established by the University.
33. “University” means the University of Oregon and all of its undergraduate, graduate and professional schools, divisions, activities and programs and may be used interchangeably with “institution.”
34. “University Appeals Board” means the person or persons authorized by this Code to consider an appeal from the outcome of an administrative conference.
35. “University Official” means a person having assigned University responsibilities who is performing their University assignment.
36. “University Premises” includes all land, buildings or grounds owned, leased, operated, controlled or supervised by the University including adjacent sidewalks and streets.
37. “University Sponsored Activity” means any activity, including activities sponsored or organized by recognized student organizations, on or off University premises that is directly initiated or supervised by the University.

38. “Unwanted Contact” means repeated or persistent contact or attempts to contact another person when the contacting person knows or should know that the contact is unwanted by the other person; and
   a. The contact would cause a reasonable person fear of physical harm; or
   b. The contacting person knows or should know that the contact substantially impairs the other person’s ability to perform the activities of daily life.

III. Delegations and Authority

The Board of Trustees of the University of Oregon delegates authority for administering this Code and the Student Conduct program as provided below:

1. The Director of Student Conduct and Community Standards shall develop policies for the administration of the student conduct system and procedural that are consistent with provisions of the Student Conduct Code.
   a. Consistent with this code the Vice President for Student Life’s designee may serve ad hoc in place of the Director of Student Conduct and Community Standards.

2. The Student Conduct Committee shall be responsible for recommending to the Board of Trustees of the University of Oregon policy or administrative changes in any aspect of the Student Conduct Program.
   a. The Committee shall be appointed by the President and shall consist of four faculty members to be recommended by the Committee on Committees and four student members to be recommended by the ASUO. Faculty and student members shall serve staggered, two-year terms and may be reappointed, up to three consecutive terms, or a maximum of six consecutive years. The President may appoint temporary members to assure full Committee membership during summer session or at such other times as are necessary.
   b. The Director of Residence Life or designee, the Dean of Students’ designee (typically an Assistant Dean of Students) and the Director of the Office of Student Advocacy shall be non-voting, ex-officio members of the Student Conduct Committee.

3. Sub-delegation of Authority to alternative processes and hearing officers.
   a. With the consent of the President of the University, the Community Standards Committee may sub-delegate jurisdiction to handle violations of the Student Conduct Code to University officials, committees or alternative processes. In all instances such sub-delegation shall be defined by the Committee in terms of specific jurisdiction, enforceable regulations, and maximum disciplinary sanctions that may be imposed.
   b. Subject to approval by the President, the Community Standards Committee sub-delegates to the Interfraternity Council, Panhellenic Council, Club Sports Executive Committee, and Residence Hall Association the authority to formulate:
A. Regulations governing the conduct of their respective organization members;
B. Hearing procedures and administrative practices to be followed by their respective process;
C. Disciplinary sanctions exclusive of expulsion, suspension, eviction or negative notation on transcript appropriate to the enforcement of their respective regulations; and
D. Procedures for publication and notification to affected students of such regulations, hearing procedures and disciplinary sanctions.
c. All such regulations, hearing procedures, and disciplinary sanctions shall be reduced to writing and approved by the Student Conduct Committee prior to implementation.
d. The authority granted to alternative processes and their respective governing bodies is conditional and may be withdrawn at any time by the Community Standards Committee when a is either unable or unwilling to assume its responsibilities as part of the University’s Student Conduct Program.

IV. Jurisdiction

Jurisdiction describes where and when the Student Conduct Code applies.

1. Jurisdiction over types of actions and events. The Student Conduct Code applies to actions by Students that materially interfere with:
   a. An educational opportunity of a University community member;
   b. The health and safety of any person;
   c. The maintenance or protection of University property or personal property located on campus;
   d. University record keeping;
   e. University living accommodations and other services; or
   f. University sponsorship or supervision of non-classroom activities such as lectures, concerts, athletic events and social functions.

2. Jurisdictional boundaries.
   a. On-Campus. The Student Conduct Code routinely applies to actions which occur on University Premises or at a University Sponsored Activity.
   b. Off-Campus. The University extends jurisdiction without exception to off-campus sexual misconduct that consists of unwanted penetration or non-consensual personal contact as defined in Section 1, II (29) of this code. The University shall have discretion to extend jurisdiction over conduct that occurs other than on University Premises or at a University Sponsored Activity. In determining whether or not to extend jurisdiction, the University will consider its ability to gather information, including testimony of witnesses. The University may extend jurisdiction if the alleged conduct would have violated the Student Code of Conduct if the conduct had occurred on campus and:
      A. Adversely and significantly affects the learning or living environment; or
      B. Involved violence or produced a reasonable fear of physical harm; or
      C. Involved academic work or any records, documents, or identifications of the University.
3. **Student Status.** An individual’s status as a “student” is established by:
   a. An application for admission, housing, financial aid, or any other service provided by the University which requires student status;
   b. Registration for one or more credit hours; or
   c. Enrollment in a special non-credit program approved by the University.

4. **Jurisdiction over non-enrolled students.** Jurisdiction is maintained between periods of enrollment unless the accused individual’s official record in the Office of the Registrar shows a complete withdrawal prior to the expiration of the published deadline for registration for the succeeding period of enrollment. For students enrolled in the spring term, jurisdiction is maintained until the expiration on the published deadline for registration for the succeeding fall term.
   a. If a student withdraws from the University after a Student Conduct complaint has been initiated, the University will maintain jurisdiction over the conduct matter until it is fully processed.
   b. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be filed at any time, whether or not the student is currently enrolled or registered.

5. The University has jurisdiction to address all conduct that would have violated the terms of the Student Conduct Code while the student was enrolled, if the conduct occurred from the date the Student is admitted to the University until the Student graduates or otherwise completely withdraws from the University, as described above, even if the conduct is not discovered until after the student completely withdraws or graduates.

6. Allegations of sexual misconduct, academic dishonesty or fraudulently obtaining a degree may be considered at any time regardless when the alleged misconduct occurred.

7. Students may be accountable both to civil and criminal authorities and to the University for behavior that constitute violations of the law and the Student Conduct Code. Since the action of civil and criminal authorities is independent from University action, the University may decide whether to initiate or consider an alleged violation of the Student Conduct Code while criminal charges are pending or before they are filed or after they are resolved.

V. **Student Conduct Code Violations**

The following conduct violates the community standards that are essential to the core educational mission of the University of Oregon and subjects a Student or Student Organization to sanctions under the Student Conduct Code: (see Section 1, I for definitions)

1. **Standards Relative to Academic and Personal Integrity.** Integrity is a bedrock value of the University community and includes respect for open and honest intellectual exchange as well as respect for University records and for the Student Conduct Code itself. The following conduct violates standards of academic integrity:
   a. Cheating;
   b. Fabrication;
   c. Plagiarism;
d. Academic misconduct; intentionally assisting others in the commission of academic misconduct in itself is an act of academic misconduct;
e. Intentionally furnishing false information to a University Official;
f. Forgery, alteration or unauthorized use of University documents, records, keys, student identification, keycards or services;
g. Creation or distribution of false identification;
h. Failure to comply with the terms of any sanction imposed in accordance with the Student Conduct Code; or
a. Contempt of adjudicative proceedings including impairing or interrupting the due course of proceedings in the presence of any process created under this Code. Adjudication of contempt and imposition of sanctions may be imposed summarily consistent with procedures outlined in this code.

2. Standards Relative to Respect for Property and for Shared University Resources. The following conduct violates standards of respect for property and shared University resources:

a. Engaging in behavior that could reasonably be foreseen to cause disruption of, obstruction of, or interference with the process of instruction, research, administration, student discipline, or any other service or activity provided or sponsored by the University;
b. Damage, destruction, theft, or unauthorized use of property located on the University campus or property owned or controlled by the University or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2, IV, 2, b of this Code).
c. Unauthorized entry into or use of University property or University-recognized living units, facilities, residence halls, equipment, or resources;
d. Disorderly conduct (including that resulting from the use of alcohol), unreasonable noise, or conduct that results in unreasonable annoyance;
e. Failure to comply with the reasonable directions of public officials acting in performance of their duties on University Premises or at a University Sponsored Activity or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2, IV, 2, b of this Code). when such conduct poses a danger to personal safety or property or obstructs or impairs educational or other Institutional activities;
f. Violation of University Policy on the acceptable use of computing and network resources. Unacceptable uses of computing resources include, but are not limited to:
   A. Use of electronic forums to violate other sections of the Student Conduct Code;
   B. Sharing of accounts or computer lab passes;
   C. Violation of electronic privacy;
   D. Interference with computer use or operations;
   E. Commercial or illegal use of electronic or computer resources;
   F. Violation of copyright law; or
G. Threats, abuse or Harassment, as defined in this code made or transmitted via electronic forums, social media platforms or electronic mail.

3. Standards Relative to the Rights of Individuals and to the Welfare of the University Community. An environment conducive to learning is one where the rights, safety, dignity and worth of every individual are respected. The following conduct endangers such an environment, and threatens the welfare of the University community as a whole:
   a. Physical contact that endangers, threatens, or harms the health or safety of any person or behavior that causes a reasonable person to fear such contact;
   b. Hazing, as defined in this code and by Oregon Revised Statute;
   c. Possession, use, or threatened use of a weapon, ammunition, or any object or substance used as a weapon on University Premises or at a University Sponsored Activity unless expressly authorized by law or University Policy. A concealed weapons permit does not constitute authorization.
   d. Unauthorized possession, use, or threatened use of dangerous chemical or biological substances or explosives;
   e. Tampering with fire-fighting equipment, turning in a false alarm, or engaging in conduct that constitutes a significant fire hazard;
   f. Harassment, as defined in this code because of another person’s race, ethnicity, color, gender, gender identification, national origin, age, religion, marital status, disability, veteran status, sexual orientation, or for other reasons, including but not limited to harassment prohibited by University Policy;
   g. Unwanted Contact, as defined in this code;
   h. Sexual Misconduct as defined in this code;
      A. Sexual gratification or pleasure of any party involved is not relevant to a determination of whether Sexual Misconduct occurred.
      B. A violation of provisions of the alcohol or drug policy in the Student Conduct Code does not affect a person’s ability to file a complaint regarding another person’s Sexual Misconduct on the same occasion.
      C. Consent to one form of sexual activity does not automatically operate as explicit consent to any other form sexual activity. A “no” always means that explicit consent is not present, whereas a “yes” to one act at one time does not mean “yes” to other acts or to the same act at other times. Voluntarily making oneself incapacitated does not mean one is giving explicit consent to any form of sexual activity.
   a. Prohibited alcohol use, which includes:
      A. Possession or consumption of alcohol by those under the legal drinking age – where the incident occurred - on University Premises or at a University Sponsored Activity or when applicable under rules regulating “Off-Campus Jurisdiction” (section 2, IV, 2, b of this Code);
      B. Furnishing of alcohol to a person under the legal drinking age – where the incident occurred; or
C. Consumption of an alcoholic beverage by a person at least the legal drinking age – where the incident occurred - or furnishing of an alcoholic beverage by or to a person at least the legal drinking age – where the incident occurred, except in such areas and at such times as the University authorizes.

j. Prohibited cannabis use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes:
   A. Use, possession, or procurement of cannabis except as expressly permitted by both State and Federal Law;
   B. Furnishing, cultivation, manufacturing, distributing, or selling cannabis except as expressly permitted by both State and Federal law; or
   C. Causing another to ingest cannabis without consent.

k. Prohibited controlled substance use on University Premises or at a University Sponsored Activity, or other property when applicable under rules regulating “Off-Campus Jurisdiction” (section 2,IV,2,b of this Code), which includes:
   A. Use, possession, or procurement of a controlled substance except as expressly permitted by both State and Federal law;
   B. Furnishing, cultivation, manufacturing, distributing, or selling of a controlled substance except as expressly permitted by both State and Federal law; or
   C. Causing another to ingest a controlled substance without consent.

xx. Smoking and Tobacco Products
   A. Smoking and Tobacco Use, including “vaping”, is prohibited on University owned or controlled property by University Policy (IV.07.09)
   B. Possession of tobacco products and inhalant delivery systems (“e-cigarettes”) by those under 21 years of age on University Premises or at a University Sponsored Activity, is prohibited in accordance with state law.
   C. This does not prohibit the use or possession of products that have been approved by the United States Food and Drug Administration for sale as a tobacco cessation product, provided the product is marketed, sold, and used solely for the approved purpose.

lllll. Lewd or indecent conduct on University Premises or at a University Sponsored Activity. Lewd or indecent conduct includes, but is not limited to, any unauthorized use of electronic or other devices to make an audio or video record that would be an invasion of privacy pursuant to ORS163.700. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.

n. Gambling, as defined and prohibited in ORS167.108 to 167.164 except as authorized by ORS464.270 to 464.530.

o. Violation of Law: Actions and behaviors that violate local, state, or federal law, but are not expressly defined in the standards above, which negatively and significantly impact the university community and its members, may also be addressed through the procedures set forth in this code.
VI. Sanctions

The University utilizes an educational sanctioning model; administrators will make every attempt to provide an educational sanction that will help a student to make better choices in the future. The educational sanction applied will become progressively more demanding if the student repeats violations, demonstrating that learning has not taken place. An accumulation of a variety of violations including sexual assault may result in severe sanctions such as suspension, expulsion or negative notation on a transcript. Academic dishonesty and violations affecting the health, safety and well-being of anyone are deemed the most severe and may result, upon the first violation, in a negative notation being placed on a transcript, suspension, or expulsion.

1. Forms of Sanctions
   a. Expulsion. Student status is severed permanently. A Student who has been expelled from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises.

1. b. Suspension.
   A. Individual Suspension. Student status is severed for a specified period. A student who has been suspended from the University shall not be permitted to participate in any University Sponsored Activity or allowed to reside on University Premises during the period the student is suspended.
   B. Group Suspension. A Student Organization loses University recognition and all privileges associated with such recognition for a specified period. Imposition of this sanction against the ASUO or a recognized Student Organization requires approval by the Vice President for Student Life’s designee.

c. Negative Notation on Transcript. Entry of the fact of violation on the Student’s permanent academic record as the sole or an additional sanction may be imposed at the discretion of the administrator. After the expiration of the period of time, if any, set by the hearing officer, the notation shall be removed upon the request of the Student or former Student.

d. Revocation of Degree. An academic degree previously awarded by the University may be revoked if it was obtained by fraud or a significant part of the work submitted in fulfillment of, and indispensable to, the requirements for such degree constitutes Plagiarism. The Academic Requirements Committee may, upon appeal of a University graduate subjected to degree revocation, stipulate the requirements for obtaining a degree.

e. Grade Penalty. A Student admitting Academic Misconduct or found responsible for Academic Misconduct is subject to a grade penalty as determined by the instructor in the course in which the violation occurred.

f. Disciplinary Probation. In lieu of another sanction, a period of probation may be imposed during which any violations of the Student Conduct Code will result in more serious sanctions than might be otherwise imposed. A Student or Student Organization on probation may or may not lose designated privileges during the period of probation. During the time on probation, a Student or Student Organization may, by demonstrating
good conduct, avoid additional sanctions. Imposition of this sanction against the ASUO
or an ASUO-recognized group requires approval by the Vice President for Student Life’s
designee

g. Restitution. The Student or Student Organization is required to replace or restore
damaged, stolen, or misappropriated property.

h. Educational Activity. The Student or Student Organization is required to complete a
project or activity designed to help the Student or Student Organization understand why
the behavior was inappropriate and encourage future compliance with the Student
Conduct Code. The educational activity is designed to correspond to the severity and
nature of the violation and to clarify the impact of that behavior on Members of the
University Community. Educational activities may include, but are not limited to,
assessments of substance abuse and other behaviors, community service, workshops,
papers and similar assignments. Community service, papers, and similar assignments
will not be used for cases of unwanted penetration or nonconsensual physical contact.

a. Loss of Privileges. The Student or Student Organization is denied specified privileges
normally associated with Student Status or recognized Student Organization status, such
as participation in or sponsorship of University activities, use of University facilities or
services, or living in University-owned or supervised housing. Imposition of this sanct
ion against the ASUO an ASUO-recognized group requires approval by the Vice President of
Student Life’s designee.

j. Conduct Reprimand. The Student or Student Organization is given written notice that
the conduct engaged in is inconsistent with University standards and expectations and
informed that future violations of the Student Conduct Code may result in the
imposition of more serious sanctions.

k. Sanction held in Abeyance. The execution of any sanction authorized under the Student
Conduct Code may be held in abeyance. When holding a sanction in abeyance, a time
limit for the abeyance period shall be designated, and subsequent violations of the
Student Conduct Code that will terminate the abeyance period and result in the
imposition of the original sanction specified. In the absence of any such violation, the
original sanction shall be deemed completed at the end of the abeyance period.

2. Medical Leave. Actions taken pursuant to University policies on medical leave shall not
be deemed disciplinary sanctions within the meaning of the Student Conduct Code.

3. Failure to complete a sanction will be handled pursuant to Processes found in this code.

Section 2: Student Rights

Procedural fairness is basic to the proper enforcement of all University
regulations. Accordingly, no disciplinary action shall be initiated or sanction imposed against
a Student or Student Organization until they have been notified in writing of the complaints
against them and their rights under this Code, and given the opportunity to be heard.
Complainants shall also be accorded certain accommodations, as provided below.

1. Regulations and disciplinary sanctions affecting the conduct of all Students shall be
based on general principles of equal treatment.

2. The Director of Student Conduct and Community Standards shall insure that the best
interests of Students and Student Organizations are served, regardless of whether
disciplinary action is taken, by making full use of appropriate medical, counseling and other professional services at the University, or if necessary by making referrals to community resources. For purposes of this Division, the Director may authorize another staff member to carry out any of the Director’s responsibilities unless expressly prohibited from doing so.

3. Students shall have an opportunity to participate in the formulation of all regulations and policies pertaining to the Student Conduct Code at the University of Oregon.

4. All University regulations and policies pertaining to student discipline shall be published, distributed, or posted in such a manner as to furnish adequate notice of their contents to Students or Student Organizations.

5. Students accused of violations of the Student Conduct Code can expect the following procedural protections:
   a. To be informed of the complaint and alleged misconduct upon which the complaint is based;
   b. To appear before the Director of Community Standards or their designee in an administrative conference, as outlined at in this code;
   c. To be allowed reasonable time to prepare for the conference;
   d. To be informed of the information upon which a complaint is based and accorded an opportunity to offer a relevant response;
   e. To propose relevant witnesses and submit suggested questions to the Director;
   f. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
   g. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
   h. To be considered not responsible for the alleged conduct until proven responsible by a preponderance of the information;
   a. To have an advisor of their choice present at the conference provided that the advisor’s schedule does not unreasonably delay the conference. The director shall determine what constitutes an "unreasonable" delay.

6. A student accusing another student of a violation of the Student Conduct Code can expect the following procedural accommodations:
   a. To be allowed reasonable time to prepare for any participation in the conference;
   b. To be accorded the opportunity to offer a relevant response to any assertions made;
   c. To propose relevant witnesses and submit suggested questions to the Director;
   d. To be assured of confidentiality, in accordance with the terms of the federal Family Educational Rights and Privacy Act and Oregon law;
   e. To request that any person conducting a disciplinary conference be disqualified on the ground of personal bias;
   f. To be protected against retaliation for filing a complaint;
   g. To have an advisor of their choice present at the conference provided that the advisor’s schedule does not unreasonably delay the proceeding. The Director shall determine what constitutes an “unreasonable” delay;
h. Upon request in the case of sexual misconduct, to be present in a separate room instead of the same room as the accused student.

7. Students who participate in investigations, meetings, and/or other conduct proceedings should be aware that sharing information, which implicates a potential violation of this code, with a hearings officer may result in new or additional student conduct action. If a student chooses to remain silent during the conduct process, the hearings officer will not draw adverse inference. If a student chooses to answer some questions but not others or chooses to participate in some portions of the process but not others, the hearings officer may consider how that affects the credibility or weight of the information that student chooses to provide.

8. The University of Oregon is committed to providing an education environment that is accessible to all students. Students in need of accommodations due to a disability should contact the Accessible Education Center (AEC) as soon as possible. Any accommodations deemed necessary and approved by the AEC will be incorporated into the student conduct process as possible.

Section 3: Administration of the Student Conduct Process
I. Administrative Policies
This section of the code designates who is in control of the Conduct Process, and how the code and cases are administered.

1. Disciplinary Records and Files. Case referrals will result in the development of a disciplinary file in the name of the accused student. If the Student is found not responsible for the complaints, the disciplinary file will become void.
   a. Voided files will be so marked and shall not result in a disciplinary record. Voided files will normally be destroyed after one year. Where a Student files a conduct complaint against another Student, a file shall be created for both Students.
   b. Disciplinary records may be voided by the Director of Conduct and Community Standards for good cause, upon written petition from the student. Factors to be considered in review of such petitions shall include:
      A. The conduct of the Student subsequent to the violation; and
      B. The nature of the violation and the severity of any damage, injury, or harm resulting from it.

2. Student Conduct Reports.
   a. The Community Standards Committee shall require from University officials, hearings boards, referees, committees and tribunals periodic written reports of the disposition of all student conduct cases dealt with under their jurisdiction. The Committee shall examine such reports for consistency with existing policies and, when necessary, review the reports with the appropriate officials or tribunals.
   b. At the end of each academic year, the Committee shall submit to the Board of Trustees President, University Senate, Deans, Department Heads, the ASUO President, and the Office of Student Advocacy, a written report covering the entire Student Conduct Program, including an evaluation of the existing rules,
policies, and enforcement procedures. This report shall also detail all Code revisions approved during the previous year and shall be available to any person upon request.

3. Director of Student Conduct and Community Standards.
   a. The President of the University shall designate a Director of Student Conduct and Community Standards who shall have primary responsibility for administering the Student Conduct Program and coordinating the activities of all University officials, hearing officers, referees, committees, or tribunals that are concerned with the Community Standards Program.
   b. The Director shall be responsible to the Student Conduct Committee for maintaining complete records pertaining to the activities of the Community Standards Program. Those records shall include a summary of the business of the Community Standards Committee and a report of the disposition of each disciplinary case handled by any person or group authorized to impose disciplinary sanctions in the name of the University. For record keeping purposes, the Director may prescribe reporting procedures to be followed, in addition to those in paragraph (2) above by those authorized to impose disciplinary sanctions.
   c. The Director shall serve as non-voting Secretary of the Community Standards Committee and as advisor to all individuals and groups authorized to impose disciplinary sanctions. The Director shall serve as a non-voting, ex-officio member of the Residence Hall Governance Committee and of the residence hall Peer Judicial Board.
   d. The Director shall be responsible for gathering and presenting to the Student Conduct Committee the reports required by this code.

4. Student Conduct Code Adoption, Amendment and Revision.
   a. Code establishment. Upon approval by the Board of Trustees of the University of Oregon, this Student Conduct Code becomes effective and supersedes all previous regulations and policies pertaining to student discipline at the University of Oregon.
   b. Code Amendment. This Code may be amended by the Board of Trustees of the University of Oregon, consistent with the Policy on Retention and Delegation of Authority upon consultation with the president, faculty, and students.
   c. Code Revision. This Code shall be continuously reviewed in its entirety to make sure it is consistent with best practices.

II. Student Conduct Procedures
This section of the code describes the process that the Student Conduct office adheres to following an alleged violation of the code.

1. Complaint. Any Member of the University Community or the public may file a complaint against a Student (or non-enrolled student as defined in this code) for a violation of the Student Conduct Code. A complaint shall be prepared in writing and directed to the Director of Student Conduct and Community Standards. Any complaint should be submitted as soon as possible after the alleged violation takes place, preferably within one year. Jurisdiction is determined pursuant to Section 1 of this code. The longer one
waits to file a complaint the less information is likely to be available for the hearing, therefore it is important to file a complaint as soon as possible. Once the Office of Community Standards receives a complaint, the Office has 60 days to send written notice to the accused Student of the complaint, unless for good cause an extension of six months is provided in writing by the Vice President for Student Life’s designee.  

2. Notice. Upon receiving a complaint or notice that a Student may have violated the Student Conduct Code, the Director of Student Conduct and Community Standards shall assess whether an informal resolution, alternative resolution, formal student conduct action, or other process is appropriate. If the Director of Student Conduct deems formal student conduct action to be appropriate, the Director will issue a written notice to the Student via their official University of Oregon address. Such notice shall inform the student of:
   a. The alleged Code violation;
   b. The opportunity for the student to meet with the Director for purposes of discussing the options for disposition of the case;
   c. Whether the accused student may be subject to suspension, expulsion, or negative transcript notation. After issuing Notice, if the Director receives additional information which could elevate the potential sanction to suspension, expulsion, or transcript notation, the Director will issue a new written notice to the accused student to initiate new proceedings.
   d. The Student’s right to assistance. At an administrative conference with the Director (or their designee or before the Appeals Board, of the Vice President for Student Life’s designee, if applicable, a Student may, but need not represent his or her own interests, or be assisted by someone including but not limited to one of the following representatives:
      A. The Office of Student Advocacy;
      B. Another Student;
      C. A member of the faculty or administration;
      D. An attorney.
   e. The requirement to respond within 7 calendar days to arrange a meeting with the hearing officer. The hearing officer will proceed as provided below if the Student does not arrange to meet or fails to meet with the hearing officer as arranged.
   f. To the extent the University provides free legal representation to students who are party to student conduct proceedings, it will ensure that free legal representation is equally available to student respondents and student complainants.

3. Response: If after receiving notice, pursuant to this rule, the Student does not arrange to meet with the Director within 7 days or if the Student arranges to meet with the Director but does not attend such a meeting, the Director of Student Conduct and Community Standards may take any of the actions specified in this code for disposition of the case without consultation with or agreement by the Student.

4. With the consent of an Accused Student, the Director of Student Conduct and Community Standards may defer proceedings for alleged minor violations of this Code
for a period not to exceed ninety days. Pending complaints may be withdrawn thereafter at the discretion of the Director of Student Conduct and Community Standards or designee.

III. Administrative Conferences

This section of the code outlines the rights that an accused student holds during the Conduct procedures, including rights relating to the student's mental capacity and any mental disorder the from which the student may suffer.

1. Complainants, witnesses, and accused students may have an advisor, as defined this code, present during any interviews with the Director of Student Conduct and Community Standards, or designee, and any other conduct proceeding.

2. Students accused of violations will have an administrative conference with the Director of Student Conduct and Community Standards, or designee. The following procedural protections are provided to accused students in administrative conferences:
   a. Reasonable access to the case file prior to and during the conference, except to the extent access to such material is prohibited by law. The case file may contain materials that are considered “education records” pursuant to the Family Educational Rights and Privacy Act (FERPA) of 1974, as amended and personal notes of University staff members and complainants. Access to these materials may be prohibited by law. Otherwise, to the extent allowed by law, copies of the case file will be provided upon request.
   b. An opportunity to respond to all information provided and to ask the Director or designee hearing the case to contact relevant and necessary witnesses.
   c. The right to have the case referred outside the Office of Community Standards if the Student can articulate a reasonable basis from which to conclude that the Office of Community Standards is biased for some reason that would prevent the student from receiving a fair hearing by the office. Such cases are referred to the Vice President for Student Life’s designee.

3. In cases where the Director of Student Conduct and Community Standards concludes that a Student accused of any offense under the Student Conduct Code lacks the mental capacity to respond to the complaint, the Director shall stay the proceeding until such time that the Director concludes that the Student may adequately respond. A stay granted pursuant to this section shall not in any manner preclude a proceeding for medical leave under OAR Chapter 571, Division 23. If the student has been accused of Academic Misconduct, no academic sanction may be imposed during a stay granted pursuant to this section, but the faculty member for the coursework out of which the complaint of Academic Misconduct arose shall request the Registrar to assign a grade of “I” until the disciplinary proceeding has been completed.

4. No sanctions shall be imposed against a Student who acknowledges engaging in the specific conduct alleged and who submits a written statement from a Student Health Center psychiatrist or a Counseling Center psychologist stating that, as a result of mental disorder at the time of the offense, the Student did not appreciate the wrongfulness of the conduct or could not conform his or her behavior to the requirements of the Code. The Student may submit any other supplemental information pertinent to his or her
mental condition to the Director of Student Conduct and Community Standards. If, based upon all information received, the Director decides that the conduct of the Student resulted from mental disorder, the Director shall seek professional assistance and advice, and, if appropriate and legally authorized, consult with the Student’s parent or guardian or take other measures to assure a fair disposition of the case. If the Student has been accused of Academic Misconduct, the faculty member for the coursework in which the Academic Misconduct took place shall assign an appropriate grade.

5. Administrative conferences regarding Sexual Misconduct will generally be complete within 60 days of the receipt of the complaint; however, the 60 day period may be extended for good cause including but not limited to situations where the complexity of the investigation, the number of witnesses identified, or the volume of information which needs to be gathered and reviewed necessitates more time.

IV. Appeals
The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. The Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions issued following an administrative conference.

1. A decision reached through an administrative conference may be appealed by the Accused Student or Complainant(s) within fourteen calendar days of the decision. Such appeals shall be in writing, state the basis for the appeal and be delivered to the Office of Student Conduct and Community Standards. All appeals of cases involving sexual misconduct will be heard directly and exclusively by the Vice President for Student Life’s designee; all other appeals will be heard by the Appeals Board.
   a. An Accused Student who does not attend the administrative conference may appeal only to show with direct information that the Accused Student did not receive notice of the conference.
   b. A Complainant(s) who fails to attend any requested meetings with the Director or fails to present information in a format approved by the Director may appeal only to show with direct information that the Complainant did not receive notice of the hearing.

2. Except as the Appeals Board or the Vice President for Student Life’s designee determines necessary to explain the basis of new information, an appeal is limited to a review of the verbatim record of the administrative conference and supporting documents:
   a. To determine if the administrative conference was conducted fairly in light of the complaint made and information presented and in conformity with procedures required in this Code, giving the Complainant a reasonable opportunity to present information, and giving the Accused Student reasonable notice and an opportunity to prepare and to respond to the allegations. A deviation from procedures required by this Code will not be a basis for sustaining an appeal unless significant prejudice results;
   b. To determine whether the decision reached regarding the Accused Student was based on substantial information, that is, whether there were facts that, if
believed by the Director or designee were sufficient to establish that a violation of the Code occurred;
c. To determine whether the sanction(s) imposed were commensurate with violation;
d. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing only if such information or facts were not known to the person appealing at the time of the hearing.

3. No decision of may be overruled by the Appeals Board except through an affirmative vote of a majority of the Appeals Board members present. If the Appeals Board or the Vice President for Student Life’s designee overrules a decision in whole or in part, it may:
   a. Modify the decision or sanction; or
   b. Remand for further proceeding.

4. If the Appeals Board grants an appeal on the basis of “new information” (section 3.IV.2.d of this code) the only action the Appeals Board may take is to remand for further proceeding.

5. An accused student who appeals a decision to the Appeals Board, will not be subject to increased sanction by the Appeals Board.

V. University Appeals Board
The University Appeals Board is one option that the student has to have their case reviewed. This section of the code outlines how the members of the Appeals Board are chosen.

1. The University Appeals Board (Appeals Board) is the final appeals body within the Student Conduct Program. As set forth in this code, the Appeals Board shall be responsible for reviewing substantive or procedural appeals from the decisions of all administrative conferences in cases except those involving sexual misconduct which shall be appealed directly to the Vice President for Student Life’s designee.

2. Membership. The Appeals Board shall consist of five faculty members, recommended by the Committee on Committees of the University Senate, and five student members, recommended by the ASUO. Board members shall be appointed by the President and serve for one-year terms. They may be reappointed, but no member may serve for more than two consecutive terms. Temporary members may be appointed to assure full Appeals Board membership during summer session or at such other times as are necessary. The President shall designate one of the members as pro tempore chair of the Appeals Board.

3. The Appeals Board will elect its permanent chair at its first meeting. A quorum shall consist of two students and two faculty members. The Appeals Board shall establish its own rules of procedure for Appeals Board meetings.

VI. Imposition of Sanctions, Adjudication of Contempt and Failure to Complete Assigned Sanctions
This section of the code designates who has authority to impose a sanction, and outlines the responsibility of the student regarding the sanctions.

1. A University Official or Student Organization that determines that an Accused Student violated the Student Conduct Code may impose sanctions authorized by this Code
unless otherwise expressly limited. Sanctions are subject to appeal pursuant to this code.

2. A University Official responsible for making a determination if a student has violated this Code may declare a Student participant in contempt of adjudicative proceedings pursuant to this code and impose sanctions without complying with the procedures otherwise required in this Code. Adjudication of contempt and sanctions imposed are subject to appeal pursuant to this code. Imposition of sanction and the circumstances that gave rise to it shall be reported to the Director of Conduct and Community Standards.

3. Failure to complete assigned sanctions. The University will use the procedures established by this section to enforce the timely completion of disciplinary sanctions issued under the Student Conduct Code.
   a. A Student who is found responsible for a Student Conduct Code violation and who receives a sanction will be informed orally by the Office of Student Conduct and Community Standards of the consequences of failing to complete the sanction. The Office of Student Conduct and Community Standards will also inform the student in writing of the consequences of failing to complete the sanction as part of the decision letter sent to the Student.
   b. If a Student fails to complete the disciplinary sanction by the assigned deadline, the Office of Student Conduct and Community Standards will send the Student a letter that states:
      A. The Student has five class days after the assigned deadline to provide verification to the Office of Student Conduct and Community Standards that the assigned sanction has been completed or the Student’s record ability to register for classes, drop classes, or change grade options will be placed on hold;
      B. Once the Student’s record is on hold, the hold will not be removed until the Office of Student Conduct and Community Standards has received verification that the Student has completed the sanction; and
      C. The Student is responsible for ensuring that the Office of Student Conduct and Community Standards receives verification of completion of the sanction.
   c. When a hold is placed on a Student’s record, the Office of Student Conduct and Community Standards will inform the Student in a letter that the hold has been placed, the consequences of the hold, and the actions required to have the hold removed.
   d. The hold will be removed immediately once the Student provides verification of completion of the sanction.
   e. A Student who is unable to register because the student has not completed a sanction may seek a waiver from the Office of Student Conduct and Community Standards. The Office of Student Conduct and Community Standards will grant a waiver, allowing the student to register, provided the Student agrees the Student’s registration may be cancelled immediately and the hold reinstated if
the Student has not completed the sanction by a deadline set by the Office of Student Conduct and Community Standards, in its sole discretion.

Section 4: Academic Misconduct Procedures
This section of the code describes the process between the student suspected of misconduct and the University Official before the case is referred to the office of Student Conduct and Community Standards

1. Notice. Upon the discovery of suspected Academic Misconduct, as defined in this code, the University Official with responsibility for the academic matter or the faculty member in whose course the incident occurred shall promptly notify the Student of the incident. This notice shall include a discussion of the option of having the case referred directly to the Director of Student Conduct and Community Standards.

2. If a Student admits to Academic Misconduct in a course, the faculty member shall impose an appropriate academic sanction up to and including a grade of "N" or "F" and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the faculty member, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the faculty member’s department head and, ultimately, to the dean of the college or school in which the incident originated.

3. If a Student admits to Academic Misconduct in a situation other than a course, the responsible University Official may determine and implement an appropriate response and report the incident to the Office of Student Conduct and Community Standards. Written notice of the sanction or resolution without sanction shall be given the Student. If, in the judgment of the University Official, further disciplinary action is warranted, the report to the Director of Student Conduct and Community Standards shall so indicate. The Student may appeal the academic sanction to the University Official’s department head or director.

4. If a faculty member or University Official and a Student cannot agree as to whether Academic Misconduct has occurred, the University Official or faculty member will, not later than fourteen calendar days during which the University is in session after the date the faculty member or University Official notifies the Student, make a written referral of the case to the Office of Student Conduct and Community Standards for resolution. The case will then be conducted in accordance with the procedures established in this Code.
   a. If there is a finding that the Student engaged in Academic Misconduct in a class, in addition to sanctions imposed through the regular student conduct procedures, the faculty member will assign an appropriate grade.
   b. If there is a finding that the Student did not engage in Academic Misconduct, no academic sanction may be imposed.

5. Reporting Academic Misconduct. Regardless of the method of resolution, University Officials, including faculty members are required to file a written report of any Academic Misconduct with the Director of Student Conduct and Community Standards. These reports shall be treated as confidential and maintained consistent with the Student Records Policy.

6. Withdrawing from a Course.
a. If a Student’s Academic Misconduct in a course results in an academic sanction, the student will not be permitted to drop or withdraw from the course, or to change the course's grading option, and shall be reinstated in the course in if they have dropped or withdrawn.
b. If a Student’s Academic Misconduct does not result in an academic sanction, the Student may withdraw from the course or change the course's grading option at the later of:
   A. Expiration of the withdrawal deadline for the course;
   B. Expiration of the deadline for changing grade options; or
   C. Five business days after the student receives notification of the decision or termination of Student Conduct Code proceedings without sanction.
c. In the event the Student is found not responsible for Academic Misconduct and the Student no longer feels comfortable returning to the class, the Office of Student Conduct and Community Standards will assist the student to attempt to remove the “w” from the transcript.

Section 5: Alternative Dispute Resolution
Consistent with the primary mission of the Code to establish community standards and procedures that promote an environment conducive to learning by upholding academic standards and by respecting community members, alternative dispute resolution provides an opportunity for individuals affected by violations or alleged violations of this Code to resolve disciplinary matters among themselves, with or without findings of responsibility. Students who participate in a method of alternative dispute resolution and successfully fulfill their obligations may, upon completion of their obligations, have their student conduct record regarding the matter voided.

1. Mediation. Mediation is encouraged as an alternative means to resolve allegations of Student Conduct Code violations, where appropriate, except for sexual misconduct involving unwanted penetration or nonconsensual personal contact as set out in this code which shall not be subject to mediation. The Director of Student Conduct and Community Standards will inform Complainants and Accused Students about the availability of mediation resources. The Director, in the exercise of the Director’s sole discretion, may, except in cases of alleged Academic and Sexual Misconduct, decline to process a complaint until the parties make a reasonable attempt to achieve a mediated resolution.
   a. To be binding under this Code, any mediated resolution must be approved by the Director of Student Conduct and Community Standards. Any agreement will be enforced by the Office of Student Conduct and Community Standards.
   b. Procedures for Alternative Dispute Resolution. Students wishing to pursue mediation shall notify the Director of Student Conduct and Community Standards within fourteen calendar days of receiving written notice of the violation pursuant to this code.
   c. The Director of Student Conduct and Community Standards may determine if an Accused Student must acknowledge responsibility as a condition of the Director’s approval of a mediation option. If the Director requires an Accused Student to acknowledge responsibility as a condition to approving the
mediation, the Director will not proceed until the Accused Student has provided
the Director with that acknowledgement.

d. The Director of Student Conduct will determine whether others affected by the
alleged violation are willing to participate in mediation. Parties agreeing to
mediation must sign a waiver allowing the Director to receive information from
the mediator regarding the progress of the mediation.

e. Once the necessary parties agree, the Director of Student Conduct and
Community Standards will approve a mediator and set a date for a report from
the mediator regarding progress. If the Director, in the Director’s sole discretion,
determines that mediation is unlikely to be successful, the Director may inform
the necessary parties and initiate other procedures.

2. Restorative Justice. Restorative Justice serves primarily as a diversion program for
Accused Students who have acknowledged responsibility for a Code violation and who
wish to remedy the effects of the violation.

a. The Director of Student Conduct and Community Standards will consider
approving Restorative Justice in the following circumstances:

A. The Accused Student acknowledges responsibility for a the Code
violation;

B. There are clearly identifiable negative impacts on either individuals or the
community resulting from the violation; and

C. The Accused Student and those impacted by the incident agree to
participate in Restorative Justice.

b. A Restorative Justice outcome shall not be binding unless approved by the
Director of Student Conduct and Community Standards. An agreement reached
through Restorative Justice will be enforced by the Office of Student Conduct
and Community Standards.

3. The Director of Student Conduct and Community Standards may initiate procedures to
make a determination of responsibility or, in the Director’s discretion, to proceed
pursuant to this code. If an Accused Student who participates in alternative dispute
resolution fails to fulfill an obligation or otherwise fails to comply with the approved
resolution.

4. Upon timely completion of a student’s obligation arising from alternative dispute
resolution, a student may provide to the Director of Student Conduct and Community
Standards documentation of completion. If the Director of Student Conduct and
Community Standards concludes the student fulfilled the student’s obligation in a timely
fashion, Director of Student Conduct and Community Standards will remove information
regarding the violation from the student’s record.

Section 6: Emergency Action

This section of the code describes the rights of the Director of Student Conduct and
Community Standards to take Emergency action regarding the accused student when it is
necessary to secure the health or safety of any persons.

1. The Director of Student Conduct and Community Standards or his or her designee may
take emergency action regarding a Student when immediately necessary to secure the
health or safety of any persons and there is an alleged violation of the Student Conduct Code.

2. Emergency Action includes, but is not limited to:
   a. Immediate withdrawal of the Student from the University;
   b. Restrictions on the Student’s presence on University Premises or at University Sponsored Activities;
   c. Placing a hold on a student’s record that will prevent registration would prevent the student from obtaining an official copy of the student’s transcript.

3. The Director of Student Conduct and Community Standards may request that the Student secure a medical and psychological evaluation through the Student Health Center or at another facility at the Student’s own expense. The evaluation may be used to determine the appropriateness of withdrawing the emergency action.

4. When the emergency action takes place, the Director of Student Conduct and Community Standards or designee will:
   a. Inform the Student and Complainant, if applicable, of the reason for the emergency action;
   b. Give the Student and Complainant, if applicable, the opportunity to explain why emergency action should or should not be taken;
   c. Inform the Student and Complainant, if applicable, that a preliminary hearing will take place according to the procedures in this section and that the Student will be informed of its time, place, and date; and
   d. Inform the Student and Complainant, if applicable, of the possible restrictions that may be imposed prior to an administrative conference.

5. The preliminary hearing shall take place within two business days of the emergency action. At this hearing the Student shall have a full opportunity to demonstrate to the Director of Conduct and Community Standards that emergency action is not necessary pursuant to Paragraph 1. The Student may be represented by a student advocate or other counsel. The Director will also consult with the Complainant, if applicable, who may also be represented by a student advocate or other counsel, during any consultation.
   a. Based on the reasonable evaluation of the information presented at the preliminary hearing, the Director of Student Conduct and Community Standards shall notify the Student within 24 hours of the decision to:
      A. Dissolve the emergency action and take no further action;
      B. Dissolve the emergency action but proceed to an administrative conference; or
      C. Sustain or modify the emergency action until such time as a resolution is researched following an administrative conference.

6. An emergency action shall be reviewed by Vice President for Student Life’s Designee at the request of the Student no sooner than the next working day after the preliminary hearing. The review shall provide an opportunity for the Student to explain why an emergency action need no longer be imposed. Subsequent review of the same emergency action may be requested no more frequently than every ten days.
7. If emergency restrictions on a Student’s housing or enrollment are removed, the Student will not be assessed any fees for reinstatement.

Section 7: Student Conduct Process for Student Organizations

When members of a Student Organization act together in a way that violates University Student Conduct Code, the Student Organization is expected to hold its members responsible for those violations.

1. When a potential violation of the Student Conduct Code by a Student Organization comes to the University's attention, the Office of Student Conduct and Community Standards may review the incident to determine the appropriate process for resolution. Generally, the University will expect a Student Organization to hold itself accountable for the acts of its members when those acts are related to the Student Organization's activities.

   a. The Student Organization or its governing body will notify the Office of Student Conduct and Community Standards and keep it informed at all stages of the process.

   b. The University, through the Office of Student Conduct and Community Standards, reserves the right to take immediate jurisdiction at its discretion. The student organization or governing body may still hold its members accountable in the situation, but must do so in conjunction with the Office of Student Conduct and Community Standards.

2. If sufficient action is not taken in a timely manner by the student organization to correct a violation of University standards, individuals may file grievances with the appropriate governing body, or, if none exists, with the Office of Student Conduct and Community Standards.

3. If, in the judgment of the Vice President of Student Life’s designee, sufficient action is not taken in a timely manner by the governing body, the case will be referred to the Office of Student Conduct and Community Standards.

4. In deciding whether the group is responsible for the violation, the University will consider whether the following factors are present:

   a. The violation arises out of a group-sponsored, organized, financed, or endorsed event;

   b. The organization provides the impetus for the violation;

   c. The violation occurs on the premises owned or operated by the group;

   d. A group leader has knowledge of the violation being likely to occur before it occurs and fails to take corrective action; or

   e. A pattern of individual violations is found to have existed without proper and appropriate group control, remedy, or sanction.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 1: Conduct and Student Activities

Related Resources: NA

Original Source: Oregon Administrative Rule
Student Eligibility for Activities

**Policy Number:** III.01.02

**Reason for Policy:** To describe student status and student eligibility for activities and office holding.

**Entities Affected by this Policy:** Students at the University of Oregon.

**Responsible Office:** For questions about this policy, please contact the Office of the Vice President for Student Life (541-346-1137) or the Department of Intercollegiate Athletics’ Compliance Office (541-346-4486)

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-1-c...

**Enactment & Revision History:**

03/28/2017 Revisions Approved by University President Michael Schill. Policy number revised from 05.00.03 to III.01.02.

02/08/2010 Policy number revised from 5.000 to 05.00.02

10/04/1985 Reviewed and Approval Recommended by President's Staff

05/01/1977 Issued as AM 17.030

**Policy:**

A student who is suspended or expelled from the University of Oregon (University or UO) or who is disqualified for enrollment by the Scholastic Review Committee or Admissions Office is denied all privileges of student status at this institution.

No student may participate in intercollegiate athletic competition unless the student has been certified eligible by the Faculty Athletics Representative. A student is ineligible for any such certification unless the student is currently enrolled as a regular full-time student in good standing, carrying at least 12 term hours of work, unless the student meets the requirements for an exception to this policy under NCAA or Pac-12 bylaws.

To be eligible to hold elective or appointed office in the Associated Students of the University of Oregon (ASUO), students must be a member of the ASUO and also be enrolled in eight
undergraduate or the equivalent graduate credit hours (except during summer term) at the
University. All elected and appointed officers and candidates for election shall meet additional
requirements as set forth in the ASUO Constitution or By-Laws. The ASUO shall notify the Vice
President for Student Life prior to the effective date of any changes in eligibility requirements.

Officers of all registered and all recognized student organizations of the University must be
members of the ASUO and meet any additional requirements set by the ASUO.

**Chapter/Volume:**

- Volume III: Administration of Student Affairs
- Chapter 1: Conduct and Student Activities

**Related Resources:** NCAA Information on Student-Athlete Eligibility: [http://www.ncaa.org/about/student-athlete-eligibility](http://www.ncaa.org/about/student-athlete-eligibility)


**Original Source:** UO Policy Statement

**Student Employment Interviews**

**Last Updated:** 02/08/2011
**Effective Date:** 05/01/1977
**Reason for Policy:** To describe the University's policy on providing employment interviews for students

- [UO Career Center](http://www.uoregon.edu/career)
- Mandy Devereux

**Policy Statement:**

The University of Oregon administration believes that all prospective employers should be free
to interview, recruit, or make presentations about their organizations and that all students should
be free to determine whether they desire to participate in such activities.

The scheduling of a prospective employer's representative on the University of Oregon campus is
not an endorsement of the employer or of the employer's organization's policies by the
University. This attitude constitutes application of the same principle that has prevailed in the
scheduling of campus speakers.
Coordination of and arrangements for employment interviews are the responsibility of the Career Center. Arrangements for interviews take into consideration:

- (a) The number of students who are likely to be interested in talking with the prospective employer;
- (b) Any exhibitions which the prospective employer desires to display;
- (c) Whether or not the prospective employer desires to have a group meeting of interested students which is to be followed by individual interviews, or whether individual interviews are to be arranged; and
- (d) Approved University procedures for use of its facilities.

Recruiting representatives of prospective employers, whether public or private are treated equally.

Reviewed and Approved By: President's Staff
Date: 06/07/1985
Issued by: Associate Provost for Student Affairs
Date: 06/07/1985
Revision History: 05/01/1977 Promulgated as AM 16.080
06/07/1985 Reviewed and recommended by President's Staff
06/07/1985 Reissued by Associate Provost for Student Affairs
02/08/2010 Policy number revised from 1.000 to 01.00.09
02/08/2011 Reviewed. No changes necessary.
Original Source: UO Policy Statement

Student Health Services

Policy Number: III.04.01
Reason for Policy: This policy contains matters pertaining to student health and mental services provided by the University Health Center and University Counseling and Testing Center.
Entities Affected by this Policy: All students; employees who interact with the above mentioned matters
Responsible Office: For questions about this policy, please contact the University Health Center at 541-346-8393 or the University Counseling and Testing Center at 541-346-3227.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-4-student-health-services/student-health-services

Enactment & Revision History:
Policy:

(1) The University of Oregon (University) shall operate or provide student health services to safeguard the health of students through health and mental health education, medical treatment of injuries and diseases, and limited psychological services.

(2) Student health and mental health services supported by student fees shall be made available to full-time and part-time students who are enrolled in courses taught by University faculty and who have paid the health service fee adopted by the Board.

(3) The University may also provide health and mental health services to:

   (a) Participants in on-campus, workshops and programs sponsored by the University or under a lease or contract with an off-campus organization;

   (b) Persons, who are eligible for stop-out services between academic terms and during the summer, according to University Health Center or University Counseling and Testing Center department policies.

   (c) Limited follow-up visits, as defined by the University Health Center or University Counseling and Testing Center, for continuity of care for students transitioning out of the University.

   (d) Faculty and staff (including pre-employment testing for new hires prior their first day of employment), on a full-cost-reimbursement basis. These services are limited and will be defined by the University Health Center or University Counseling Center. They must not interfere with the provision of health or mental health services to students.

   (e) Other persons on an emergency basis, as defined by the University Health Center or University Counseling and Testing Center.

(4) Except as provided for above, no other health care services will be provided.
(5) Health service fees charged to these categories of users shall not be less than the current fees charged full-time and part-time students prorated according to the period of use.

(6) Charges may be made for prescriptions, laboratory services, immunizations, psychological or educational testing, alcohol and other drug assessment and intervention, and other special services in accordance with regulations adopted by the University.

(7) The University Health Center and the University Counseling Center will neither pay for nor be responsible for bills from private physicians or private hospitals, except in cases of advance contractual arrangements made by the University.

(8) This policy has the force of law and may be appealed by students and staff through the applicable grievance procedures. Community members seeking to appeal this policy may file an appeal with the Executive Director of the University Health Center or the Director of the University Counseling and Testing Center, as appropriate.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 4: Student health services

Related Resources: NA
Original Source: Oregon Administrative Rule

Student Housing

Policy Number: III.02.03
Reason for Policy: This policy contains matters pertaining to student housing, including cooperatives.
Entities Affected by this Policy: All students; employees who interact with the above mentioned matters.
Responsible Office: For questions about this policy, please contact the Division of Student Services and Enrollment Management at 541-346-9386.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-2-housing-residence-life/student-housing

Enactment & Revision History:
Revisions approved by President Schill on April 19, 2018. Policy renumbered from 580.011.0015-0040 to III.02.03.

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 11, Sections 0015 through 0040.

Policy:

A. Self-Supporting Concept for Student Housing

The self-supporting concept, as applied to student housing, anticipates that there shall be sufficient total income from charges to pay all direct costs, including debt service, utility and insurance costs, and institutional and a proportional share of accounting, overhead and administrative costs.

B. Campus Housing Advisory Board

The University of Oregon University Housing Advisory Board is a group of 8-11 students representing first-year through graduate students and reflecting the diversity of the UO student body. The Board provides strategic input to the leadership of University Housing at the University of Oregon.

Responsibilities of this Board:

- Provide advisory input to the Director of University Housing on critical issues impacting the student experience that may arise during the course of the academic year including:
  - review and provide perspectives on University Housing new and existing facilities projects and project planning
  - review and provide perspectives on University Housing policies and procedures
  - offer perspectives regarding University improvements and changes
  - offer perspectives on other University Housing related issues
- Serve as advocates for University Housing and its mission to facilitate students’ development as they build an inclusive community, establish a sense of home, and succeed academically and in working toward University Housing’s “Big Goal” of becoming the model of excellence for providing accessible, affordable, and student-centered living-learning experiences; the preferred choice for all UO students.
- Conduct and provide important analysis of various surveys and other assessment tools geared at improving the out-of-classroom student experience.
C. Rates of Charge for Student Housing

1. Student housing charges shall provide sufficient income to make each category of housing--family housing, residence halls self-supporting and self-liquidating. Under exceptional circumstances, the President may authorize the use of income from one category to support the operation of another and the use of commingled student building fees to assist with financing of student housing.

2. Room and Board rates of charge shall be approved by the University of Oregon Board of Trustees or designee.

D. University-Controlled Cooperative Housing

If created, university-controlled cooperative housing projects shall be limited to those meeting the following conditions:

1. The University select students occupying the units.
2. Rental contracts are made between individual student occupants and the University.
3. The units are wholly self-supporting and self-liquidating

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 2: Housing and residence life

Related Resources: NA

Original Source: Oregon Administrative Rule

Student Loan Debt Management and Outreach

**Reason for Policy:** Requires all Oregon University System institutions to help all students who borrow federal student loans to understand their rights and responsibilities regarding their student loan borrowing, debt, and repayment; and to provide additional support and programs beyond federally mandated counseling to assist students, especially those considered most "at-risk," throughout their time at an OUS institution.

**Enactment & Revision History:**

Became University of Oregon policy by operation of law on July 1, 2014.
Former Oregon State Board of Higher Education Policy
Policy:

That Oregon University System institutions* will:

1. Help all students who borrow federal student loans to understand their rights and responsibilities regarding their student loan borrowing, debt, and repayment throughout the students’ time at the institution;

2. Develop and maintain an early warning system to identify and intervene with students who are most at-risk of incurring higher-than-average student loan debt, and provide a targeted strategy of education and outreach beyond federally mandated Entrance and Exit Counseling. This includes students in one or more of the following categories: considered “low-income” by definition of federal and State of Oregon financial aid criteria; studying in degree fields that typically make lower than average salaries (such as social work, arts); studying in degree fields with higher than average borrowing based on program cost (such as law, medicine, certain healthcare fields) and in which graduates may not earn salaries comparable with debt incurred; and students on academic probation who are at-risk of dropping out before earning a degree.

3. Adopt and use the Federal Financial Aid Shopping Sheet or its successor document, by October 1, 2013, in order to provide clear, transparent information to student loan borrowers about gross and net costs and aid options at the institution, as well as the graduation rate, loan default rate, and median borrowing specific to that institution, and information on loan repayment choices; and provide easy web or other access to and information about net price calculators, and students’ current and cumulative debt incurred to-date through available links to federal databases and other resources.

4. Incorporate financial literacy into new student orientation programs, academic success classes, residence hall programming, and other similar orientation and outreach programs.

5. Provide student loan borrowing and management information on institutions’ respective web sites, providing guidance before, during, and after college on ways to manage and repay student loans.

6. Track and report on an annual basis to the Oregon State Board of Higher Education data that demonstrates the types of debt counseling and management efforts taking place at the university and reports on indicators of progress and of reaching the most at-risk students with effective outreach efforts.

* Includes Eastern Oregon University, Oregon Institute of Technology, Oregon State University, Portland State University, Southern Oregon University, University of Oregon, and Western Oregon University; and branch, satellite and other campus centers of these campuses.
Student Medical Leave

Policy Number: III.05.05
Reason for Policy: This policy outlines matters relating to student medical leave.
Entities Affected by this Policy: All students and UO employees who interact with students on medical leave.
Responsible Office: For questions about this policy, please contact the Vice President for Student Life: (541) 346-1137.

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-5-s...

Enactment & Revision History:

Revisions approved by University President Michael Schill on May 4, 2017. Policy renumbered from 571.023 to III.05.05.

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

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

Former Oregon Administrative Rule Chapter 571 Division 23.

Policy:

A. Definitions

(1) "Dean's Consultation" occurs when the Dean of Students convenes a group of professionals to recommend actions and strategies to respond to a student's failure to meet the University's Standards of Responsibility and Self Care.

(2) "Medical Leave" means leave during an academic term, resulting from a student's medical or mental health condition that requires the student to interrupt their enrollment.

(3) “Standards of Responsibility and Self Care” means that a student in the University community is experiencing a serious medical or mental health condition or emergency that
substantially threatens the welfare of self or others and/or significantly disrupts the functioning of University operations.

(4) "Vice President" means Vice President for Student Life or successor or designee.

(5) “Dean of Students” means the Associate Vice President & Dean of Students or successor or designee.

B. Voluntary Medical Leave

A student who wishes to be placed on Voluntary Medical Leave from the University shall contact the Dean of Students and, if requested, present a recommendation to that effect from a physician or psychologist.

The Dean of Students may request the Executive Director of the University Health Center (if the request for leave is based on a medical condition) or the Director of the University Counseling and Testing Center (if the request for leave is based on mental health conditions) or both (if the Dean of Students believes information from both directors would be useful) evaluate the information provided.

Once the Dean of Students grants the student's request, they will work with the student on a plan for return and plan for success upon such return, as appropriate, in accordance with Section I below, regarding Resumption of Student Status.

C. University Duties of Refund and Other Academic Alternatives

If a student is placed on leave from the University pursuant to the provisions of UO Policy 571.023(B) or (G), the Dean of Students is authorized to instruct the University Registrar, when necessary, to withdraw the student immediately and to initiate the appropriate tuition and fee refund according to the University refund schedule, or explore and/or implement alternative or additional reasonable accommodations, as may be warranted in the circumstances.

D. Standards of Responsibility and Self Care

(1) A student in the University community who does not meet University Standards of Responsibility and Self Care, unless such a student elects voluntary leave, may be referred for a professional assessment or placed on Emergency Temporary Medical Leave or Mandatory Leave.

In evaluating whether a student does not meet University Standards of Responsibility and Self Care, the University will make an individualized and objective assessment of the student’s ability to participate in the University’s programs and activities, based on reasonable medical judgment or the best available objective evidence. The assessment will determine the nature, duration and
severity of the risk, the probability that the potential harm will actually occur and, if a qualifying
disability exists, whether reasonable accommodations can be implemented to mitigate the risk
sufficiently to allow the student to continue to access University programs and activities.

The involuntary Emergency and Mandatory Leave processes are not a substitute for disciplinary
action when there is a violation of the Student Code of Conduct, and the disciplinary process is
separate from the process outlined here. Because conduct that gives rise to Emergency or
Mandatory Leave might also result in Student Conduct sanctions, it is possible that a student who
has met the designated conditions for reenrollment following an Emergency or Mandatory Leave
may not be eligible for reenrollment based on the conduct sanction administered.

E. Emergency Temporary Leave

(1) The Dean of Students may take emergency action to place a student on Emergency
Temporary Leave when necessary to secure the health or safety of the student or others. At the
time that the emergency action takes place, the Dean of Students shall (A) inform the student of
the reason for the emergency action, (B) give the student the opportunity to explain why
emergency action need not be taken, and (C) inform the student that the meeting outlined in the
Mandatory Leave Procedure section below will take place within three (3) business days of the
Emergency Action if the student is available, or if the student is unavailable for medical reasons,
within three (3) business days after the student becomes available.

(2) Mandatory Leave. If the Dean of Students believes a student’s medical or mental health
issues substantially threaten the welfare of self or others and/or significantly disrupts the
functioning of University operations, the Dean of Students may place a student on mandatory
leave after following the procedures identified in Section I.

F. Involvement of Emergency Contacts

Although rare, the Dean of Students may need to contact a student’s emergency contact for
students who are experiencing medical or mental health emergencies. The decision to notify a
student's emergency contact in the case of a medical or mental health emergency will be weighed
carefully against the student's privacy rights and other relevant information and will be done
consistent with the requirements of state and federal law and university policy.

G. Mandatory Leave Procedure

(1) If the Executive Director of the University Health Center or the Director of the University
Counseling and Testing Center believes the standard for mandatory leave has been met by a
student’s behavior, the director will recommend that the Dean of Students initiate mandatory
leave. In some instances, both the Mandatory Leave and Student Conduct procedures may be
triggered by the student’s conduct. The Student may also be placed on emergency temporary
suspension by the Dean of Students or designee in the interim, pursuant to the Emergency Action
provisions of the Student Conduct Code or the Emergency Temporary Leave provision,
discussed above. The director may confer with any individuals the director believes can assist in making a recommendation.

(2) The Dean of Students will request the director prepare a report containing a summary of the steps already taken to respond to the student's medical or mental health issues, a list of individuals who have relevant information regarding the student's medical or mental health issues, and the basis for recommending mandatory leave.

(3) The director will set a date and time for a meeting with the student prior to making a final recommendation regarding Mandatory Leave and provide the student written notice. The notice shall include:

(a) The date, time and place of the meeting;

(b) That the purpose of the meeting is to consider if the student should be placed on Mandatory Leave;

(c) That the standards for making the final decision are whether the student's medical or mental health issues substantially threatens the welfare of self or others, or significantly disrupts the functioning of University operations: and

(d) That the student has the opportunity to attend, to participate in the meeting, and to be accompanied by a personally-selected representative. Should the student elect not to attend the meeting, the process will proceed without the benefit of the student’s input, with the director’s evaluation based on the information otherwise available.

(4) The director shall conduct the meeting in an informal manner that provides the director with an opportunity to gather information relevant to the final decision and provides the student with an opportunity, if the student wishes, to provide information the director or student believes will be useful in making a final recommendation. The student's opportunity to participate in the meeting shall include the opportunity to provide information from others who may have knowledge regarding whether the student's medical or mental health issues substantially threatens the welfare of self or others and/or significantly disrupts the functioning of University operations.

(5) If the director concludes that the student's medical or mental health condition does not substantially threaten the welfare of self or others, nor significantly disrupts the functioning of University operations, the director will so advise the Dean of Students in writing. The Dean of Students will decide whether to enforce the mandatory leave and inform the student of the decision.

(e) If, following the meeting with the student, the director concludes that the student's medical or mental health condition substantially threatens the welfare of self or others, or significantly disrupts the functioning of University operations the director will so advise the Dean of Students
in writing, and may recommend the student be placed on mandatory leave. The Dean of Students will decide whether to enforce the mandatory leave and inform the student of the decision.

(f) A student may appeal the Dean of Student’s determination regarding Mandatory Leave or the conditions placed on the Student’s return, pursuant to I below, to the Vice President. Such an appeal must be filed within 14 days. The Vice President shall review all available information provided by the Dean of Students and the affected student and may request an opportunity to request additional information from the Dean of Students and the affected student. The Vice President's decision is final.

H. Resumption of Student Status

(1) Prior to returning to the University or enrolling at the University, a student who has been placed on leave as a result of emergency procedures, voluntary leave, or mandatory leave must produce a plan in writing that delineates how the student will resume their status at the University.

(2) The plan must respond to the condition that gave rise to the need for the student's leave (i.e., need for ongoing psychological or medical care; ability to maintain a standard of responsibility and self-care; ability to assume class participation.) If the student will reside in the residence halls, the plan must also state how the student will transition back into this community.

(3) The Dean of Students and counseling (for psychological conditions) or health (for medical conditions) center director or their designees will review the student's plan and meet with the student. The student will be asked to authorize the counseling or health center director or designee to consult with the student’s recent/current mental health or medical providers about mental health issues relevant to the student’s readiness to return to the University. After the Dean of Students and counseling or health center director have reviewed the student's plan, the Executive Director of the University Health Center (for behavior based on medical issues or emergencies) or the Director of the University Counseling and Testing Center (for behavior based on mental health issues or emergencies) or both (if the Dean of Students believes information from both directors would be useful) will make a recommendation to the Dean of Students, who will decide if the student's request to re-enroll at that time shall be granted or denied.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 5: Student Records

Related Resources: NA
Original Source: Oregon Administrative Rule
Student Records

Policy Number: III.05.04
Reason for Policy: This policy outlines various institutional matters pertaining to student records, including information that is not required to be provided and how a student may petition for a change in their personal record.
Entities Affected by this Policy: All students as well as UO employees who work with, maintain or have access to student records.
Responsible Office: For questions about this policy, please contact the Office of Student Life at 541-346-3216 or the Office of the Registrar at 541-346-2935.

Website Address for this Policy:
https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-5-s...

Enactment & Revision History:

Policy number changed from 580.013 (former OAR) to UO Policy III.05.04 on November 2, 2016.

Technical revisions enacted by the University Secretary on September 2, 2015.

Sections 25, 30, 35, 36, 45 and 50 of OAR 580 Division 13 were repealed by the President upon recommendation of the Senate on March 22, 2014.

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

Former Oregon Administrative Rule Chapter 580 Division 13.

Policy:

A. Certain Information Not Required To Be Provided By Students

No student shall be required to provide, except voluntarily, information as to race, religion, political affiliation or preferences, or personal values, except as required by state statute, federal law or valid federal rules, regulations or orders.

B. Petition by Student for Change in Personal Record
The student shall have the right to review with appropriate University personnel any information contained in the student's records and to petition appropriate University officials as defined in University policies for additions or deletions to the record where the accuracy of the information in the file is in question, except in the following instances:

(1) Records created or maintained by a physician, psychiatrist, psychologist or other recognized professional or paraprofessional acting in a professional or paraprofessional capacity or assisting in that capacity.

(2) Records created, maintained or used only in connection with the provision of treatment to the student and not disclosed to anyone other than individuals providing the treatment; provided, that the records can be personally reviewed by a physician or other appropriate professional of the student's choice.

(3) Records relating exclusively to an individual in that individual's capacity as an employee.

(4) Financial records and statements of the parents of students or any information contained therein.

(5) Confidential letters and confidential statements of recommendation that were placed in the educational records of a student prior to January 1, 1975, provided that the letters and statements were solicited with the written assurance of confidentiality or sent and retained with a documented understanding of confidentiality and were used only for the purposes for which they were specifically intended.

(6) Confidential letters of recommendation and confidential statements of recommendation that were placed in the educational records of the student after January 1, 1975, respecting admission to an educational institution, respecting an application for employment or respecting the receipt of an honor or honorary recognition, provided that the student has waived rights to inspect and review letters and statements of recommendation.

**Chapter/Volume:**
- Volume III: Administration of Student Affairs
- Chapter 5: Student Records

**Original Source:** Oregon Administrative Rule

**Student Records**

**Policy Number:** III.05.03
**Reason for Policy:** This policy outlines matters relating to student records.

**Entities Affected by this Policy:** All students and employees of the UO

**Responsible Office:** For questions about this policy, please contact Student Life at 541-346-3216 or the University Registrar at 541-346-2935.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-5-s...

**Enactment & Revision History:**

Policy number changed from 571.020 (former OAR) to UO Policy III.05.03 on November 2, 2016.

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

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

Former Oregon Administrative Rule Chapter 571 Division 20.

**Policy:**

**A. Introduction**

The University of Oregon is required to comply with the federal Family Educational Rights and Privacy Act of 1974, as amended, and other federal and state laws governing access to and confidentiality of records and information pertaining to students. This policy is intended to inform students and others generally of their rights and guide the University in its management of student records and information. University employees should be mindful that only personal records demonstrably and substantially relevant to the educational and related purposes of the University, division or department should be generated or maintained.

**B. Definitions**

(1) "Act" means the Family Educational Rights and Privacy Act of 1974, as amended, its implementing regulations, and any official guidance issued by the U.S. Department of Education.

(2) "Directory information" means the student's name; mailing and permanent address(es); telephone number(s); electronic mail address(es); whether the student is or has been enrolled; enrollment status (e.g., full-time or part-time); dates of attendance; class level; cumulative credit hours; major and minor fields of study; participation in officially recognized activities and
sports; and degrees, certificates, honors and awards received. For graduate teaching fellows, "directory information" also means status as a graduate teaching fellow and teaching assignment.

(3)(a) "Education records" means those records that are:

(A) Directly related to a student; and

(B) Maintained by the University or by a party acting for the University.

(b) To the extent set forth in the Act, "education records" does not include the following:

(A) Sole possession records;

(B) Records of the Department of Public Safety;

(C) Records relating to an individual who is employed by the University, unless the individual is in attendance at the University and is employed as a result of his or her status as a student;

(D) Treatment records concerning a student that are made or maintained by a physician, psychiatrist, psychologist, or other recognized professional or paraprofessional acting in his or her professional capacity; and

(E) Records that only contain information about an individual after he or she is no longer a student at the University.

(4) "Legitimate Educational Interests" means a reasonable need to know information in the course of carrying out one's duties.

(5) "Personally identifiable information" includes, but is not limited to:

(a) The student's name;

(b) The name of the student's parent or other family member;

(c) The address of the student or student's family;

(d) A personal identifier, such as the student's social security number or student number;

(e) A list of personal characteristics that would make the student's identity easily traceable; or

(f) Other information that would make the student's identity easily traceable.
(6) "School Official" means a person employed by the University; a person or entity, including a governmental entity, with whom the University has contracted; a person serving on the University's governing board; or a student serving on an official committee or assisting another school official in performing his or her duties.

(7) "Student" means any individual who is or has been in attendance at the University and regarding whom the University maintains education records. An individual who is or has been a student at the University and who applies for admission at another component of the University does not have rights with respect to records maintained by that other component, including records maintained in connection with the student's application for admission, unless the student is accepted and attends that other component of the University.

(8) The following terms shall have the definitions contained in the Act: Attendance; Dates of Attendance; Disciplinary Action or Proceeding; Disclosure; Parent; and Record.

(9) The definitions contained in this section shall be deemed amended if and to the extent that the Act is amended.

**C. Location and Custody of Student Records**

Education records and official personal records shall be kept in locations central to the University or the division or department that maintains them. The control of such records should be assigned to designated personnel responsible for preserving the confidentiality of records. Education records may also be maintained by individual employees and others acting on behalf of the University. The Vice President for Student Affairs or his or her designee(s) is the custodian of all education records maintained by the University or on its behalf and shall have ultimate control of all education records. The Office of the Registrar is the initial point of contact for questions related to this policy. Subpoenas seeking education records are typically served on the University Registrar, and the Office of the Registrar should be informed whenever the University or a University employee is served with a subpoena seeking education records. If the University or a University employee is served with a law enforcement subpoena ordering that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed to the student, a copy shall be sent immediately to the Office of the General Counsel. No documents shall be released or information disclosed until University legal counsel determines that the subpoena is valid.

**D. Access to Education Records by a Student**

(1) Except as limited in Section F, a student must be given the opportunity to inspect and review the student's education records within a reasonable period of time but not more than 45 days from receipt of the request. The University will respond to reasonable requests for explanations and interpretations of the records. This policy does not require the University to provide a student or anyone else with an official transcript.
(2) The University shall not destroy any education records if there is an outstanding request to inspect and review them.

(3) Although the University is not required to give a student access to treatment records under Section B(3)(b), the student may have those records reviewed by a physician or other appropriate professional of the student's choice.

E. Fees for Copies of Education Records

Unless the imposition of a fee effectively prevents a student from inspecting and reviewing the student's education records, the University may charge a fee for a copy of a record that is made for the student. Unless set forth elsewhere in University rules or policies, the fee may not exceed twenty-five cents per page. The University will not assess a student a fee to search for or to retrieve the education records of that student.

F. Limitations on Access to Education Records

(1) If an education record contains information on more than one student, a student may inspect and review or be informed of only the specific information about that student.

(2) The University does not have to permit a student to inspect and review the following education records: financial records of the student's parents; and, under the circumstances described in the Act, confidential letters and statements of recommendation.

G. Disclosure of Directory Information

(1) The University may disclose directory information in compliance with the Act.

(2) Students may restrict the disclosure of all directory information by filing a completed Restriction of Directory Information form with the Office of the Registrar at any time during regular business hours. The restriction becomes effective as soon as is reasonably practicable and remains in effect until revoked in writing.

H. When Prior Consent Is Required for the Disclosure of Personally Identifiable Information from Education Records

Except as provided in the Act or other applicable law, the University will not disclose personally identifiable information from a student's education records unless the student provides a signed and dated written consent which specifies the records that may be disclosed; states the purpose of the disclosure; and identifies the party or class of parties to whom the disclosure may be made. The University will provide the student, upon request, with a copy of the records disclosed.
I. When Prior Consent Is Not Required for the Disclosure of Personally Identifiable Information from Education Records

The University may disclose personally identifiable information from an education record without the student's consent if one of the following conditions is met:

(1) The disclosure is to a school official who has a legitimate educational interest.

(2) The disclosure is to officials of another school, school system, or institution of postsecondary education where the student seeks or intends to enroll.

(3) The disclosure is to comply with a judicial order or lawfully issued subpoena and the University makes a reasonable effort to notify the student of the order or subpoena in advance of compliance so that the student may seek protective action. If the disclosure is to comply with a federal grand jury subpoena or any other subpoena issued for a law enforcement purpose and the court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed and University legal counsel has determined that the subpoena is valid, then the University shall not notify the student.

(4) The disclosure is in connection with a health or safety emergency if knowledge of the information is necessary to protect the health or safety of the student or other individuals. This shall be strictly construed. The factors to be taken into account in determining whether this exception applies shall include the following:

(a) The seriousness of the threat to the health or safety of the student or other individual;

(b) The need for the information to meet the emergency;

(c) Whether the individuals to whom the information is disclosed are in a position to deal with the emergency;

(d) The extent to which time is of the essence in dealing with the emergency.

(5) The disclosure is information the University has designated as directory information.

(6) The disclosure is to a victim of an alleged perpetrator of a crime of violence or a non-forcible sex offense. The disclosure may only include the final results of the disciplinary proceeding conducted by the University with respect to that alleged crime or offense.

(7) The disclosure is in connection with a disciplinary proceeding at the University and the University determines that the student is an alleged perpetrator of a crime of violence or non-forcible sex offense; and the student has committed a violation of the University’s rules or policies with respect to the allegation made against him or her. The University may not disclose
the name of any other student, including a victim or witness, without the prior written consent of
the other student. This subsection applies only to disciplinary proceedings in which the final
results were reached on or after October 7, 1998.

(8) The disclosure is otherwise in compliance with the Act or other applicable law.

J. Procedures for Seeking Amendment of Education Records

(1) Requesting Amendment of Education Records If a student believes the education records
relating to the student contain information that is inaccurate, misleading, or in violation of the
student's rights of privacy, he or she may ask the University to amend the record. Such a request
shall be submitted to the University Registrar in writing and shall include at a minimum the
following:

(a) If available, a copy of the record the student is seeking to amend;

(b) The specific amendment sought;

(c) The reasons why the student is seeking the amendment; and

(d) All evidence the student wishes the University to consider. The University shall decide
whether to amend the record within a reasonable time after it receives the request. If the
University decides not to amend the record as requested, it will inform the student of its decision
and of his or her right to a hearing. The hearing will be informal but must meet the requirements
of the Act.

(2) Results of the Hearing If, as a result of the hearing, the University decides that the
information is inaccurate, misleading, or otherwise in violation of the privacy rights of the
student, it shall amend the record accordingly and inform the eligible student of the amendment
in writing. If the University decides that the information is not inaccurate, misleading, or
otherwise in violation of the privacy rights of the student, it shall inform the student of the right
to place a statement in the record commenting on the contested information or stating why he or
she disagrees with the University's decision, or both. Any such statement will be maintained with
the contested part of the record for as long as the record is maintained and disclosed whenever
the relevant portion of the record is disclosed.

K. Availability of Education Records for Research Purposes

Education records and information contained in education records may be disclosed to
organizations conducting legitimate educational research, testing, accreditation, granting
financial aid, or improving instruction if the records or information do not permit identification
of students or parents and if the information is destroyed when no longer needed to carry out its
specified purposes.
L. Records of the Department of Public Safety

(1) For purposes of this policy, "law enforcement unit" means the University of Oregon Department of Public Safety (DPS) and "DPS records" means those records, files, documents, and other materials that are: created by DPS; created for a law enforcement purpose; and maintained by DPS. "DPS records" does not mean: records created by DPS for a law enforcement purpose that are maintained by a component of the University other than DPS or records created and maintained by DPS exclusively for a non-law enforcement purpose.

(2) Nothing in the Act or this policy prohibits the University from contacting DPS, orally or in writing, for the purpose of asking that it investigate a possible violation of, or to enforce, any local, State, or Federal law.

(3) Education records, and personally identifiable information contained in education records, do not lose their status as education records and remain subject to the Act and this Policy while in possession of DPS.

(4) The Act and this policy do not require nor do they prohibit the disclosure by the University of DPS records.

M. Limitations on the Re-disclosure of Information

(1) Except as permitted in the Act, the University may disclose personally identifiable information from an education record only on the condition that the party to whom the information is disclosed will not disclose the information to any other party without the prior consent of the student.

(2) Except where exempt under the Act, the University shall inform a party to whom disclosure is made of the Act's nondisclosure requirements.

N. Recordkeeping Requirements

(1) Except as provided in paragraph (3), the University shall maintain a record of each request for access to and each disclosure of personally identifiable information from the education records of each student. The record shall be maintained with the education records of the student as long as the records are maintained. For each request or disclosure the record must include: the parties who have requested or received personally identifiable information from the education records; and the legitimate interests the parties had in requesting or obtaining the information.

(2) Disclosure of personally identifiable information from an education record with the understanding that re-disclosure may occur requires the following record of the disclosure: the names of the additional parties to which the receiving party may disclose the information on
behalf of the University; and the legitimate interests which each of the additional parties has in requesting or obtaining the information.

(3) Paragraph (1) of this section does not apply if the request was from, or the disclosure was to: the student; a school official within the University with a legitimate educational interest; a party with written consent from the student; a party seeking directory information; or a party seeking or receiving the records as directed by a federal grand jury or other law enforcement subpoena and the issuing court or other issuing agency has ordered that the existence or the contents of the subpoena or the information furnished in response to the subpoena not be disclosed.

O. Permanence, Duplication, and Disposal of Student Records

(1) Individual education records shall be maintained only for the minimum period of time required to serve the official functions of the office generating and maintaining them. The records shall then be disposed of in a manner designed to assure confidentiality.

(2) The permanent retention of education records shall be limited to records that the President or the State Archivist determine to be of long-range value to the student or the University.

(3) Duplication of permanent education records shall be minimized. Duplicate permanent records shall be destroyed in accordance with this Policy.

P. Annual Notice

The University shall publish and distribute on an annual basis to students notice of their rights under the Act. Such notice shall comply with the applicable provisions of the Act.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 5: Student Records

Original Source:
Oregon Administrative Rule

Student Sexual and Gender-Based Harassment and Violence Complaint and Response Policy

Policy Number: V.11.06
**Reason for Policy:** The University has policies for the prompt, fair, and impartial resolution of complainants of prohibited discrimination. This policy improves the University’s response to gender-based/sex-based discrimination experienced by its students. This policy defines the process that employees at the University must follow when a student discloses sexual harassment, including sexual or gender-based violence.

**Entities Affected by this Policy:** All members of the UO community.

**Responsible Office:** For questions about this policy, please contact the Office of Affirmative Action and Equal Opportunity (541-346-3123) or the Title IX Coordinator (541-346-8136).

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources-other/student-sexual-and-gender-based-harassment-and

**Enactment & Revision History:**

Amendments approved by President Schill on May 30, 2019.

Technical revisions to the list of designated reports made by the University Secretary – February 1, 2019.

Approved by President Schill on May 22, 2017 (with an effective date of September 15, 2017) following passage by the University Senate on April 12, 2017.

**Policy:**

**Introduction:**

The University of Oregon recognizes that sexual and gender-based harassment and violence are contrary to its core principles and therefore has zero tolerance for sexual and gender-based harassment and violence. The University’s response to incidents of sexual and gender-based harassment and violence of and by students is governed by a comprehensive set of policies and procedures intended to provide integrated wraparound services and support to survivors while also holding accountable those who commit acts of discrimination. This particular policy explains in detail the reporting obligations of University employees when they learn of sexual and gender-based harassment and violence involving students, including student employees as part of that comprehensive structure.

Other policies govern the processing of such reports, the obligations of some employees pursuant to the Clery Act to gather information about crimes on University controlled properties, and the University’s procedures for handling disclosures of sexual harassment by non-student employees. Those policies can be found here:
1. For information about how the University’s Title IX Coordinator and Student Conduct Office process reports received under this policy that are made by students against students, see the Student Conduct Code, the Student Conduct Sexual Misconduct Standard Operating Procedures, and the Student Discrimination Process.

2. For information about how the University’s Title IX Coordinator and the Office of Affirmative Action process reports received under this policy that are made by students against employees, see UO Policy 580-015.

3. For information about the obligations of employees who are “Campus Security Authorities” under the Clery Act, see “Clery Act” under Related Resources below.

4. For information about the reporting and processing of complaints about sexual harassment in the workplace involving a non-student employee, see the University’s discrimination complaint and response policy. (The reporting obligations for student employees are covered in Section X of this policy and require designated reporters and employees who supervise a reporting student and/or who supervise the alleged harasser to pass information on to the Title IX Coordinator.).

In general, any questions about the intersection or applicability of any of these other policies and procedures can be directed to the University’s Title IX Coordinator (contact information in related resources below). However, one of the most frequently asked questions regarding reporting obligations relates to what happens after information is shared by a designated reporter. To address that concern, this introduction briefly shares a few important points about the University’s response once an employee reports to the University’s Title IX Coordinator (the University’s response is explained more completely in the policies referenced above in points 1 and 2).

Once a report is made, the University’s response begins by providing the student who has experienced sexual or gender-based harassment immediate access to measures designed to allow the student to continue with his or her education. All students who have experienced prohibited discrimination will be provided with remedial and supportive measures, regardless of whether or not they choose to participate in a formal University process. These measures include but are not limited to confidential crisis outreach at any time of day or night, counseling services, academic accommodations, residential modifications, mutual no contact orders and other measures necessary to ensure that the student is able to fully and fairly access the student’s education. If a formal University process is later initiated, protective measures, which are actions that directly impact the alleged perpetrator, will also be provided as appropriate, such as prohibiting or restricting the alleged perpetrator’s presence at certain places on campus.

In all cases, the University’s response is designed to consider the victim’s preferences regarding the University’s response, and to provide deference to a victim’s wishes wherever possible. Once the University’s processes are initiated after a report under this policy, students who have experienced sex discrimination, including sexual harassment and sexual violence, have the right to request confidentiality and/or that the University not take action in response to the underlying report. The University will evaluate a student’s request as described in its sexual misconduct standard operating procedures, referenced above and available here. The University may also intervene less formally where an alternative resolution can be equally effective in stopping the
harassment, preventing its recurrence andremedy ing any effects. Regardless of the type of
response, the reporting student will be consulted and kept informed as to any actions taken by the
University.

Finally, the University’s response will protect from retaliation students and employees who make
good faith reports under this policy or who participate in a University process initiated in
response to a report of prohibited discrimination.

I. Policy Statement

The University is committed to maintaining an environment free of harassment and
discrimination based on sex, sexual orientation, gender, perceived gender, or gender
identity that would violate Title IX (hereafter “prohibited conduct”). The University is
committed to ensuring equal access to programs, course offerings, facilities, admission and
employment for all of its students by providing educational and employment environments
free from harassment and discrimination.

In order to create these environments and comply with Title IX, a well-designed
“responsible employee” policy is an integral part of an effective response to prohibited
conduct. An effective response also requires the clear identification of the roles of
administrators, faculty, staff, and student staff, so that students can make a clear and
informed decision about whom to contact for support, institutional response, and/or
resources.

This policy will ensure clarity and transparency as well as compliance with Title IX by
precisely identifying “designated reporters,” thereby allowing students to make informed
decisions about whether to disclose information to employees who are required to report
any and all disclosures to the Title IX office. Identifying “confidential employees” with
precision allows students to know who is able to keep disclosures confidential.
Designating all other employees as “student-directed employees,” with specific response
obligations, including the provision of support and resources, maximizes students’ access
to supportive University personnel and affords students another avenue by which they can
initiate a report to the Title IX coordinator if they so choose.

Under this policy every University employee falls into one of three categories: designated
reporter, student-directed employee, or confidential employee. These terms will be defined
in more detail below, but in summary they are:

- Designated Reporters: This policy designates as “responsible employees” for Title
  IX purposes those employees who have the authority to address prohibited
  conduct and whom students would reasonably expect to have the authority to
  remedy prohibited conduct in light of this policy. The University of Oregon refers to
  responsible employees as “Designated Reporters” because they are always
obligated to report student disclosures to the Title IX office if they have “reportable evidence” of prohibited conduct.

- **Student-Directed Employees:** This policy places other employees in the category of “Student-Directed Employees” and requires that Student-Directed Employees offer students information, resources, support, and the ability to report if that is the student’s choice. While Student-Directed Employees are required to provide resources and to support a student’s choice, Student-Directed Employees do not have the ability to address the discrimination or to implement corrective measures in response to a disclosure.

- **Confidential Employees:** This policy designates as “Confidential Employees” those employees who have a professional commitment and/or legal privilege that may enable them to oppose successfully an application for a court order seeking disclosure of communications. Confidential employees have the same obligations as Student-Directed Employees in terms of offering students information, resources, support, and the ability to report, but their professional obligations and/or commitment to confidentiality provides an additional layer of confidentiality for students who desire it.

This policy is intended to encourage reporting by students who have experienced prohibited conduct because it clearly identifies responsible employees for reporting purposes, respects the wishes of students when they talk to other employees, and makes all employees at the institution part of the solution to prohibited conduct.

Discriminatory harassment, including sexual harassment, regardless of the relative power of the harasser, is disruptive of workplace and campus life and denies students equal educational opportunity. Prohibited Discrimination and retaliation impede the realization of the University’s educational mission and shall not be tolerated at the University of Oregon.

II. Definitions

A. **Prohibited Discrimination** is defined as any act that either in form or operation, and whether intended or unintended, unreasonably discriminates among individuals on the basis of sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, gender, perceived gender, gender identity, or the use of leave protected by state or federal law. "Unintentional discrimination" is a concept applicable only to situations where a policy, requirement, or regularized practice, although neutral on its face, can be shown to have disparately impacted members of a protected class.

B. **Discriminatory Harassment** is defined as any conduct that either in form or operation unreasonably discriminates among individuals on the basis of sex, sexual orientation, marital or family status, pregnancy, pregnancy-related conditions, gender, perceived gender, gender identity, or the use of leave protected by state or federal law and that is sufficiently severe or pervasive that it interferes with work or participation in any University program or activity, including academic activities because it creates an
intimidating, hostile, or degrading working or University environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

C. **Sexual Harassment** is a type of sex discrimination which is defined as any sexual advance, any request for sexual favors, or other verbal or physical conduct of a sexual nature when:

a. Submission to such advances, requests, or conduct is made either explicitly or implicitly a term or condition of an individual's employment, academic experience or participation in any University program or activity;

b. Submission to or rejection of such advances, requests, or conduct by an individual is used as a basis or condition for employment, participation in any University program or activity or academic experience; or

c. Such conduct is unwelcome and sufficiently severe or pervasive that it interferes with work, participation in any University program or activity and/or academic experience because it creates an intimidating, hostile, or offensive working, University or academic environment for the individual who is the subject of such conduct, and where the conduct would have such an effect on a reasonable person who is similarly situated.

 Sexual harassment includes sex and gender-based stalking, sexual misconduct, as defined in the Student Conduct Code, sex and gender-based harassment and bullying, dating violence, and domestic violence. Sexual harassment may be committed by any person upon any other person, regardless of the sex, gender, sexual orientation, and/or gender identity of those involved. In addition to sexual misconduct, as defined in the Student Conduct Code, sexual harassment is defined as follows:

i. **Sex and gender based stalking** occurs when, based on a person’s sex or gender: (1) a person knowingly alarms or coerces another person or a member of that person’s immediate family or household by engaging in repeated and unwanted contact with the other person; (2) it is objectively reasonable for a person in the complainant’s situation to have been alarmed or coerced by the contact; and (3) the repeated and unwanted contact causes the complainant reasonable apprehension regarding the personal safety of the complainant or a member of the complainant’s immediate family or household.

ii. **Sex and gender-based harassment and bullying** means any act that: (1) Substantially interferes with work or academic performance; (2) Has the effect of: a. Physically harming a student or employee or damaging their property; b. Knowingly placing a person in reasonable fear of physical harm to the person or damages the person’s property; or c. Creating a hostile environment, including interfering with the psychological well-being of a person; and (3) May be based on, but not be limited to, the sex, sexual orientation, or gender identity of the person. Gender-based harassment and bullying includes cyberbullying, which means the use of any electronic communication device to perform gender-based harassment or bullying.

iii. **Dating Violence** means violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with the complainant. The existence of such a relationship shall be determined based on the complainant’s statement and with consideration of the length of the relationship, the type of relationship, and the frequency of the interaction between the persons involved in the relationship. For the
purpose of this definition: (1) Dating violence includes, but is not limited to, causing or attempting to cause sexual or physical abuse, placing another in fear of imminent sexual or physical abuse or the threat of such abuse; and (2) Dating violence does not include acts covered under the definition of Domestic Violence.

iv. **Domestic Violence** means violence between family or household members. Family or household members means: Spouses or former spouses; adults related by blood, marriage or adoption; persons cohabitating or who have cohabitated; persons in a past or present sexually intimate relationship; unmarried parents of a child. Abuse means: The occurrence of one or more of the following acts within a domestic or dating relationship:

a. Attempting to cause or intentionally, knowingly or recklessly causing bodily injury.

b. Intentionally, knowingly or recklessly placing another in fear of imminent bodily injury.

c. Causing another to engage in involuntary sexual relations by force or threat of force.

D. **Designated Reporter:** The following individuals are a Designated Reporter, known under federal law as a “responsible employee,” for any disclosures made by a student victim directly to the employee about sexual harassment, sex and gender-based stalking, sex and gender-based harassment and bullying, dating violence, and/or domestic violence. A person on this list is not a Designated Reporter if that individual is also a Confidential Employee. The Title IX Coordinator may make changes to this list as necessary. When making changes to the list, the Title IX Coordinator will consult with appropriate stakeholders. Any changes will be posted in the Policy Library and the employee will receive appropriate notification and training, including stickers or other materials designed to provide notice to students.

- All members of the Board of Trustees (including student, faculty, and staff members) and the Board Secretary
- President
- Senior vice president and provost
- Vice Presidents, including assistant and associate vice presidents
- Vice Provosts, including executive, senior, associate and assistant vice provosts
- Deans, including associate, assistant, and divisional deans
- Dean of Students, including dean of student positions within schools or colleges
- Chief Human Resource Officer
- All attorneys in the Office of General Counsel
- Athletic Director (aka Director of Intercollegiate Athletics)
- Deputy, associate or assistant athletic directors, including “senior” levels
- All NCAA intercollegiate coaches
  - EXCEPTION: A coach below the level of head coach is a Student-directed Employee instead of a Designated Reporter when a student-athlete on that coach’s team discloses having experienced prohibited discrimination to that coach
- Student Conduct Code officers
- Title IX coordinator, deputy coordinator, and appeals officers
- OICRC Investigators
- Director, senior associate director, or similar of:
E. **Confidential Employee:** The following employees are Confidential Employees, meaning that in addition to the fact that they will not report to the Title IX office without the student’s permission, they have a professional commitment and/or legal privilege that may enable them to oppose successfully an application for a court order seeking disclosure of communications. Confidential Employees will not share information disclosed to them with others unless requested to do so by the student, required by applicable law and professional codes of ethics or responsibilities, or because the information falls under Section III.C.11 of this policy (imminent risk of serious harm). Confidential Employees may still have reporting obligations under the Clery Act. For information about the Clery Act and who is a Campus Security Authority with reporting obligations, who is a confidential employee for Clery Act purposes, and what the reporting obligations are for a Campus Security Authority (Clery reports generally do not contain personally identifying information), see Related Resources, “Clery Act,” below. For the purposes of this policy, Confidential Employees are the following:

- Health care professionals working at the UO, including at the Health Center;
- Counseling professionals working at the University Counseling and Testing Center;
- Mental health professionals working at the UO, including those working in the Psychology Clinic, Couples and Family Therapy (CFT) Clinic, Child and Family Clinic (CFC), and Early Childhood CARES (including graduate students who are participating in the diagnoses and treatment of a person under the direction of a licensed mental health professional);
- Professionals working in Crisis Intervention and Sexual Violence Support Services;
- The University’s Ombudsperson and program staff (Note: The Ombudsperson does not have a legal privilege of confidentiality, but under its professional code of ethics the Ombudsperson must take steps to avoid, whenever possible, disclosure of confidential records and information);
- Attorneys working with Student Survivor Legal Services in the Domestic Violence Clinic; and,
- Attorneys working in Office for Student Advocacy and ASUO Student Legal Services.
Note regarding limits to legal privilege: There are other employees on campus who are members of a profession that have a legal privilege of confidentiality when the employee is acting in that professional role. In many instances, employees will not be acting in that professional role. Employees should inform students regarding these legal privileges and their limits at the start of any conversations about matters covered under this policy.

Important Note regarding the University’s Ombudsperson: While disclosure to the ombudsperson does not constitute a report or notice to the University, the privacy protections provided to the ombudsperson are based in policy and not law. Therefore, while the University considers conversations with the ombudsperson to be private, some records may be disclosed pursuant to a search warrant or subpoena and may not be legally confidential. In addition, the ombudsperson will periodically report non-personally identifiable information about sexual and gender-based and harassment and violence it has received to the Title IX Coordinator to keep the Title IX Coordinator informed of the general extent and nature of reported misconduct on and off campus. This will help the Title IX Coordinator track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

F. Student-Directed Employee. A “student-directed employee” is any employee who is not a Designated Reporter or a Confidential Employee. This includes most faculty, staff, administrators and student-staff.

G. Reportable Evidence: Except for the four exceptions outlined below, Designated Reporters are required to share any information about suspected sexual or gender-based harassment or violence, whether based on a direct disclosure by a student, observed conduct, information provided by a third party or other source of information. This information is “Reportable Evidence.” The requirement to report is not based on a determination of credibility of the report, nor should the Designated Reporter take action to investigate the veracity of the reported information.

Designated Reporters are NOT required to share information obtained under the following circumstances and this information is not Reportable Evidence:

1. During public awareness events (for example, “Take Back the Night,” “SWAT” presentations, and “survivor speakouts”);
2. As part of an Institutional Review Board-approved human subjects research protocol focused on Prohibited Discrimination;
3. From a class the student is taking (Note: If a faculty member who is a Designated Reporter believes that a class assignment or discussion may elicit a disclosure that would trigger obligations under this policy, that faculty member should make clear to students that an account provided in response to a class assignment or discussion, without more information, will not result in the University taking any action in response to the disclosure. This means that the University will not
investigate the incident, offer interim measures or otherwise take step to remediate the behavior.); and,

4. Information obtained during a conversation that is otherwise privileged or confidential under state or federal law. Examples of this exclusion include, but are not limited to: attorneys, who are not required to disclose information covered by the attorney-client privilege; union stewards and union representatives, who are not required to disclose information obtained during a conversation with a member regarding workplace issues (including grievances); and licensed mental health professionals (counselors, psychologists, etc.), who are not required to disclose information covered by an applicable privilege.

H. **Student:** For purposes of this policy, the term Student has the meaning set forth in the Student Conduct Code.

I. **Employee:** A person in an employment relationship with the University.

J. **Campus Community Member:** Campus Community Member means a person participating in a University-sponsored program or activity, attending or wanting to attend an event on University-owned or leased property, an independent contractor or vendor, a volunteer, a person applying for admission, a person applying for employment, or a campus visitor or a person living on University-owned property. The term Campus Community Member excludes Employees and Students.

K. **Supervisor:** For purposes of this policy, a Supervisor is a person who has the power to take tangible employment actions against an employee, i.e., to effect a significant change of employment status, such as hiring, firing, failing to promote, reassignment with significantly different responsibilities, or a decision causing a significant change in benefits. It is important to note that just because person’s title contains the word supervisor, that person is not necessarily a supervisor for purposes of this policy. Only those people with the duties previously mentioned are Supervisors for purposes of this policy.

L. **Resident Assistant.** Resident Assistants (RAs) are live-in student leaders in the residence halls, employed by University Housing.

M. **Orientation Leaders.** Orientation Leaders are part of the Student Orientation Staff (SOS). They are current undergraduate students who represent the University of Oregon and guide new students through a smooth transition to life on campus.

## III. Obligations of Employees

### A. Obligations of All Employees
As a caring community, and to promote a compassionate campus community, we expect employees of the University of Oregon to do the following when responding to disclosures:

1. Respond with respect and with kindness.
2. Listen to what the student wants to tell you before handing out referrals and information.
3. Be sensitive to the needs of the survivor, without being judgmental, paternalistic, discriminatory, or retaliatory.
4. At the outset of the conversation, if a student appears under 18, ask the student if the student is 18 years of age or older. If the student is under 18, explain that all employees, except for Confidential Employees operating in that professional role, have to report all disclosures of “abuse” as defined by state law (see ORS § 419B.005), including physical or sexual abuse, sexual exploitation, or a current threat of physical or sexual abuse of a minor, to the Department of Human Services or a law enforcement agency.

**Note for Students Who Are Minors:** If a faculty or staff member receives information from a student under 18 of “abuse” as defined by state law (see ORS § 419B.005), including physical or sexual abuse, sexual exploitation, or a current threat of physical or sexual abuse, the faculty or staff member shall follow state law (See Related Resources below, “Child Abuse,” for information about state law on mandatory reporting). In addition, if a student who is a minor discloses prohibited conduct under this policy, the employee shall follow this policy. We encourage employees to make extra efforts to connect students who are minors with Crisis Intervention and Sexual Violence Support Services so that the minor is connected with age-appropriate services. Additional effort can include strongly encouraging the student to permit such a referral and staying connected to the student until the student is in fact connected with Crisis Intervention and Sexual Violence Support Services. For guidance on responses to minors who are not students but visitors on campus, see the University’s guidance entitled “Minor on Campus” under Other Resources below.

**B. Obligations of Designated Reporters**

1. All Designated Reporters shall affix a sticker to their door, provided by the Title IX office, that identifies them as a Designated Reporter.
2. Designated Reporters who receive Reportable Evidence of Prohibited Discrimination, such as Sexual Harassment of a Student (including sex and gender-based stalking, sexual misconduct as defined in the Student Conduct Code, sexual and gender-based harassment and bullying, dating violence and/or domestic violence), must report any information received to the Title IX Coordinator.
Students should be aware that the Title IX Coordinator is tasked with ensuring compliance with this policy and state and federal law, and ensuring the equity and fairness of all Title IX response processes for all students. Therefore, while the Title IX Coordinator will work with students to ensure that they understand their complaint options, are protected from retaliation and are provided with interim measures as appropriate, the Title IX coordinator is not an advocate for individual students participating in the process.

C. Obligations of Student-Directed Employees

1. **General**: Faculty and staff who are not a Designated Reporter or a Confidential Employee (as defined under II.E) also have responsibilities when students disclose Reportable Evidence of Prohibited Discrimination, such as Sexual Harassment, (including sex and gender-based stalking, sexual misconduct as defined in the Student Conduct Code, sex and gender-based harassment and bullying, dating violence, and/or domestic violence). Although Student-Directed Employees have obligations when a disclosure is made, they do not have the authority to address the discrimination or to implement corrective measures to stop the behavior.

2. **Informed Consent re Imminent Risk of Serious Harm**. At the outset of the conversation, explain to the student that if you believe that any person is at imminent risk of serious harm, you may have to report the incident to ensure the safety of the persons involved.

3. **No Report, No University Response**. When appropriate in the conversation, inform the student that unless the there is a report made to a Designated Reporter or the Title IX office, the University probably cannot take action to stop the discrimination or harassment, remedy its effects, or prevent future instances of discrimination and harassment, because it will likely not know about the underlying behavior. With a report, the University will be obligated to take action on the report.

4. **Resources**. Provide the student with an approved brochure or card, or other resources provided by the Dean of Students and the UO Title IX Coordinator AND/OR refer the student to the safe.uoregon.edu Web site.

5. **Ask About Reporting**. Explicitly ask the student if the student would like you to report the incident to the Title IX Coordinator.

6. **Ask About Services**. Explicitly ask the student if the student would like you to connect the student with confidential resources at Crisis Intervention and Sexual Violence Support Services.

7. **Follow the Student’s Wishes**. If the student wants you either to make a report to the Title IX coordinator or connect the student with Crisis Intervention, or both, contact the appropriate office while the student is with you if possible, but in no event later than 24 hours after the student expressed this wish. If the student does not give consent to make such a connection, then the employee shall not disclose the information to others except as described below. If there is any ambiguity about the student’s answer, the employee should engage the student in further conversation to get clarification.
8. **Closing Words.** At the end of the conversation, let the student know that the student can contact you again in case the student has further questions, identifies other needs for resources or assistance, or decides to report the incident.

9. **Call to Confidential Resource.** In order to insure that the above has been done properly and because a faculty or staff member may need assistance responding to the student, the employee must contact either Crisis Intervention and Sexual Violence Support Services or another confidential resource who is identified by the Title IX Coordinator and listed on the safe.uoregon.edu Web site, preferably immediately and when the student is still with the employee. Conversations with the professional at Crisis Intervention and Sexual Violence Support Services or with the other confidential resource should occur in a de-identified manner (i.e., without identifying identities or detail). The employee should explain the purpose of the call to the student and inform the student that the person being called is a confidential resources.

a. **Exemption.** The Title IX Coordinator has the authority, and absolute discretion, to grant an exemption from this requirement for employees who seek it. The granting of the exemption shall be based upon the employees’ knowledge of this policy and knowledge of the University’s resources and response protocol.

10. **Confidentiality Unless there is a Request to Report or Imminent Risk.** Unless a student asks a Student-Directed Employee to share disclosed information with a specified office or person, the Student-Directed Employee shall not do so, unless the employee believes the student has conveyed information about an imminent risk of serious harm or the student is under 18 years of age and the student discloses “abuse” as defined by state law.

a. In the instance when the student has conveyed information about an imminent risk of serious harm, the employee shall ask the student for permission to convey the information to an appropriate office, such as Crisis Intervention and Sexual Violence Support Services or law enforcement, and shall discuss with the student other ways in which the risk can be minimized. If the student refuses to have an appropriate office contacted, and the employee feels that an imminent risk of serious harm remains, then the employee may call the appropriate office and disclose the information received.

b. In the instances where the student is under 18 years of age and discloses “abuse,” the employee shall follow state law. See Other Resources, “Child Abuse Reporting,” below.

   o Student-Directed Employees may still have certain reporting obligations under the Clery Act. For information about the Clery Act and who is a Campus Security Authority with reporting obligations, who is a confidential employee for Clery Act purposes, and what the reporting obligations are for a Campus Security Authority (e.g., Clery reports generally do not contain personally identifying information), see Related Resources, “Clery Act,” below.

   o While students have the option to share their experience with a Student-Directed Employee who is not a Designated Reporter, a Student-Directed Employee is not meant to be someone who can redress the prohibited conduct. Consequently, in
almost all instances, these employees are not permitted to report the underlying actions to others unless the student asks for that to occur, which means that the University may not be able to take action to stop the discrimination or harassment, remedy its effects or prevent future instances of the discrimination and harassment because the University will likely not know about the underlying behavior.

Further, students who discuss their situations with a Student-Directed Employee always retain the choice to make a complaint directly to the Title IX office (see Related Resources, “Title IX Coordinator,” below) or to seek support services from another appropriate office (such as Crisis Intervention and Student Survivor Support Services). Students who file complaints or otherwise receive support services from the University will be protected from retaliation.

D. Obligations of Confidential Employees

- Students and Employees have the option to share their experience with a Confidential Employee. Confidential Employees have the same obligations as Student-Directed Employees. These obligations are described above under Part III.C.
- However, Confidential Employees’ professional obligations may provide students with a greater level of confidentiality because these employees have a professional obligation to maintain client confidences and often a legal privilege of confidentiality. Prior to the student’s disclosure, Confidential Employees should explain to the student the Confidential Employee’s professional obligations regarding confidentiality and the limits of those obligations.
- Unless the student requests that the Confidential Employee report to the Title IX office, in most instances, Confidential Employees will not report the underlying actions to others, which means that the University may not be able to take action to stop the discrimination or harassment, remedy its effects or prevent future instances of discrimination and harassment because the University will likely not know about the underlying behavior.

Further, Students who report to Confidential Employees always retain the choice to make a complaint, as explained in Related Policies and Procedures, “Discrimination Complaint and Response,” below. Students, Employees and Campus Community Members with questions regarding the University’s processes are encouraged to contact the Title IX Coordinator. For further information regarding Confidential Employees’ privacy practices, please visit the Web site referenced below under Other Resources, “Privacy Practices.”

- We recognize that students who experience Prohibited Discrimination, Discriminatory Harassment or Sexual Harassment within departments, institutes, programs, residence halls, employment or sports teams face unique obstacles. The
University wants to ensure that students know they can report their experiences and/or seek support outside their academic departments or units in which they work or go to school as well as outside their residence halls, programs, or teams. With this in mind, we encourage students experiencing Prohibited Discrimination, Discriminatory Harassment or Sexual Harassment to utilize the confidential resources available to them in order to explore forms of support and protection and to fully understand their options relating to filing a complaint or seeking out support outside their own work, academic, or other similar environment. In addition, students may choose to file a complaint directly with the Title IX Coordinator, or to seek out a Designated Reporter or Student-Directed Employee in another unit, or directly contact Crisis Intervention and Sexual Violence Support Services.

- In some instances, employees who are not Designated Reporters, including Confidential Employees, will have reporting obligations under the Clery Act as Campus Security Authorities. For more information, see Other Resources, “Clery Act,” below.

IV. General Obligations of Employees and Faculty

A. Syllabus. If a faculty member or instructor has a syllabus, then the faculty or instructor is strongly encouraged to put the following statement on the syllabus:

“Any student who has experienced sexual assault, relationship violence, stalking, and/or sexual harassment may seek information and help at [https://safe.uoregon.edu](https://safe.uoregon.edu). A student can also call 541-346-SAFE, UO’s 24 hour hotline to be connected to a counselor.” Faculty should remove from their syllabi language that inaccurately identifies them as a “responsible employee”/Designated Reporter. Faculty are encouraged to make clear on their syllabi that GTFs are not Designated Reporters (i.e., responsible employees) under this policy. If a faculty member is a Designated Reporter, the faculty member is strongly encouraged to make that status clear on the syllabus.

B. Training. All employees shall take periodic training offered by the Title IX office and the Office of Human Resources regarding this policy, available resources, and trauma-informed responses to student disclosures. The training shall be approved by the Title IX Coordinator after consultation with a committee of experts in the field of sexual and gender-based violence and the Vice President for Equity and Inclusion. The frequency and timing of these trainings will be determined by the Title IX Coordinator and the Office of Human Resources and will not conflict with restrictions or obligations set forth in the University’s collective bargaining agreements.

C. Annual De-identified Reports. In order to identify patterns or systemic problems, the Office of the Title IX Coordinator will solicit annual reports from Student-Directed Employees of aggregate data, including general information about incidents of sexual
violence such as the nature, time, date and general location of incidents if identified during conversations. These reports should not include personally identifiable information about students, and employees should consider what information needs to be withheld to protect identities. For this reason, Employees should keep de-identified information that will be responsive to the Title IX Coordinator’s request for data.

D. **Failure to Comply.** If the University finds that an Employee has failed to comply with the provisions of this policy, it will take immediate and appropriate corrective action. This means that Designated Reporters who fail to report as required by this policy may be subject to discipline, which may include a letter of reprimand or other appropriate corrective measures. Student-Directed Employees who fail to comply with the terms and obligations set forth in this policy may be subject to discipline, which may include a letter of reprimand or other appropriate corrective measures. Confidential Employees who fail to comply with the terms and obligations set forth in this policy may also be subject to discipline, which may include a letter of reprimand or other appropriate corrective measures.

V. **Obligations of the University Administration**

A. **Update Materials.** The University shall update written materials and SAFE.uoregon.edu to have clear and accessible information for students and employees that reflects this policy. The University shall also add information to the Web site relating to the statute of limitations for reporting harassment and sexual or domestic violence to the University, police, or civil courts, as well as how to access assistance for issues specific to minors.

B. **FAQs.** The University shall provide specific examples relating to the policies and procedure to illustrate how the policy works. The materials shall include a FAQ section for employees and students.

C. **Web-based Reporting.** As soon as reasonably possible, the University shall make accessible to students a secure and confidential Web-based reporting system. This system should include a way for students to confidentially store their disclosures in an information escrow system, preferably through a third-party vendor. This system should also include an on-line reporting option, an option for students to trigger a report when the name of an accused person is reported more than once to the system, and links to both on-campus and off-campus resources. The Title IX Coordinator or designee shall enter all received reports into the information escrow system as soon as practicable to minimize the chance of any orphan reports.

D. **Title IX Ambassadors.** The University shall consider using “Title IX Ambassadors” who would supplement the training provided by the University. Title IX Ambassadors would be employees of the University who, under the direction of the Title IX Coordinator, would provide information to other University employees on the policy, resources, and the mechanics of a trauma-informed response. This would constitute service to the University and should be recognized as such.

E. **Stickers.** The University shall provide stickers to all Designated Reporters for their door to identify themselves as Designated Reporters.
F. **Periodic Review.** The University Administration shall initiate a review of this policy, in consultation with the University Senate, at least once every seven years.

G. **Contract Consistency.** To the extent that this policy is inconsistent with any existing contractual obligations of employees, the University shall renegotiate those terms as soon as practicable and to the extent possible.

H. **Indemnification of Employees.** Consistent with and subject to the limitations set forth in ORS § 30.285, the University shall defend, hold harmless and indemnify employees subject to an action arising out of an alleged act or omission occurring in the performance of the employee’s duties, including their duties described in this policy.

VI. **Obligations of Supervisors Relating to Workplace Harassment of Student Employees.**

Because of Title VII and state employment law, and consistent with University policy, sexual harassment in the workplace is strictly prohibited. Supervisors of student employees impacted by or accused of Prohibited Discrimination in the workplace and Designated Reporters are always required to report Reportable Evidence of Prohibited Discrimination in the workplace to the Title IX Coordinator. Employees, including student employees, who have been subject to workplace harassment or other forms of Prohibited Discrimination are always encouraged to file complaints with their supervisor or with the University directly. See below, Related Policies and Procedures, for more information regarding how to file complaints. All Employees reporting sexual harassment in the workplace will be protected from retaliation.

Procedures for reporting workplace harassment of student employees are as follows:

1. **Report to Direct Supervisor.** If the student employee discloses information regarding workplace harassment to the student’s Supervisor, as defined in this policy, or to the Supervisor of the alleged harasser, or to a Designated Reporter, the Supervisor or Designated Reporter must promptly report to the Title IX office. This is true even if the Supervisor is a Confidential Employee.

2. **Report to All Other Supervisors.** If a student employee discloses information regarding workplace harassment to a Supervisor other than the student’s own Supervisor or the Supervisor of the alleged harasser, the Supervisor should perform the duties outlined above based on the Supervisor’s status as either a Student-Directed Employee (see Section III.C.) a Designated Reporter (see Section III.B.), or Confidential Employee (see Section III.D).

3. **Supervisors Who Witness Sex Discrimination in the Workplace.** Supervisors who do not receive a disclosure from a student employee but who witness sexual harassment or sex discrimination in the workplace should immediately report the behavior to the Title IX Coordinator.
Chapter/Volume:

- Volume V: Human Resources
- Chapter 11: Human resources, other

Related Resources:

**Title IX Coordinator**

[TitleIXcoordinator@uoregon.edu](mailto:TitleIXcoordinator@uoregon.edu)

106 Johnson Hall (1098 E. 13th Ave.)

(541) 346-8136

**Crisis Intervention and Sexual Assault Support Services**

*Confidential employees with legal protections of confidentiality*

164 Oregon Hall (1585 E. 13th Avenue)

(541) 346-8194

**UO Counseling and Testing Center**

*Confidential employees with legal protections of confidentiality*

1590 E. 13th Avenue

(541) 346-3227

**UO Health Center**

*Confidential employees with legal protections of confidentiality*

1590 E. 13th Avenue

(541) 346-2770
Student Survivor Legal Services

*Confidential employees with legal protections of confidentiality

(541) 346-8619

Ombudsperson

*Confidential employee without a legal protection of confidentiality, but with ethical obligations thereof

ombuds@uoregon.edu

541 17th Street

(541) 346-6400

Miscellaneous Information

Information on the Clery Act

Information on the Family Educational Rights and Privacy Act (FERPA)

Information on filing a complaint with the Office for Civil Rights

Information on Child Abuse Reporting

Information on Anonymous Reporting to the UO Police

Information on Minors on Campus

Information on how to file a complaint with the UO

Related Policies and Procedures

Student Conduct Code

The UO’s retaliation policy

Sexual Misconduct Standard Operating Procedures
Subpoenas of Student Records

**Policy Number:** III.05.06

**Reason for Policy:** To provide the context and procedures by which University Employees respond to law enforcement subpoenas for Student Records.

**Entities Affected by this Policy:** Students and UO employees who work with and manage student records.

**Responsible Office:** Office of the General Counsel: 541.346.3082, gcounsel@uoregon.edu

**Enactment & Revision History:**

07/20/17 Policy number revised from 01.00.08 to III.05.06

02/08/2010 Policy number revised from 1.000 to 01.00.08

Reviewed and Approved By: President's Small Executive Staff 05/04/2004

April 2004 Endorsed by the University Senate

03/29/2004 Unanimously endorsed by the Faculty Advisory Council

**Policy:**

The University of Oregon community regards the privacy of student records as a central and serious part of its academic mission. While privacy issues are governed by both state and federal law, the University's interest in privacy goes far beyond its commitment to comply with law. Privacy is an integral part of the academic freedom that is at the heart of the function of the modern University. Students, faculty and staff should be aware that the University supports their freedom to inquire, discuss and experiment with ideas without fear of improper government intrusion or public exposure. Though the University is supported by taxpayer funds, the mission of the University, as set out by the legal charter, centers on its autonomy as an academic institution governed by academic norms; that mission includes educating the larger community in the importance of academic freedom.
Governmental initiatives may threaten some aspects of educational privacy. As a community, therefore, the University expresses its concern that, even during times of emergency, cooperation with law enforcement and political oversight of the University, while essential in a free society, should not go beyond the legitimate needs of outside bodies requesting information about University students, faculty and staff. Members of the faculty and the staff, in particular, should be aware that non-disclosure of confidential student information in response to outside inquiry by law enforcement or investigative agencies, except consistent with legal requirements, is the norm on this campus, and that the University will support all its members in their efforts to ensure that any request for records or information is submitted with proper authority and is no broader than is required by applicable law. Faculty and staff confronted with outside demands for information by law enforcement or investigative agencies must consult with the General Counsel's Office.

Faculty and staff should in no case make any disclosure that has not been authorized by General Counsel's Office after examination of the justification for the demand. The General Counsel's Office will involve the President, to the extent permitted by law, in evaluating law enforcement subpoenas that impinge on traditional academic freedoms.

Furthermore, the University recognizes that requests for information by outside agencies can raise difficult questions of conscience for those who have custody of confidential records. In no case will a specific member of the staff be required personally by the University to provide information in response to such inquiries when such personal compliance is not required by law. Compliance with information requests will be overseen by the office of the general counsel in accordance both with the law and with the norms of academic freedom, and the University will make every effort to provide information and support to the staff on the proper scope of their duties in this regard.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 5: Student Records

Original Source:
UO Policy Statement

Surplus Property Disposal

Reason for Policy: This policy outlines former SBHE directions on surplus property disposal. Entities Affected by this Policy: General UO audience. Responsible Office: For questions about this policy, please contact the Office of Business Affairs at 541-346-1111

Enactment & Revision History:
Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 40, Sections 0300-0311.

Policy:

A. Purpose

These policies establish, for the University, a process for disposal of surplus and scrap property that safeguards state assets, creates efficiency in surplusing or scrapping, maximizes the value received for property that is surplus to University needs, and is attentive to environmental impacts.

B. Definitions

For purposes of Sections H through R, unless context requires otherwise:

(1) "Board" means University of Oregon Board of Trustees.

(2) "President’s Office" means the offices that provide direct administrative support to the President.

(3) "Employee" means a person who, within the last twelve months, has been paid a wage for full-time, part-time, or temporary work by the University.

(4) "Federally Funded Surplus Property" means personal property, vehicles, and titled equipment, purchased with federal grant or other federal funds and that is worn-out, obsolete, or excess to the University’s needs, or otherwise unsuitable for intended use, the disposal of which would be to the financial benefit of the University.

(5) "University" means University of Oregon.

(6) "President" means the chief executive officer of The University of Oregon or designee.

(7) "Scrap" means materials, including lost, mislaid, or abandoned property having no financial value or such low financial value as to make sale not cost effective.

(8) "Surplus Property" means all personal property, including lost, mislaid or abandoned property, vehicles and titled equipment that is worn-out, obsolete or excess to the University’s
needs, or otherwise unsuitable for intended use, the disposal of which would be to the financial benefit of the University.

C. General

(1) The University may, in accordance with this policy, dispose of any worn out, obsolete, scrap, or otherwise unsuitable surplus property, the disposal of which would be to the benefit of the University, except as set forth in subsection (2).

(2) This policies does not apply to any equipment, goods, supplies, material, information technology or other personal property encumbered by a certificate of participation that will be disposed of in accordance with applicable law.

D. Delegations

The University may follow the procedures set out herein or adopt its own rules, which rules will conform to the purposes set out below. Prior to adoption, the Vice President for Finance and Administration must approve the policies developed by the campus. In addition, the Board delegates to the President responsibility for implementing this policy . Purposes: Policy developed for surplus and scrap property will:

(1) Safeguard state assets;

(2) Create efficiency in surplusing or scrapping;

(3) Maximize the value received for property to the extent consistent with efficiency; and

(4) Attempt to reduce negative environmental impacts.

E. Environmental Standards

Disposal of surplus property and scrap will be accomplished in accordance with all state, federal, and local regulations regarding environmental health and recycling. If ownership of surplus property or scrap is transferred to another party, the University must document passing of title. The acquiring party assumes environmental responsibility when title transfers.

F. Maintenance of Proper Inventory Records and Justification of Sale or Disposal

(1) The University will set thresholds and standards that identify by value or type, for personal property for which disposal records must be maintained.
(2) Disposal records for assets, whether or not capitalized, will include the following information:

(a) Description of property and, if capitalized, asset number; and

(b) Reason, date, and method of disposal.

G. Disposition of Federally Funded Surplus Property

Federally funded property will be disposed of in accordance with applicable federal law or federal grant terms, if any. Otherwise, such property will be disposed of in accordance with these rules, or institution rules adopted hereunder.

H. Disposition of Property Acquired by Gift

Disposition of property acquired by gift will be in accordance with the Internal Revenue Code and any restrictions applicable to the property. Otherwise, the property will be disposed of in accordance with these or institution rules adopted hereunder.

I. Exchange or Trade-in Option

The University may exchange or trade-in property when such exchange or trade-in is in the best interest of the University and is otherwise in compliance with applicable rules or policy. Exchange or trade-in will be considered disposal for purposes of this policy. Records will be kept regarding the valuation methodology used in evaluating the relative benefits of trade-in, exchange or sale.

J. Transfer of Property to a Collaborating Government or Non-Profit Institution

Transfers of surplus property or scrap may be made to a collaborating government or other non-profit institution when intended for University purposes and consistent with restrictions on its transfer.

K. Method of Disposal; Eligibility to Acquire

(1) The University will use a method of disposal that is cost-effective, taking into account the costs of disposal and the potential for financial return. Disposal methods include, but are not limited to, exchanges, trade-ins, auctions, sealed bid sales, scrapping, fixed price retail sales, donation to other state agencies, Oregon political subdivisions, public non-profits, web-based auctions or sales and, for scrap, transfer for no valuable consideration.

(2) No current or former employee or agent for such will be granted any benefit or opportunity not granted the general public in acquisition of items through the disposal process.
(3) All property is conveyed "AS-IS, WHERE-IS" with no warranty, express or implied, of merchantability or fitness for a particular purpose, or any other warranties or guarantees. A purchaser or disappointed bidder will have no recourse against the State of Oregon, the University, or any of its officers, employees, or agents. All sales will be final.

(4) The University may provide that payment may be made by credit card, cash, cashier's check, personal check, wire transfer, or money order.

(5) Surplus property paid for, but not claimed with the time specified in the sales terms and conditions will be conclusively considered the property of the University and may be disposed of in compliance with this policy.

(6) Title to surplus property or scrap is transferred to the purchaser when the University makes the item available to the purchaser either by the purchaser, purchaser's agent, or purchaser's or institution's designated shipper taking possession of the item. Surplus property must be paid for in full before the University will make it available to the purchaser. Purchaser assumes all responsibility, including risk of loss or damage, for the item when title is transferred.

L. Disposal of Computer and Other Electronic Storage Devices and Media

Prior to disposal of any computer, computer peripheral, computer software, electronic storage device, or storage media device, the University will, as applicable, completely erase or otherwise render unreadable all information, data, and software residing on the Device, unless the information, data, or software is to be conveyed and may be conveyed lawfully.

Chapter/Volume: Oregon Administrative Rule

Tandem Appointments

Reason for Policy: This policy addresses tandem appointments and required approval before such an arrangement is engaged.

Entities Affected by this Policy: All UO employees and students.

Responsible Office: For questions about this policy, please contact Human Resources at 541-346-3159 or the Office of the Senior Vice President and Provost at 541-346-3186.

Website Address for this Policy:

https://policies.uoregon.edu/tandem-appointments-0

Enactment & Revision History:
Technical revisions enacted by the University Secretary on September 4, 2015.

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

Former Oregon Administrative Rule Chapter 571 Division 4 Section 0010.

**Policy:**

**Tandem Appointments**

Specific work sites, circumstances or job responsibilities (e.g., grants) may warrant the hiring of tandem teams. Tandem team appointments must receive prior approval of the appropriate Vice President:

(1) A tandem team is defined as a group of two or more individuals working together in a department or on a project toward specific objectives (e.g., grant) and does not refer to job-splitting appointments. In tandem teams the combined qualifications of the individuals who make up the team shall be used in the determination of employment decisions.

(2) Nothing in this policy should be construed to deny any member of a tandem team equal opportunity in University employment, provided the appointment has been based upon open competition and merit, and other members of the team have not unduly influenced the selection process.

**Chapter/Volume:**

**Related Resources:** N/A

**Original Source:** Oregon Administrative Rule

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**Tenure and Promotion**

**Reason for Policy:** This policy outlines certain matters relating to tenure and promotion for faculty.

**Entities Affected by this Policy:** This policy outlines certain matters relating to tenure and promotion for faculty.

**Responsible Office:** For questions about this policy, please contact the Office of Academic Affairs at 541-346-3081

**Enactment & Revision History:**

Technical revisions enacted by the University Secretary on August 31, 2015.
Became a University of Oregon Policy by operation of law on July 1, 2014.

Former Oregon Administrative Rule Chapter 580 Division 21, Sections 0100 through 0135.

Policy:

A. Kinds of Appointments

(1) Appointments authorized in the University are: fixed-term appointments, tenure-related appointments (annual tenure and indefinite tenure) and extendible contract appointments as permitted by subsection (1)(c) of this Section A:

(a) Fixed-term appointments:

(A) Fixed-term appointments are appointments for a specified period of time, as set forth in the notice of appointment. The faculty member thus appointed is not on the tenure track and the timely notice provisions do not apply;

(B) Fixed-term appointments may be made and are renewable at the discretion of the President;

(C) Fixed-term appointments are designed for use at the discretion of the President in such cases as, but not limited to, appointments of visiting faculty (or similar category); academic staff members whose support wholly or principally comes from gift, grant or contract funds, the cessation of which funding would eliminate the budget base for the position in question; part-time faculty; administrative staff with faculty rank; and faculty appointments during an initial probationary period where an institutional policy has been adopted or negotiated that establishes such probationary period. Fixed-term appointments offered to visiting faculty or similar category shall not exceed a total of seven years;

(D) University staffing plans shall define the characteristics, proper use and appropriate limits on use of visiting faculty or similar category.

(b) Tenure-related appointments:

(A) Annual tenure appointments are appointments given to faculty employed .50 FTE or more whom the University considers to be on the tenure track, in that, on completion of an appropriate probationary period, they will be evaluated and considered for appointment to indefinite tenure. If the initial annual tenure appointment or successive annual tenure appointments are to be terminated otherwise than for cause or for financial exigency, timely notice shall be given the faculty member;

(B) Indefinite tenure appointments are appointments given selected faculty members having an appointment of .50 FTE or more. Such appointments are made by the President in witness of the
University’s formal decision that the faculty member has demonstrated such professional competence that the University will not henceforth terminate employment except for cause, financial exigency, or program or department reductions or eliminations.

(2) "Tenured" faculty, as referred to in University policies, are faculty who have been awarded indefinite tenure.

B. Eligibility for Indefinite Tenure

(1) Indefinite tenure may be awarded to faculty employed on appointments of .50 FTE or more as senior instructor, assistant professor, associate professor or professor, if otherwise qualified in accordance with University criteria and the University’s policies.

(2) When indefinite tenure is awarded, there shall be a statement in the faculty member's personal file that the tenure appointment relates only to that FTE level specified in the notice of appointment for the year indefinite tenure is to become effective. For the indefinite tenure appointment to take effect, the statement concerning indefinite tenure must be signed by the faculty member and by the University officer authorized by the President to sign such statements. Alteration in the initial commitment may be by mutual consent of the faculty member and the University or by action provided for elsewhere in the University’s policies.

(3) Standards of performance and scholarly quality shall be the same for part-time and full-time faculty members.

(4) Faculty members on a full-time tenure appointment may, by mutual agreement of the faculty member and the President or a designee, be given reduced appointments of less than 1.0 FTE under terms and conditions mutually agreed to in writing by the faculty member and the President or a designee.

(5) Indefinite tenure shall be awarded to faculty of demonstrated professional competence by the President under terms and conditions set forth in applicable institutional rules and policies.

(6) Tenure is reaffirmed as being institutional. Faculty having achieved tenure status in one Department institution cannot thereby claim tenure in other Department institutions. Probationary years of service in one Department institution may be counted toward probationary service requirements in another Department institution only with the latter's written approval.

C. Initial Appointment and Probationary Service for Faculty on Tenure-Related Appointments

(1) All faculty members on tenure-related appointments of .50 FTE or more, except as provided below, shall be appointed initially on one-year appointments.
(2) Awarding of tenure to full-time faculty, except as provided below, shall involve assessment of the faculty member's performance each year during the probationary period, and assessment of performance over not less than five consecutive years (counting the year at the end of which tenure is granted). An additional probationary year may be required by the President, following that, if the faculty member is not awarded tenure, terminal notice shall be given, except as provided elsewhere in University policies.

(3) The probationary period for regular part-time faculty employed .50 FTE or more in a tenure-related appointment shall be the same as for full-time faculty, except that it shall be calculated in terms of FTE years rather than calendar years.

(4) Notwithstanding subsections (2) and (3) of this section, the President may in special circumstances consider for tenure any probationary faculty member of the rank of assistant professor or higher, prior to completion of the normal probationary period, when, following a performance evaluation of the faculty member, a finding is made that such an early award of tenure would be to the advantage of the University. In no event will the first consideration for tenure occur later than in the fifth year.

(5) Faculty members given an initial appointment at the rank of full professor may be granted tenure on appointment, at the discretion of the President. In unusual cases, and only when specifically approved by the President, associate professors may be given tenure on initial appointment.

(6) At the time of initial appointment, a mutually acceptable written agreement shall be reached between the faculty member and the President or a designee, subject to delegation of authority under the University’s policies, as to the extent to which prior experience of the faculty member shall be credited toward the probationary period required before the faculty member may be considered for tenure. The terms of the agreement shall be included in the notice of appointment.

D. Consecutive Annual Appointments

A series of annual appointments shall be considered consecutive whether or not interrupted by one or more official leaves of absence. An official leave of absence does not count as a year of service for purposes of tenure, nor does it prejudice the staff member's right to consideration for tenure for service actually rendered.

E. Seventh Annual Appointments

A full-time faculty member on annual tenure for a sixth consecutive year shall be awarded indefinite tenure commencing the seventh consecutive year or given notice of termination effective at the end of the seventh year.

F. Appointment of Regular Part-Time Faculty Beyond the FTE Equivalent of the Sixth Consecutive Year
A faculty member on a part-time annual tenure appointment of .50 FTE or more during each full academic year for a sufficient number of years to equal six or more years of full-time service may be reappointed under one of the following conditions:

(1) With indefinite tenure at the FTE level specified in the notice of appointment for the year indefinite tenure is to become effective;

(2) With notice of termination effective at the end of the next year.

G. Exceptions

The provisions of Sections B through E of this policy and Section B of UO Policy 580.021.0300-470 shall apply to all tenure-related appointments unless in individual cases there is a specific written agreement to the contrary between the University and the faculty member. The agreement to the contrary shall be incorporated or referred to in the notice of appointment.

H. Criteria for Faculty Evaluation

(1) Criteria for faculty evaluation, developed with the participation of appropriate faculty and University councils, shall be established within the University:

(a) As a guide in evaluating faculty in connection with decisions on reappointment, promotion, and tenure;

(b) As a basis for assessing those aspects of the faculty member's performance in which improvement is desirable, whether the faculty member is tenured or nontenured, with a view to stimulating and assisting the faculty member toward improvement through the resources available under the University’s staff career support plan.

(2) The criteria shall reflect the primary functions for which the University was established, namely:

(a) Instruction;

(b) Research accomplishments and other scholarly achievements, or where relevant, other creative and artistic achievement;

(c) Professionally related public service, through which the University and its members render service to the public (i.e., individuals, agencies, or units of business, industry, government);

(d) University service, including, but not limited to, contributions made toward departmental, school or institutional governance, service to students through student welfare activities such as individual student advising, advising with student organizations or groups and similar activities.
(3) The criteria shall provide guidelines for sources and kinds of data that are appropriate as a basis for effective faculty evaluation at each administrative level (e.g., department, school, institution) and in each area (e.g., teaching, research, scholarly activity, service, etc.) where faculty evaluations are required. Specific provision shall be made for appropriate student input into the data accumulated as the basis for reappointment, promotion, and tenure decisions, and for post-tenure review. Sources of such input shall include, but need not be limited to, solicitation of student comments, student evaluations of instructors and opportunities for participation by students in personnel committee deliberations.

Chapter/Volume:
Original Source:
Oregon Administrative Rule

Trademark Licensing

Policy Number: I.01.04
Reason for Policy: It is the policy of the University of Oregon to regulate and control the use of the university's identifying marks including the university's name and seal and its various trademarks, collective membership, and service marks. The university permits the use of its trademarks on products or services only after the university and manufacturer of a product or provider of a service have entered into a trademark licensing agreement. The reason for that is because UO’s trademarks are not simply a marketing or communications tool. They are iconic symbols that have evolved over the UO’s history that help tell our story. In addition improper use of UO’s trademarks and logos can “dilute” the UO’s ownership interests and the value of its marks. Improper use of UO’s marks is also unlawful and may subject such users to signification civil liability.

Entities Affected by this Policy: Any person or organization manufacturing a product or providing a service bearing or containing trademarks belonging to the University of Oregon.

Anyone using or wishing to use the University of Oregon's trademarks.

Responsible Office: For questions about this policy, please contact the Office of Brand Management and Trademark Licensing at 541-346-6083.

Website Address for this Policy: https://policies.uoregon.edu/vol-1-governance/ch-1-governance-board-affairs/trademark-licensing

Enactment & Revision History:
Revisions approved by President Schill on May 10, 2018. Policy renumbered from 07.00.03 to I.01.04.

Reviewed; changed name of policy on November 3, 2010.

Policy number revised from 6.100 to 07.00.03 on February 8, 2010.

Issued by the President on July 21, 1999.

Policy:

It is the policy of the University of Oregon to regulate and control the use of the university's identifying marks including the university's name and seal and its various trademarks, collective membership, and service marks. The university permits the use of its trademarks on products or services only after the university and potential user, producer, manufacturer or service provider have entered into a trademark licensing agreement.

The intent of this policy is to ensure that the university retains the ownership, benefit and control of its trademarks. The university's trademarks may be used only with the express approval and consent of the university through a trademark licensing agreement, and only under circumstances benefiting the university, its students and personnel, or its educational mission.

All products or services that feature university trademarks must be produced by licensed vendors.

Requirement of Licensing Agreement

Any person, organization or entity manufacturing a product or providing a service bearing or containing university trademarks must, prior to use of the mark, enter into a trademark licensing agreement with the University of Oregon to obtain permission to use such mark.

No use of any mark belonging to the university shall be authorized for use in products or services, either offered for sale or in promotional activities, without such an agreement.

Each licensing agreement shall provide for a reasonable royalty to be paid to the university, or other consideration the university deems appropriate, in exchange for the university’s permission to use its mark.

University Sales

No university department shall offer for sale, use in promotional activities, or giveaway any product or service bearing or containing trademarks belonging to the university unless a
trademark licensing agreement with the manufacturer for that product or provider of service is in effect.

Any university department currently offering for sale, use in promotional activities, or giveaway of any product or service bearing or containing a mark belonging to the university shall not reorder such product or service, nor offer for sale any new products or services bearing or containing a university mark, until such a licensing agreement has been entered into with the manufacturer of the product or provider of the service, unless the department involved and the university’s Office of Brand Management jointly determine that it is in the best interest of the university to temporarily waive the requirement of a licensing agreement.

An item produced bearing a university trademark provided as a gift, sold as a fund-raiser, or used as a promotional tool, beyond the scope of an official university group (an academic or auxiliary service department) or university team (uniforms for the athletic department, club sports, or intramurals) is a commercial use. Products bearing university trademarks produced for use as giveaways to attendees of conferences, special events, booster activities, or for use as fund-raisers are commercial products. If an item bearing university trademarks is purchased by the university for internal use only by the university, and is not used as a giveaway or promotional item, the university’s Office of Brand Management may waive the requirement that the manufacture of the product or provider of a service to enter into a commercial royalty bearing license agreement for the production of those items or services.

Administration

The Office of Brand Management shall be responsible for the implementation and interpretation of this section and for negotiating the required trademark licensing agreements.

Chapter/Volume:

- Volume I: Governance
- Chapter 1: Governance and board affairs

Related Resources: Brand Management and Trademark Licensing Office
Original Source: UO Policy Statement

Transfer and Articulation (1998)

Effective Date: 07/01/2014
Office of Enrollment Management
vpem@uoregon.edu

Policy Statement:
Introduction

What do we know about transfer and articulation? First, that they're not the same thing. Transfer is defined as the process for reviewing and admitting applicants to undergraduate programs who have previous college work. Articulation is the process whereby two or more institutions align courses and/or programs. Second, these are not just Oregon issues, but are receiving widespread national attention. According to a 1996 report by the National Center for Education Statistics, only about 37 percent of the students who earn a baccalaureate degree do so from the school at which they first matriculated. Third, student movement between and among institutions is not necessarily linear (e.g., two years at a community college followed by two years at a university). Several recent studies document the multiple patterns of student movement in their pursuit of higher education (e.g., Kearney et al., at a large public Midwestern university, 1995; Kinnick et al., at PSU, 1997). Fourth, an increasing array of postsecondary educational providers and delivery modes further challenges our ability to provide for the smooth movement of students through their postsecondary experience.

And, finally, educational reform (both nationally and in Oregon) and higher expectations by prospective employers are moving higher education away from traditional evaluation by course credits and contact hours to evaluation based on proficiency and specific outcomes.

Direction of State Leadership

The Oregon State Board of Higher Education, Governor Kitzhaber, and the Oregon Legislature have all targeted improved transfer and articulation as key educational priorities. Following is a summary of recent actions.

Board of Higher Education. In late 1996, the Board formed a Solution Team on Access, Transfer, and Community Colleges. As part of its Systemwide strategic planning, it was charged with developing a barrier-free admission and transfer process to enable students to achieve their academic goals, and partnering with the community colleges to provide baccalaureate capacity and access. The Solution Team recommended action in several areas: credit acceptance; student access strategies; transfer; communication; and comprehensive, collaborative students services.

Governor Kitzhaber. The Governor's Task Force on Higher Education and the Economy report (December 1997) encouraged "all Oregon institutions of higher learning to form alliances to serve the needs of Oregon learners." The Governor's Task Force on College Access report (8/97) called for a "level of transfer much more general than that offered by the Associate of Arts/Oregon Transfer degree" (AA/OT); a Web site and toll-free phone number to increase communication; and transfer agreements. In December 1997, Governor Kitzhaber reiterated to the Board his strong commitment to higher education access, stating that no Oregonian should be "left out by reason of geography, economic, racial or ethnic background, time constraints, or avoidable logistical problems." His goal is to achieve "complete program transferability among community colleges and universities, as well as facilitating transferability issues with private and out-of-state schools."
Oregon Legislature. During the last legislative session, two bills in particular address the need for intersector progress toward solving transfer and articulation problems. House Bill 2387 directs the Board of Education and the Board of Higher Education to "jointly develop a plan for the transfer of credits between community colleges and state institutions of higher education" and to submit this plan for approval at the next legislative session. Senate Bill 919 directs the two boards "to develop policies and procedures that ensure maximum transfer of credits between community colleges and state institutions of higher education."

The Oregon Context

Current Perspective. Myriad postsecondary educational choices currently exist, creating a staggering number of possible educational pathways for students. OUS and its partners need to be prepared to receive these students. In 1995-96, there were 3,706 postsecondary education institutions in the United States (Andersen, 1997). OUS currently offers 321 baccalaureate degree programs. In 1996-97, more than 3,000 new students were admitted to OUS undergraduate programs from Oregon community colleges alone, and an additional 2,258 students were admitted from 742 different out-of-state institutions.

OUS and its partners have tackled transfer and articulation problems through a number of avenues. Among the most notable are the AA/OT degree; common course numbering; the development of comprehensive course equivalency tables that are accessible on the Web; the K-16 Web page "ONE"; and numerous OUS-community college partnership arrangements, such as the University Center in Bend.

Issues regarding credit transfer continue to be at the heart of higher education's challenge. Non-application of credit may occur for any number of reasons, such as:

- The receiving institution limits the number of professional-technical courses it accepts;
- The course in question is college preparatory (i.e., remedial);
- The credit was granted on the basis of prior learning (experiential) and not considered equivalent to offerings at the receiving institution;
- The course was taken at a non-accredited institution; or
- The student received an unsatisfactory grade.

Realistically, some problems will always be beyond the ability of higher education to address (e.g., additional coursework required due to a student changing his/her major).

Future Perspective. Education is changing, throughout the nation and in Oregon. As a result, the transfer/articulation picture is growing in both scope and complexity. Some important elements of the new context follow.

As more out-of-state providers enter the Oregon educational market, placebound students will be able to "attend" non-Oregon institutions. Electronically delivered coursework will provide time-
bound and placebound students with more educational opportunities from a variety of providers. As a result, student transcripts for transfer will become more varied and complicated.

One of the biggest changes underway in education in the nation is the concerted move to outcomes-based education. Educational sectors are being asked to define learning goals, standards, and outcomes of courses, programs, and degrees.

The educational emphasis on outcomes extends to performance indicators approved by the Board (November 1997). An access indicator calls for measuring the effectiveness of transfer programs (e.g., the proportion of transfers of total enrollment, the graduation rate of transfer students) and will produce data to track the progress made.

Students no longer move lockstep through a predetermined high school curriculum, but have opportunities for more individualized and accelerated academic programs. Articulation strategies such as co-enrollment and early admission will demand increased attention from higher education providers.

Public accountability and "customer" expectations will continue to grow in importance in this state, as elsewhere. Oregonians want to see evidence that the public sector exhibits a market orientation and works effectively with other sectors in providing students a rich array of programs and services.

**Next Steps**

Although the scope and complexity of transfer and articulation issues are daunting, OUS and its partners are resolved to create the most seamless process possible. Changes in the future context -- and others yet to be identified -- suggest that transfer and articulation initiatives need to foster a "co-evolving" of the educational sectors and economy to meet the needs of higher education's varied customers. The following proposed policy and strategic actions affirm the System's commitment to advance transfer and articulation initiatives within current and emerging contexts, with an emphasis on relationships between OUS and the community colleges.

**Policy and Principles**

*The goal of the Oregon State Board of Higher Education is for Oregonians to have maximum academic program articulation and transferability.*

To that end, the Board endorses the following assumptions and guiding principles:
1. Responsibility for successful student transfer and articulation is shared among OUS, community colleges, K-12, students, and independent and other educational providers; cooperation and collaboration are essential.

2. Broad curricular diversity among the OUS institutions and community colleges creates a dynamic tension when trying to resolve problems of articulation.

3. OUS institutions, as well as intersector groups (e.g., Joint Boards Articulation Commission) are actively addressing problems that arise in transfer and articulation processes.

4. Communication is fundamental, both among educational providers and with students.

5. Transfer and articulation agreements may be constructed at many levels (e.g., system to system, institution to institution, program to program) and for any number of reasons (e.g., regional partnerships, workforce needs).

6. Transfer and articulation initiatives must be structured enough to guide action, yet flexible enough to allow for student, societal, and educational change and evolution.

7. Initiatives should be informed by sound research.

8. Initiatives should reflect the increasing move by all levels and sectors of education to outcomes-and proficiency-based learning and admissions processes.

9. Transfer and articulation initiatives are not limited to curricular alignment alone and, consequently, should be responsive to student service needs (e.g., timely and accurate advising, financial aid).

**Strategic Actions**

To implement the policy and principles, the Board of Higher Education directs the Chancellor's Office and the System campuses to take specific action in the following areas:

1. **Co-admission/co-enrollment programs.** Develop additional co-admission and co-enrollment programs for eligible students who begin their postsecondary education on community college campuses and who plan to complete their baccalaureate program at the partnering OUS institution. By enabling timely relationships with students through such programs, degree completion has a better chance of success.

2. **Articulation agreements.** Support the development of articulation agreements between individual institutions within the array of educational service providers in the state. As the explosion of distance education, alternative format, and Web-based courses and programs from multiple educational service providers continues, formalized arrangements will facilitate
an orderly flow of students from campus to campus. The new major regional partnerships have strong potential for meeting educational access needs.

3. **Additional block transfer degree.** Work with the community colleges to develop a block transfer Associate of Science (AS) degree that would better fit students whose goals are to transfer to OUS programs in the sciences, health sciences, engineering, and other technical fields (and where the current AA/OT degree does not align with the baccalaureate major requirements).

4. **Baccalaureate degree outcomes.** Establish the learning outcomes expected of a student graduating with a baccalaureate degree. Ease of transfer should eventually result if the focus is on the learning outcomes a student is able to demonstrate, rather than the course credits accumulated. Building on the work of PASS and other outcomes-based initiatives, a Systemwide task force, with participation from the community colleges, will be charged with identifying baccalaureate degree outcomes and their application to the transfer process.

5. **Course equivalency information systems.**
   o Uniformly compile, regularly update, and widely distribute information regarding course equivalencies (between OUS institution courses and community college courses). Those System institutions presently lacking this capability should make it a priority for the next admission cycle. Publishing information on the World Wide Web, with a user-friendly interface, is the preferred distribution method. Contact persons at each institution should be identified for students, advisors, counselors, or others needing assistance in finding and interpreting the equivalency information as published.

5.
   o At the System level, a standard course-equivalency information system should be created that builds on the efforts already in place at the campus level. Such a comprehensive data system would enable students and advisors to determine the relationship between all community college courses and similar courses offered at OUS institutions. Resources to accomplish this strategic action should be sought.

6. **Discipline-based problem solving.** Convene and conduct periodic meetings among faculty in the same disciplines in community colleges and OUS institutions to discuss issues of mutual concern and to resolve problems. The Joint Boards Articulation Commission (JBAC), the Academic Council (OUS), and/or the Council of Instructional Administrators (community colleges) should sponsor such faculty forums. For example, faculty must resolve transfer issues related to similar (or the same) courses offered at the upper-division level in OUS institutions that are offered at the lower-division level in community colleges. Resolutions are required that do not disadvantage (e.g., with respect to upper-division credit requirements) transfer students who have earned credits in the community college courses.

7. **Professional-technical courses.** Reach agreement between OUS institutions and the community colleges about how professional-technical courses and programs are defined and then operationalize transfer policies and procedures consistent with those definitions. Further,
expand institutional policies and practices that facilitate student transfer from professional-technical programs into compatible and/or complementary baccalaureate programs.

8. **Research agenda.** Establish a focused research agenda to inform the transfer and articulation policy agenda, and current and future strategic directions. Examples of such research questions should include (but are not limited to): (1) What happens to the large number of AA/OT graduates who apparently do not transfer to an OUS institution? (2) What are the highest-demand programs for students transferring into OUS institutions? (3) How much time do students transferring in with an AA/OT, and/or other associate degree take to earn a baccalaureate degree? (4) What are the comparative success rates of students with different patterns of pursuits of the baccalaureate degree?

9. **Institutional responsibilities.** Recognize that every institution bears an administrative responsibility for implementation and oversight of matters affecting transfer students. Each campus should review its capacity to respond to student problems and concerns, and make improvements as needed. (The Web-based JBAC Articulation Hotline provides links to the campus contacts who are responsible for transfer student issues.)

10. **Communication, course sharing, and articulation.** Develop, in cooperation with the ONE (Oregon Network for Education) project, a Web-based common college catalog of distance education courses available from Oregon and partner institutions. Establish a "Common Course Marketplace" comprised of those distance education courses for which credit would be accepted at any participating Oregon institution. Resources to accomplish this strategic action should be sought.

11. **Early options programs.** Develop, with the Joint Boards, policies that support new and/or expanded partnerships among OUS, community colleges, and high schools to better serve "college-ready" high school students in early college programs and expedite student progress toward a college degree.

1. **Intrasystem transfer issues.** Resolve "internal" (OUS institution to OUS institution) programmatic transfer issues. For example, students transferring upper-division credits from a System program that is not professionally accredited are sometimes required to repeat courses when moving to a program that is professionally accredited. Professionally accredited programs should work with "sending" programs to develop learning outcome-based ways to assure that transfer credits meet the specifications of their curriculum. Where this is unacceptable to accreditation groups, work to accommodate the demonstrated learning outcomes of transfer students.

13. **Intersector transfer plan.** Work with the JBAC and its action teams to respond to the requirements of House Bill 2387, presenting an effective intersector transfer plan to the 1999 Legislature.

**Cross Reference to Related Policies:**
Policy Document
Original Source: OUS Board Policy

Travel Policy

Policy Number: IV.04.02
Reason for Policy: This policy provides guiding principles for university-related travel.
Entities Affected by this Policy: This policy applies to employees, students, board/committee members, prospective employees, volunteers, and independent contractors who travel on behalf of the university or on university business.
Responsible Office: For questions about this policy, please contact the office the Vice President for Finance and Administration at 541-346-3003.

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:
Approved by University President Michael Schill on March 29, 2017.

Policy:

GUIDING PRINCIPLES

- Faculty, staff, and student travel is necessary to support and enhance the university’s mission
- Travelers are expected to be, and believed to be, reasonable and prudent utilizing university resources for travel
- Budget Authorities are accountable and responsible for appropriate use of university resources. Departments are free to create policies/limits that are more restrictive (but not less restrictive) than university-wide policies/limits
- University processes related to travel reimbursements should not be overly onerous so as to negatively affect travelers (including guests, visitors, recruits, etc.)
- Travel reimbursement processes should be clear, consistent, transparent, convenient, efficient, and compliant
- Travel reimbursements are for business-related expenses only, not for personal expenses of the traveler or any traveling companions

APPROVAL
Travel expenses will be reimbursed provided the trip and reimbursement request are approved by authorized campus personnel (generally the traveler’s supervisor or designee). Travel authorizations may be oral or written. Blanket authorization for a series of trips may be approved. Employees whose duties require frequent or continuous travel are considered to have approval when travel is within the usual limits of their duties.

PERSONS ELIGIBLE FOR TRAVEL-EXPENSE REIMBURSEMENT

[1] Employees

University of Oregon employees may be reimbursed for expenses incurred in connection with official travel.

[2] Employees on Leave

Travel expenses incurred during sabbatical leave may be paid/reimbursed when the travel was approved by Academic Affairs as part of the application for sabbatical leave. Payment/reimbursement for travel expenses while on other types of leave is warranted only in exceptional circumstances.

[3] University of Oregon Board of Trustees Members and Unpaid Members of university Advisory Committees

University of Oregon Board of Trustees members and unpaid members (non-university personnel) of university advisory committees may be reimbursed for actual and reasonable expenses, including mileage and gratuity.

[4] Prospective Employees

Travel expenses incurred in connection with prospective university employee interviews and recruitment are reimbursable when properly authorized.

[5] New Employees

New employees may be reimbursed for travel and moving expenses as approved by the hiring authority and in accordance with Fiscal Policy Manual 66.200, Moving Expenses Policy.

[6] Students

Students who travel as employees or officially-designated representatives of the university may be reimbursed for travel expenses.
Non-Employees/Volunteer Workers/Independent Contractors

Individuals not listed above may only be reimbursed for travel expenses incurred in conjunction with providing a service to campus through a formal or informal contractual relationship.

**TRAVEL-EXPENSE PAYMENT**

Travel expenses may be paid either by reimbursement to the traveler or direct payment to a provider/merchant (e.g., airline ticket through a contract agency, direct billing from hotel).

Requests to reimburse travel expenses must be made via the campus travel reimbursement process. Requests for reimbursement must be accompanied by receipts, when required. Direct payments/reimbursements from the University of Oregon Foundation are subject to that organization’s policies and processes.

Travel advance funds may be requested from and approved by Business Affairs.

When employees travel together, it may be expedient for one employee to pay and claim reimbursement for certain expenses of other employees. Reimbursement for multiple employees is only allowed when actual expenses are being reimbursed and are supported by receipts. Deductions are made from the per diem amounts for employees involved.

**TAX TREATMENT**

The university reimburses for travel expenses under an IRS Accountable Plan and in accordance with IRS Publication 463 (Travel, Entertainment, Gift, and Car Expenses) and IRS Publication 519 (U.S. Tax Guide for Aliens). This includes the provision that expenses be accounted for within a reasonable period of time.

Reimbursement of travel expenses for temporary assignments (less than one year in duration) are generally not taxable to the employee. If the assignment is indefinite, the employee is considered to have moved to the new work location. Reimbursement of expenses for indefinite travel is generally taxable to the employee.

**STUDENTS, STUDENT GROUPS, AND TEAMS**

[1] Student Travel

University policy on Traffic, Parking and Vehicle Safety (former OAR 580-40-0030) provides guidelines regarding transportation of students in a state owned, leased or controlled vehicle.

[2] Travel Expenses of Others
A university employee, such as a coach, athletic director, or group leader, may pay for the travel expenses of the team or group members. Refer to travel procedures for documentation requirements.

[3] One-Day Trips

Meal expenses for an athletic team or student group on a one-day trip may be reimbursed at actual cost (as opposed to per diem). An itemized receipt is required. University employees such as coaches, trainers, or group leaders who accompany and are responsible for the care, custody, or control of the team or group are also eligible for meal-expense reimbursement. The request for reimbursement must state that the expenses result from a trip by an athletic team or student group.

TRAVEL PAID BY OUTSIDE SOURCE

Outside entities may reimburse the campus, pay a service provider directly, or reimburse a university employee for travel expenses related to university business. The university will not pay or reimburse for any travel expenses that are also being paid by an outside source directly to the university employee.

MEAL AND INCIDENTAL EXPENSES

[1] General

Generally, meal and incidental expenses are reimbursed at a per diem rate. Meal and incidental expenses may be reimbursed only if the traveler qualifies for lodging-expense reimbursement, except as noted herein.

Travelers are eligible for 75% of the meal and incidental expenses per diem amount on the initial and final day of travel. Travelers are eligible for 100% of the meal and incidental expenses per diem on all other travel days.

For the day the traveler leaves on a trip, the per diem rate specified for where the traveler will spend the night is used. For the day the traveler returns from a trip, the per diem rate specified for the last location where the traveler stayed overnight is used.

Applicable meal and incidental expense per diem may not be claimed if a meal is provided and consumed as part of a hosted function (e.g., a conference registration fee includes a meal, meals are included with lodging rate) or included with a roomette/bedroom railroad rate or international flight. The per diem rate for a full day's meal and incidental expenses is apportioned as follows:

- breakfast: 25%
- lunch: 25%
• dinner: 50%.

Meal and incidental expense per diem is not apportioned for the initial and final day of travel (even if a meal is provided and consumed)


Reimbursement for meals at actual expense (including gratuity) instead of per diem rate is allowed when hosting official guests and groups (See Fiscal Policy 56.100 – Non-Travel Meals, Refreshments, and Hospitality Expenses).

[3] Meals on One-Day Trips

When a traveler departs and returns the same day, meal expenses are reimbursed only in the following cases:

[a] When traveling as a University of Oregon Board of Trustees member or unpaid member of a university advisory committee

[b] When a meal at a convention, conference, or meeting is part of the agenda and the cost of the meal has not previously been paid with the registration fee

[c] When directed or required to attend mealtime business meetings, including community or public relations meetings

[d] Trips by athletic teams and student groups (see STUDENTS, STUDENT GROUPS, AND TEAMS above)

Lunches on one-day trips will not be reimbursed except in circumstances [a] - [d] listed above.

The IRS considers breakfast and dinner allowances, figured on the basis of hours worked (such as those permitted under [e] [f] below, to be taxable to the employee. Breakfast and dinner allowances are not available to non-employees.

[e] When an employee leaves his/her official station two or more hours before his/her regular work shift, s/he will receive the breakfast allowance

[f] When an employee returns to his/her official station two or more hours after his/her regular work shift, s/he will receive the dinner allowance

[4] Incidental Expenses
Incident Expenses are combined with meals into a single rate.

The university references IRS Publication 463 (Travel, Entertainment, Gift, and Car Expenses) for the definition of domestic-travel incidental expenses and the U.S. Department of State for the definition of foreign-travel incidental expenses.

**LODGING**

Lodging expenses are normally reimbursed when authorized campus personnel determine that the traveler would not reasonably be expected to return to his or her residence between work shifts. Generally, lodging is reimbursed at actual cost up to per diem rates. Exceptions to per diem maximum may be granted with appropriate justification. Common exceptions include:

- Conferences
- Traditionally high-cost locations (e.g., New York City; Washington, DC; San Francisco Bay Area; Boston; Seattle)
- Cities where a per diem hotel is not available within a reasonable distance [e.g., twenty (20) minute drive] of the primary business location

[1] Lodging Receipts Requirements

Receipts for lodging are required and must show the following:

- Traveler's name (or names)
- Date(s) occupied
- Itemization of Charges
- Settlement in Full


Lodging taxes at domestic locations are reimbursed as part of the actual lodging cost calculation, but are not included when determining if lodging cost has exceeded the per diem rate maximum. Lodging taxes at international locations are included as part of the per diem.

[3] Non-commercial Lodging

The intent of the non-commercial lodging per diem is to reimburse travelers using non-commercial facilities (e.g., travel trailer, motor home, or staying with friends or family members) and should result in an economic benefit for the university. For current rate, see [Link to per diem rates]
For purposes of reimbursement rates and per diem limits, lodging arranged through services such as Airbnb is considered Commercial Lodging.

In certain circumstances, alternate lodging arrangements (e.g., leased apartment) may be considered most appropriate. Contact the BAO Travel Office for additional information and consideration.

TRANSPORTATION

Transportation expenses incurred while traveling on official business may be reimbursed. Personal expenses, such as private vehicle repair and maintenance, may not. The following expenses may be reimbursed or paid directly:

- Common carrier fare
- Rental Vehicle charges
- Private-vehicle mileage allowance
- Taxi or shuttle service fare (including gratuity)
- Parking and garage fees

COMMON CARRIER FARES

Transportation by common carrier is recommended when it is more appropriate and economical than travel by state or private vehicle. Common carriers are usually preferred for out-of-state travel. Actual cost is paid or reimbursed for airline, railroad and bus fares for travel.

[1] Airlines

All employees are encouraged to travel using routes, schedules, and airlines that provide the most cost-effective, efficient travel that meets the business purpose. Economy Plus and/or Business Class airfare are authorized for any leg of international flights where the elapsed time in-the-air is eight hours or greater. First Class airfare is not authorized.

Air travel paid from federal funds must conform to the Fly America Act.

[2] Taxis and Shuttle Services

Taxi and shuttle service is authorized between terminals, lodgings, and work stations.

[3] Railroads

All employees are encouraged to travel using routes and schedules that provide the most cost-effective, efficient travel that meets the business purpose. A roomette is allowed when sleeping
accommodations are needed due to overnight travel. A bedroom is allowed if no roomette is available or if special accommodations are approved because of the trip's nature or the traveler's health. Applicable meal and incidental expense per diem may not be claimed if a meal is provided and consumed as part of the roomette or bedroom rate.

[4] Bus Lines

Scheduled or charter buses may be used.

[5] Travel Awards and Frequent Flyer Mileage

Because the cost of record-keeping outweighs any monetary benefit, the university will not recapture airline bonuses awarded employees for frequent flyer miles. Frequent flyer bonuses may be used by employees as they choose unless the terms of a grant or contract require otherwise. The university will not reimburse or trade tickets purchased using frequent flyer miles.

[6] Payment in Lieu of Air Travel

Common carriers (e.g., airlines, railroads) are usually preferred for out-of-state travel. An employee may choose to travel by private vehicle instead. In such a case, the employee may be reimbursed for ground transportation expenses, including standard mileage, parking, and tolls, up to the cost that would have been incurred had s/he traveled by common carrier.

The following costs associated with air travel can be used as a basis for comparison:

- The cost of round-trip commercial air fare that would have been incurred. An online quote (i.e., Travelocity, Orbitz) should be obtained prior to the travel dates.
- Private vehicle mileage to and from the air terminal that would normally be used for departure.
- Lodging, meal, and incidental expenses that the employee would normally incur with air travel

**PRIVATE VEHICLES**

Private Vehicles may be utilized for business-related travel.

The per-mile reimbursement rate is determined by the Internal Revenue Service (IRS). Employees who receive a Car Allowance Stipend are not eligible for per-mile reimbursement.

Mileage for the most direct, usually-traveled route may be reimbursed.

[1] Highway mileage
Use standard mileage guides, odometer/tripometer readings, or online mapping tools (e.g., Mapquest.com). Substantial deviations from standard distances or usual routes must be justified. Mileage calculations generally start at the employee's official work station.

[2] Local mileage

Travel between work places and travel between lodging and restaurants for a traveler's sustenance, health, and comfort may be reimbursed if meals cannot be obtained at the temporary duty or lodging sites. Travel for personal reasons or entertainment may not be reimbursed.

Travel between the employee’s home and official work station is considered commuting expense and may not be reimbursed.

Employees and agents authorized to use their privately owned vehicles for official business are required to have personal automobile liability insurance to provide the primary coverage for any accidents involving that vehicle. University-provided automobile liability coverage will apply on a limited basis after the employee's primary coverage limits have been used. The university does not provide physical damage, uninsured motorist and personal injury protection for personal vehicles. For additional information, contact the Office of Risk Management.

VEHICLE RENTAL

Vehicle rental expenses may be reimbursed. A car, boat, aircraft or other vehicle may be rented when it is the most cost-effective, efficient means of transportation that meets the business purpose. Receipts are required for vehicle rentals. Employees are encouraged to utilize State of Oregon contracts which provide discount rates, car upgrades, and insurance coverage. Employees are also encouraged to use their corporate travel cards when renting vehicles because of the primary Collision Damage Waiver (CDW) coverage provided.

[1] Insurance on Rented Vehicles

The university provides self-insurance coverage for rental vehicles if they are to be used exclusively for official business. A certificate of insurance may be obtained from the Office of Risk Management

If a rental vehicle is to be used for a mix of personal and business purposes, the university’s self-insurance coverage is only applicable for the portion of travel applicable to official business. The employee or agent will want to check with his/her insurance agent regarding coverage for personal usage.

If the employee or agent plans to travel outside the United States, its territories and possessions, and Canada, the department should contact the Office of Risk Management for help in obtaining the appropriate coverage.
Responsibilities After an Accident

The renter of a vehicle involved in an accident is responsible for immediately reporting the accident to the Office of Risk Management.

LOANED VEHICLES

Use of loaned vehicles may be authorized when it benefits the campus. Expense reimbursement is for use of the vehicle regardless of the number of passengers. Some companies may lend vehicles to campuses, departments, or individuals for specified purposes. The operator is reimbursed for actual out-of-pocket expenses arising from using the vehicle for official business.

Insurance on Loaned Vehicles

The university provides coverage for loaned vehicles if the campus has agreed in writing to accept responsibility for any liability or damage to the vehicle. The loaned vehicle must be used for official business.

For additional information, including the loan agreement form, contact the Office of Risk Management.

STATE-OWNED VEHICLES

Motor pool vehicles may be used for official state business only. Use of a state vehicle is not authorized when costs are charged to Agency Funds, except for use by Campus Organizations or for other legitimate state business purposes as approved by authorized campus personnel. The department that authorizes a state vehicle's use is financially accountable for damages and all costs resulting from violations of policies relating to state vehicle use.

Private Use Prohibited

Using a state-owned vehicle for private purposes or allowing another person to do so is prohibited (ORS 283.395) and punishable, upon conviction, by a fine (ORS 283.990).

Vehicle Safety Including Authorized Drivers

University policy on Traffic, Parking and Vehicle Safety (former OAR 580-40-0030) provides safety guidelines regarding transportation in a state owned, leased or controlled vehicle.

Overnight Parking at Employee's Residence
A state vehicle may be kept overnight at an employee's residence when doing so is approved in advance by authorized campus personnel.

**MISCELLANEOUS EXPENSES**

Necessary business-related travel expenses are normally reimbursed. Personal expenses are not reimbursed. The university establishes the definition of miscellaneous expenses. All miscellaneous expenses must be itemized.

Necessary miscellaneous business-related expenses are not reimbursed using a per diem; rather, if the traveler has incurred a miscellaneous business expense as outlined below, that expense is reimbursable at the actual cost.

[1] Checked Baggage

Up to two (2) standard-weight bags (standard weight as defined by the airline used)

Charges for the following may be reimbursed only when necessary for the business purpose and approved by authorized institution personnel (receipts required):

- additional baggage (more than 2 bags)
- overweight/oversize baggage


- Telephone
- Fax
- Internet
- Postage
- ATM cash advance fees
- Materials and supplies purchased to meet an immediate business need
- Visa and passport expenses
- Parking
- Tolls
- Energy surcharge

**PER DIEM RATE REFERENCES**

Per diem rates for the continental United States are determined using the federal rate in the IRS's High-Low Substantiation Method.
Per diem rates for the non-continental United States and Territories (e.g., Alaska, Hawaii, Guam, Puerto Rico) are determined by the US Department of Defense

Per diem rates for foreign locations are determined by the US Department of State

**OTHER RESOURCES**

- [U.S. States & Territories](#)
- [International Travel Registration and Insurance](#)

**EXCEPTIONS**

Upon consideration of documented extenuating circumstances, exceptions to these policy provisions may be granted by the Vice President for Finance and Administration (VPFA) or designee.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs

**Related Resources:**

- [U.S. States & Territories](#)

**Original Source:** UO Policy Statement

## Treasury Management

**Policy Number:** IV.03.01

**Reason for Policy:** To articulate the University’s polices regarding treasury management, including, but not limited to, cash management, treasury assets, investments, debit, internal borrowing, and liabilities.

**Entities Affected by this Policy:** The University and its fund managers.

**Responsible Office:** For questions about this policy, please contact the Vice President for Finance and Administration’s Office – 541-346-3003 or [vpfa@uoregon.edu](mailto:vpfa@uoregon.edu).

**Website Address for this Policy:**
Enactment & Revision History:

Adopted by the Board of Trustees on June 12, 2014.

Policy:

The University’s treasury assets and liabilities will be managed in concert to further the mission of the University. The Treasurer or designee (the “Treasurer”) will:

- Manage cash, investments, short-term borrowings, and long-term liabilities within a central bank framework;
- Make a report to the Board or designated subcommittee (the “Board”), at least annually. The report will include:
  - Quantitative information including:
    - Investment performance of the tiers of the Cash & Investment Pool measured against appropriate benchmarks
  - The loan rate charged by the central bank
  - The long-term liability position of the University
    - An analysis of the risks in the central bank
    - Any financing transactions, in excess of $5,000,000, that were authorized solely by the Treasurer as permitted in section III(D) below
    - Any exceptions to this policy
    - A copy of the current treasury management procedures
    - Other relevant information as appropriate such as reports from the investment advisor or updates on emerging trends
- Make a quarterly interim report to the Board to provide an update on any debt or financing activity and to show recent trends in the balance of the Cash & Investment Pool;
- Adhere to this policy and all applicable laws;
- Delegate authority as needed to carry out the provisions of this policy effectively.

Due to the dynamic nature of financial markets, the Treasurer may make temporary exceptions to this policy in the event of significant market instability to preserve the University’s assets or limit risk. Such actions will be reported to the Chair of the Finance & Facilities Committee (the “Committee”) as soon as possible and to the full Board or designated subcommittee at the next regularly scheduled meeting.

The Treasurer will notify the Chair of the Finance & Facilities Committee when substantive changes or additions are made to the treasury management procedures.
I. **THE CENTRAL BANK**
   A. The central bank is a set of services run by the University. The central bank invests the University’s cash balances, makes loans, and manages the University’s debt and liabilities. The central bank, as directed by the Treasurer, may also pay interest for cash balances.
   B. Over time, and within the University’s risk tolerances, the central bank’s purpose is to optimize the University’s resources while balancing competing objectives to:
      i. Meet the liquidity needs of the University
      ii. Maximize return on investments (within the University’s risk tolerance)
      iii. Minimize the cost of capital (within the University’s risk tolerance)
   C. The central bank provides a stable cost of capital to finance projects needed to meet the University’s strategic objectives by lending money to various units within the University. The Treasurer shall establish the central bank loan rate.
   D. The loan rate may be adjusted from time to time but should be set in such way that it can be expected to remain constant over time unless market conditions shift uncharacteristically over a persistent period of time.
   E. The cash flows of the University will be analyzed and stress tested to ensure adequate liquidity is available to meet the University’s obligations and to provide early warning of changes needed to the central bank’s loan rate.
   F. Uncommitted assets that are created by the operations of the central bank will be used to cover the costs of operating the central bank and other costs associated with managing treasury operations. Remaining uncommitted assets may be used for internal loans, short- or long-term investments, to hedge risks within the central bank, or for the President’s other strategic initiatives.

II. **CASH AND INVESTMENT MANAGEMENT**
   A. The University will consolidate its cash and reserve balances to increase efficiencies with regard to investment pricing, custody, and administration. Consolidation also helps manage investment risk and balances liquidity strategies with investment returns.
   B. Investment income received, unless otherwise legally restricted, may be used, at the discretion of the Treasurer, to further the objectives of the University.
   C. The University’s consolidated cash and reserve balances will be divided into tiers based on expected liquidity needs and return objectives. Collectively, these tiers are known as the Cash and Investment Pool. Investment activities for all tiers will be guided by the objectives of safety, liquidity and return as described below:
      i. Safety – The investment portfolio seeks preservation of capital by minimizing credit risk and price volatility.
      ii. Liquidity - The investment portfolio shall maintain sufficient liquidity to meet all disbursement requirements that may be reasonably anticipated. Short-term borrowings may be used to meet the liquidity needs of the University.
      iii. Return - The investment portfolio shall be managed with the objective of attaining a market rate of return over the course of an economic cycle. Performance objectives will be established for each tier consistent with stated objectives.
   D. The Treasurer will allocate funds among the tiers in a manner consistent with this policy’s objectives, as outlined below, and will report at least annually how the Cash and Investment
Pool is divided among these tiers. The priority of the policy objectives (safety, liquidity, and return) varies by tier:

i. **Tier 1**: The Tier 1 portfolio will be used to meet the expected day-to-day obligations of the University including payroll, routine obligations, and debt service. The Tier 1 portfolio shall be invested in such a way to ensure that adequate liquidity exists to meet these obligations. Safety and liquidity are the primary objectives of this tier. The University’s liquidity needs, cash forecast, and risk tolerance will be considered in determining the designated range of cash and investments held in this tier. When Tier 1 assets are exhausted, the Treasurer may use other assets of the University or borrow funds on a short-term basis to meet the obligations of the University.

ii. **Tier 2**: The Tier 2 portfolio will be used to hold funds that, while not needed to meet immediate obligations, are expected to be needed during the annual cash cycle. This portfolio may also contain funds for capital projects and to meet unanticipated liquidity needs. Safety is more important than liquidity for the Tier 2 portfolio. This portfolio can be invested over a somewhat longer time horizon than the Tier 1 portfolio and should, typically, provide better investment returns.

iii. **Tier 3**: Remaining cash balances will be allocated to the Tier 3 portfolio. The Tier 3 portfolio represents cash balances that are not expected to be required to support operations, near term liquidity needs, or fund intermediate term projects, and therefore may be invested for an indefinite period of time much like a quasi-endowment. The primary objective of this tier is to maximize long-term real return commensurate with the risk tolerance of the University.

E. The Treasurer will evaluate the following primary risks as part of the investment management process:

i. **Interest Rate Risk** - The duration and maximum maturity will be limited by portfolio tier in order to manage the impact of interest rate volatility and other market factors on the Cash & Investment Pool.

ii. **Credit Risk** – Published credit ratings and other public or private research and analysis may be used to evaluate credit risk and create different credit risk profiles for each tier.

iii. **Liquidity Risk** - A target range for liquidity will be established and assets rebalanced on an ongoing basis to meet liquidity needs.

F. The Treasurer will engage an investment advisor to provide periodic advice to the Treasurer and the Finance & Facilities Committee regarding the University’s investments.

G. The tiers of the Cash & Investment Pool are expected to achieve market rates of return over an economic cycle. Investment returns will be measured against appropriate benchmarks.

H. The Cash & Investment Pool will be actively managed and allow periodic restructuring of the investment portfolio to take advantage of current and anticipated interest rate movements and other trends.

I. The Board must approve any investment manager that is either not registered to conduct business in the State or Oregon or not registered with the Securities and Exchange Commission under the Investment Advisors Act of 1940.

J. The Board must approve the use of any depository that is unable to collateralize deposits.

K. The Board must approve the University’s use of investment hedging instruments and other derivatives.
III. LIABILITY MANAGEMENT
A. The University may use debt or other financing agreements to meet its strategic objectives.
B. The Board, or its designated Committee, must authorize debt transactions, financing agreements, hedging instruments, and other derivatives when the par or notional amount is greater than $5,000,000.
C. Debt is a limited resource and when contemplating the use of debt, the Board will consider:
   i. The impact of new liabilities on the University’s ability to achieve its mission and strategic objectives;
   ii. The cost of the capital funding source; and
   iii. How the transaction affects the University’s ability to meet its existing obligations
D. The Treasurer may conduct the following activities without specific Board approval:
   i. Borrow for short-term liquidity needs (as outlined in section II(D(i)).
   ii. Enter into financing transactions for the purpose of mitigating the risk of existing obligations and/or reducing the overall cost of debt.
   iii. Enter into financing transactions for the purpose of maintaining compliance with the law or other requirements such as the federal tax code.
E. The structure of each financing transaction is critical and prior to finalizing the structure the Treasurer will:
   i. Use tax-exempt fixed-rate amortizing debt as the base case financing assumption
   ii. Evaluate the benefit and risk of introducing alternative structures or optionality (e.g. variable-rate debt, bullet payments, puttable debt, tax-exempt vs. taxable debt) against the base case
   iii. Select the structure of debt that optimizes cost, risk, and institutional flexibility
F. Comply with all applicable laws and regulations and develop a written program for post-issuance compliance.
G. The Board acknowledges that a portion of the University’s debt is made up of general obligation bonds, revenue bonds, and certificates of participation issued by the state of Oregon and therefore outside of the University’s direct control. The Treasurer is expected to advocate in the University’s best interest with respect to these obligations.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 3: Treasury and investments

Related Resources: NA

Tuition and Fee Policy Book
Policy Number: III.03.01
Reason for Policy: This book articulates the university's policies regarding tuition and fees in a comprehensive location.
Responsible Office: For questions about this policy, please contact the Vice President for Student Services and Enrollment Management and the Vice President for Finance and Administration.

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-3-tuition-student-fees/tuition-and-fee-policy-book

Enactment & Revision History:

Enacted by the Board of Trustees on March 4, 2016.

Policy:

Click here for a PDF of the complete policy book.

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 3: Tuition and student fees

Tuition Discounts

Policy Number: V.11.03
Reason for Policy: To clarify the extension of the tuition discount program for unrepresented faculty and Officers of Administration to cover a second dependent child, if both are attending one of Oregon’s public universities, as defined in ORS Chapter 352, and at least one dependent child is attending the University of Oregon.
Entities Affected by this Policy: Officers of administration and unrepresented faculty
Responsible Office: For questions about this policy, please contact the office of Human Resources at 541-346-3159 or hrinfo@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-5-human-resources/ch-11-human-resources...
Enactment & Revision History:

7/1/14 Became a UO policy by operation of law.

6/24/14 Enacted by President Michael Gottfredson.

Policy:

Pursuant to Sections 170 and 172 of Senate Bill 270 (2013) and other applicable law, this Standard is adopted and is effective July 1, 2014.

Officers of administration and unrepresented faculty of the University of Oregon who are using the tuition discount provided through Oregon’s public universities for the undergraduate education of a dependent child will be entitled to a second, concurrent tuition discount for a dependent child to attend undergraduate programs at the University of Oregon. The terms, conditions, eligibility requirements, and discount applicable to this additional tuition discount will be the same as the terms, conditions, eligibility requirements and discount available under the aforementioned tuition discount program.

Chapter/Volume:

• Volume V: Human Resources
• Chapter 11: Human resources, other

Original Source: UO Policy Statement

Undergraduate Transfer and Articulation

Enactment & Revision History: Became a University of Oregon policy by operation of law on July 1, 2014.

Former OUS Internal Management Directive 2.035.

Policy:

The Board affirms the importance for Oregonians to have maximum program articulation, course and credit transferability, and recognition of proficiencies that can be demonstrated. The Board recognizes that this is a shared responsibility among education providers and individuals. Toward achievement of these goals, the Board expects that:
In a changing environment with growing access to electronically delivered coursework, and transfer students presenting transcripts from multiple providers, System institutions should be flexible in accepting academic credits from accredited entities. Institutional practices should balance the integrity of a specific System institution’s degree with the reality of the dynamic educational marketplace (so long as admission, degree program, and graduation requirements are met).

Each institution shall regularly update and publish information regarding course equivalencies between the institution’s courses and partner community college courses and, in other ways, be responsive to transfer students’ information and advising needs. Each institution shall also be guided by statewide agreements that enable broad-scale student transfer to occur among all System institutions and community colleges in Oregon.

Each institution shall develop policies and practices that accept a reasonable amount of professional-technical coursework as electives or related work into baccalaureate degree programs.

Where appropriate and feasible, institutions shall develop specific articulation agreements and co-admission/co-enrollment programs with community colleges and other partners in order to promote the orderly flow of students between and among institutions.

Through such mechanisms as the Joint Boards’ Articulation Commission, the OUS Academic Council, and the Council of Instructional Administrators of Oregon community colleges additional transfer degree programs should be considered and, if appropriate, developed to prepare community college students for transfer into a broad array of baccalaureate programs.

Chapter/Volume:
Original Source: Internal Management Directive

Uniform Guidance Procurement Standards

Policy Number: IV.09.01
Reason for Policy: The purpose of this Policy is, as required by federal law, to document the University’s decision to delay the implementation of new procurement standards set forth in the Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards (the “Uniform Guidance”) until July 1, 2016, as permitted under 2 CFR § 200.110(a).
Entities Affected by this Policy: Purchasing and Contracting Services
Responsible Office: Purchasing and Contracting Services: (541) 346-1000
or contract@uoregon.edu

Website Address for this Policy:
Enactment & Revision History:

12/15/15: Extended by President Michael H. Schill

06/18/15: Approved as an emergency policy by Interim President Scott Coltrane

Policy:


Section 200.110 of the Uniform Guidance states that non-Federal entities may continue to comply with the procurement standards in previous OMB guidance, instead of the procurement standards found in the Uniform Guidance, for one full additional fiscal year after December 26, 2014. A non-Federal entity must document its decision to continue to comply with previous OMB guidance for a full additional fiscal year in its internal procurement policies. Previous OMB guidance refers to OMB guidance described in 2 CFR § 200.104 inasmuch as that guidance relates to procurement.

The University of Oregon (the “University”) has elected to follow previous OMB guidance related to procurement standards in effect prior to December 26, 2014, for one full additional fiscal year. Therefore, the University will follow previous OMB guidance for procurement through the end of the fiscal year ending June 30, 2016. The University will take steps to ensure that the procurement standards found in the Uniform Guidance are properly implemented and effective on July 1, 2016.

This policy is adopted as an emergency policy pursuant to section 9 of the Policy on University Policies, Policy 1.03.01. As a result, this policy shall have a duration of six months unless a showing of necessity warrants a longer duration.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 9: Purchasing and contracting

Related Resources:

[Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](https://policies.uoregon.edu/vol-4-finance-administration-infrastructure.../Uniform-Administrative-Requirements-Cost-Principles-and-Audit-Requirements-for-Federal-Awards)
University Fiscal Policy

Policy Number: IV.04.05
Reason for Policy: This Policy provides broad guidelines related to university business operations. Along with supporting procedures, the Policy defines the university business entity, establishes an accounting and reporting framework, and sets restrictions and limits on certain university financial transactions.

Entities Affected by this Policy: Departmental budget authorities, staff who process financial transactions, and central business offices.

Responsible Office: For questions about this policy, please contact the Business Affairs Office at (541) 346-3165 or kbwolf@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-4-business-affairs/university-fiscal-policy

Enactment & Revision History:

Enacted by President Michael Schill on July 23, 2018

Policy:

1. Accounting and Financial Reporting
   a. Reporting Entity
      i. For purposes of the audited financial statements, the reporting entity consists of the legal entity of the University of Oregon (university) and the legally-separate University of Oregon Foundation.
      ii. Organizations that are not financially accountable to the university, such as booster and alumni organizations, are not included in the reporting entity.
   b. Financial Accounting & Reporting Standards
      i. The university’s annual financial statements follow the fiscal year July 1- June 30.
      ii. The university’s financial accounting records are maintained in accordance with US Generally Accepted Accounting Principles (GAAP) as prescribed in applicable pronouncements of the Governmental Accounting Standards Board (GASB).
      iii. The university follows the cost principles required by Office of Management & Budget (OMB) Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards.
   c. Basis of Accounting
For financial reporting purposes, the university is considered a special-purpose government engaged only in business-type activities.

The university’s financial statements are presented using the economic resources measurement focus and the accrual basis of accounting.

2. Fixed Assets Administration
   a. Accounting for Fixed Assets – General
      i. Definitions
         1. Fixed assets: Tangible assets that last more than one year. Examples include land, buildings, equipment, vehicles, vessels, etc.
         2. Capital assets: Fixed assets that are recorded as assets in the UO General Ledger. Capital assets are not expensed in year of purchase, but are capitalized and depreciated (as appropriate) over multiple years.
      ii. A fixed asset is capitalized only if it meets all of the following conditions:
         1. Owned or considered owned by the university.
         2. Held for operations (not resale).
         3. Has a useful life that exceeds one year.
         4. Meets the capitalization threshold for that asset type as described in the current accounting procedures document.
      iii. Donations of capital assets are recorded in the accounting records as revenue at fair market value (FMV) at date of receipt and capitalized in the accounting records. FMV may be determined by:
         1. A written appraisal,
         2. A qualified expert on the faculty or staff if he or she is considered to hold special knowledge or expertise related to the property being donated,
         3. Documentation obtained from a qualified outside source such as "blue book" or a knowledgeable dealer, or
         4. Documented cost if the university were to purchase the same asset outright from a vendor.
      iv. The university uses straight-line depreciation with zero (0) salvage value, and useful lives that vary depending on the type of asset.
      v. When capital assets wear out or become obsolete, they are sold, scrapped, traded in, or may be returned at the end of a capital lease. When disposing of capital assets, the university follows all appropriate Surplus Property rules.
   b. Accounting for Fixed Assets – University Libraries
      i. Definitions
         1. General Collections: Library holdings of an institutional library (not departmental reference library) that are exhaustible by nature and have a useful life greater than one year. General collections include general books, periodicals, reference materials, microfilm, maps, manuscripts, etc.
         2. Special Collections: Library holdings of an institutional library (not departmental reference library) normally considered inexhaustible and accounted for like works of art and historical treasures. They are not easily replaced and meet the following conditions:
a. Held for public exhibition, education, or research in furtherance of public service, rather than financial gain.
b. Protected, kept unencumbered, cared for, and preserved.

ii. Additions to both General and Special Collections are comprised of purchases and donations. Purchases are valued at cost at time of acquisition. Donations are valued at FMV at time of donation. The FMV of donated additions is recognized as revenue in the year of donation.

iii. Deductions from both General and Special Collections are valued at historical cost of items withdrawn from the collections, including associated depreciation (if applicable).

c. Building Component Depreciation

i. The university may componentize some or all academic and research buildings to more accurately measure the annual depreciation. Componentized depreciation is based on the useful life of each component.

ii. Componentized depreciation may only be applied prospectively based on componentizing new buildings and/or applying componentization on the undepreciated portion of existing buildings.

iii. Componentized depreciation is limited to buildings. Componentized depreciation does not apply to non-building real property (such as improvements other than buildings, infrastructure, land, and land improvements), or to personal property.

d. Intangible Assets

i. Characteristics of Intangible Assets
   1. Owned or considered owned by the university
   2. Lacks physical substance
   3. Non-financial in nature (i.e., not in monetary form similar to cash and investment securities)
   4. Used primarily for operations and not used to directly obtain income or profit. Assets utilized to obtain income or profit are categorized as investments.
   5. Separately identifiable
   6. Supported by a formal agreement

ii. Examples of Intangible Assets
   1. Computer Software: The ownership of, or right to use, computer programs that control the functioning of computer hardware and other devices. Computer software comprises both operating systems and application programs. Computer software is either created by another party and acquired by the university, or created internally within the university.
   2. Easement/Right of Way: The right to use the land of another party for a particular purpose.
   3. Water Rights: The right to draw water from a particular source, such as a lake, irrigation canal, or stream.
   4. Timber Rights: The right to cut and remove trees from the property of another party.
   5. Patent: The right to exclude others from making, using, offering for sale, selling or importing an invention. Patents are issued by the U.S. Patent and Trademark Office.
   6. Copyright: A form of protection provided to the authors of "original works of authorship" including literary, dramatic, musical, artistic, and certain other intellectual works, both published and unpublished. Copyrights are registered by the Copyright Office of the Library of Congress.
7. Trademark: A word, name, symbol or device which is used in trade with goods to indicate the source of the goods and to distinguish them from the goods of others. Trademarks used in interstate or foreign commerce may be registered with the Patent and Trademark Office.

iii. Intangible assets can be purchased or licensed (which includes acquisition through an installment contract), acquired through nonexchange transactions, or internally generated.

iv. Capitalizable costs that (1) meet the characteristics in Section 2(d)(i) and (2) meet or exceed the capitalization threshold for that asset type as described in the current accounting procedures document are recorded (capitalized) as an intangible asset in the university’s accounting records.

v. Donations of intangible assets are recorded in the accounting records as revenue at FMV at date of receipt, and capitalized in the accounting records. Provisions of Section 2(a)(iii) apply to intangible assets.

vi. Amortization of Intangible Assets
1. An intangible asset has an indefinite useful life and is not amortized if there are no legal, contractual, regulatory, technological, or other factors that limit its useful life.
2. An intangible asset is amortized if there are legal, contractual, regulatory, technological, or other factors that limit its useful life. Useful life may vary among intangible assets depending on the factors attributable to each intangible asset. The recorded useful life is the shorter of the intangible asset’s technological life versus its legal/contractual/regulatory life.
3. The university uses straight-line amortization with zero salvage value.

3. Procurement
a. Purchasing and Accounts Payable
i. Expenses paid with university funds must meet a general business need and/or foster or support the mission of the university.
1. University funds are defined as all monies available to the university, excluding Agency Funds and monies maintained at the University of Oregon Foundation
2. Expenses charged to Restricted Funds, including Restricted Gifts, must meet the restrictions that were placed on those monies by the donor(s) and are subject to the University Fiscal Policy and associated procedures
3. Expenses paid directly from the University of Oregon Foundation are subject to the Foundation’s policies and processes (including donor intent)
ii. Except for items otherwise noted, the dean, director, department and/or unit head have programmatic and budgetary authority to authorize expenses. Programmatic and/or budgetary authority may be delegated to other qualified employees, provided such delegation does not circumvent a financial control or create a conflict of interest.
iii. Certain reimbursements to faculty, staff, or students may have income tax implications. The recipient is ultimately responsible for his/her tax filing and any resulting tax liability.
iv. The following purchases are specifically prohibited/limited:
1. Alcoholic Beverages – Use of university funds for purchasing alcoholic beverages is limited to:
   a. Alcoholic beverages served at group functions that are part of a university-sponsored conference or event where the full cost of such beverages is recovered through resale or charges to the participants or sponsoring group
b. Alcoholic beverages purchased specifically for resale (i.e., university catering, athletics concessions)

2. Contributions/Donations – The University has no authority or obligation to make disbursements for voluntary contributions or donations.

3. Sanctioned individuals, companies, or countries – Unless otherwise permitted by law, the university may not conduct business with any individuals, companies, or countries who appear on the sanctions list of the [U.S. Department of the Treasury, Office of Foreign Assets Control](https://www.treasury.gov/)

v. Additional guidance regarding specific transactions is available on the [Business Affairs website](https://www.businessaffairs.ubc.ca/)

b. Contractor Travel

1. Contractors may be reimbursed for expenses incurred while traveling on official university business as permitted by their contract with the university.
   
   2. Except as otherwise defined in the individual contract, contractor reimbursements are subject to the university [Travel Policy (IV.04.02)](https://www.travelpolicy.ubc.ca/)

4. Human Resources, Payroll, and Fringe Benefits

a. Moving Expenses

i. New university employees may be reimbursed for travel and moving/relocation expenses as approved by the hiring authority.

ii. Certain travel and moving/relocation reimbursements may have income tax implications. The recipient is ultimately responsible for his/her tax filing and any resulting tax liability.

iii. See [procedures] for additional information.

b. Vehicles

i. A university employee's personal use of an employer-provided vehicle is a taxable fringe benefit to the employee.

ii. The university uses the General Valuation method to determine the taxable value of the benefit.

b. Employee Recognition Awards

i. Definitions

   1. **Performance awards**: Cash or non-cash awards that recognize and promote extraordinary employee and/or team achievements to reward and reinforce desired, demonstrated behavior, achievement, and results. Performance awards do not include defined merit pay programs that may be a part of bargaining unit compensation plans or other employee compensation plans, or salary performance incentives that may be included in individual employment contracts.

   2. **Service awards**: Cash or non-cash awards to honor length of service or retirement.

   ii. Performance Awards

      1. Cash or cash-equivalent (i.e., gift cards, gift certificates) performance awards in excess of $50 will be reported as taxable income to the recipient.

      2. Non-cash performance awards in excess of $50 in value will be reported as taxable income to the recipient.

      3. Notwithstanding the above, non-cash performance awards for safety achievement in excess of $400 in value will be reported as taxable income to the recipient.
4. Taxability applies even if the cash, cash-equivalent, or non-cash award are provided directly from University of Oregon Foundation funds.

iii. Service Awards
1. Cash or cash-equivalent (i.e., gift cards, gifts certificates) service awards in excess of $50 will be reported as taxable income to the recipient.
2. Non-cash service awards in excess of $50 in value will be reported as taxable income to the recipient.
3. Notwithstanding the above, non-cash service awards for length of service in excess of $400 in value will be reported as taxable income to the recipient.
4. Taxability applies even if the cash, cash-equivalent, or non-cash award are provided directly from University of Oregon Foundation funds.

d. Employee Fringe Benefits

i. A fringe benefit, generally speaking, is any benefit that is provided to an employee by their employer other than salary or wages. Unless they are exempted in the Internal Revenue Code (IRC), fringe benefits are reported as included in an employee's gross income. When included in gross income, they are processed through the payroll and are subject to income tax and FICA tax withholdings.

ii. The IRC describes categories of benefits that may qualify for exclusion from the employee's taxable income provided their restrictive criteria are met, including (but not limited to):
1. No-additional-cost service
2. Qualified employee discount
3. Working condition fringe
4. De minimis fringe

iii. All fringe benefits that are reported as included in an employee’s taxable income will be processed through the payroll system subject to withholding for taxes and retirement plan contributions (as applicable).

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 4: Business affairs

Related Resources:

Business Expense Guidelines

Procurement Card Program

Fiscal Policy Manual

Departmental Fiscal Procedures
University Foundation

Policy Number: I.01.02
Reason for Policy: This policy defines the recognition process, the relationship, role, and responsibilities of the university foundation.
Entities Affected by this Policy: All units of the university and the university foundation
Responsible Office: For questions about this policy, please contact Office of the President at 541-346-3036 or pres@uoregon.edu.

Website Address for this Policy:
https://policies.uoregon.edu/vol-1-governance/ch-1-governance-board-affa...

Enactment & Revision History:
Became University of Oregon policy by operation of law on July 1, 2014.
Former Oregon Administrative Rule, Chapter 580, Division 046
Revisions approved by Dr. Scott Coltrane, Interim President on June 30, 2015.

Policy:
1. Recognition of a Foundation
   1.1. The University of Oregon (University) president (President) may award recognition as an institution foundation (Foundation) to an entity that meets and maintains the requirements of these rules.
   1.2. Only one entity may have recognition as the Foundation. All private support of the institution not provided directly to the University shall be through the Foundation, or affiliated or associated organizations.
   1.3. To be eligible for recognition and to maintain continued recognition, the Foundation must:
      a. Be created and operated with the primary purpose of support of the University;
b. Have as its purpose the solicitation, management and/or investment of private support for the benefit of the University; and

c. Be organized and operated in a manner to permit compliance with this policy.

1.4. An entity seeking recognition as the Foundation shall submit to the president for review its:

a. Articles of incorporation;

b. Bylaws;

c. Any other of its organic or enabling documents; and

d. All subsequent amendments.

1.5. The President shall notify the governing body of the Foundation in writing of recognition and that compliance with these rules is a condition of continued recognition.

2. Privileges and Responsibilities of Recognition

2.1. Privileges of recognition by the President may include:

a. License to use the institution name, logos, informal seals, symbols and marks; and

b. Other privileges and responsibilities as agreed upon in a Memorandum of Agreement.

2.2. No individual, group or entity not awarded recognition under this policy shall use any of the privileges described in this policy or otherwise make use of the University name except as expressly approved by the University by license or contract.

2.3. The Foundation's governing body promptly shall provide to the President a resolution of acceptance of the condition expressed in this policy and such resolution of acceptance, in the form of a Memorandum of Agreement, shall be reaffirmed annually.

3. University Foundation Organization, Affiliates, Relationships

3.1. The Foundation shall be organized and operated pursuant to the Oregon nonprofit corporation law.

3.2. The Foundation shall obtain and maintain status as a tax-exempt entity pursuant to Section 501(C)(3) of the federal Internal Revenue Code and other similar Oregon statutes.

3.3. The Foundation's articles of incorporation or other governing documents shall require that, upon its dissolution or withdrawal of recognition, the Foundation's net assets shall, within the limitations imposed by legal and fiduciary rights and responsibilities, be
distributed to the University that awarded recognition, or another entity that has been awarded recognition by the University.

3.4. The Foundation may include as part of its organization one or more affiliates that support a particular unit or activity of the University but that are not separately incorporated.

   a. An affiliate may have an advisory board that reports to and is advisory to the Foundation governing body. University employees may serve on an affiliate's advisory board so long as they do not comprise a majority of the advisory board membership nor a majority of any quorum of such body. University employees may provide staff support for an advisory board.

   b. The Foundation shall not delegate to an advisory board of an affiliate its authority to hire personnel or to enter into contracts.

   c. A member of each advisory board of an affiliate should serve on the Foundation governing body whenever possible.

   d. No entity shall become an affiliate of the Foundation until the affiliation is approved in writing by the President.

3.5. The Foundation may establish or associate with another entity interested in the University, provided:

   a. The President in writing approves of such relationship prior to any operations;

   b. Such relationship does not impair or circumvent the requirements for Foundation independence; and

   c. All for-profit activities are approved by the President.

4. Foundation Independence from the University

   4.1. The Foundation shall be independent of the University.

   4.2. To assure independence, the Foundation's governing body, employees, and agents:

      a. Shall not be subject to control by the University or a University employee;

      b. Shall not give the appearance that the University or any of its officers or employees control the Foundation or its property, including investment of gifts and endowments made to the Foundation.

      c. No University employee may be a voting member of a governing body of the Foundation.

5. President's Responsibilities, Additional Rules
5.1. The President or designee shall be, and other University employees may be, ex officio, nonvoting members of the Foundation's governing body and of any executive or similar committee empowered to act for the governing body.

5.2. The President shall monitor Foundation activities and Foundation relationships to ensure compliance with this policy.

5.3. The President may establish additional written policies and guidelines applicable to the Foundation consistent with this policy.

6. Foundation and University Operational Procedures

6.1. A University employee may encourage gifts to the institution directly as well as through the Foundation.

6.2. In accepting gifts of any kinds, the Foundation shall:
   a. Obtain University approval of any restrictive terms and conditions, and advise donors that a restricted gift for the benefit of the University may not be accepted without University approval; and
   b. Coordinate with the University’s development office or other appropriate University officer regarding funding goals, programs or campaigns proposed by the University.

6.3. The Foundation shall report gifts to the Foundation and to the University as a result of Foundation activities. Such reports shall be made annually to the president.

6.4. Revenue received from a University activity, other than through normal development activities, shall not be deposited in a Foundation account.

6.5. The University and the Foundation shall develop and implement guidelines regarding the identification of funds so that the intended donee, whether University or Foundation, actually receives the funds, subject to the following:
   a. If the Foundation is the intended recipient of funds made payable to the University, the funds shall first be deposited in a state account and then transferred to the Foundation.
   b. Funds payable or gifts made to the University shall not be transferred to the Foundation unless accompanying documents demonstrate that the Foundation is the intended recipient.
   c. If the Foundation deposits funds in its accounts or receives other gifts intended for the University, the Foundation shall transfer those funds or gifts to the University.

6.6. Salaries, consulting fees, loans, perquisites or other benefits provided to or on behalf of a University employee, other than a student employee, by the Foundation shall be:
a. Approved by the Board of Trustees when paid to the President or other employee appointed directly by the Board of Trustees.

b. Approved by the President in writing.

c. Paid by the Foundation to the University, which in turn will make payments to the employee in accordance with normal University practice.

d. This subsection is not applicable to reimbursements for actual and necessary travel and other expenses incurred for authorized University or Foundation purposes that are reported by the Foundation to the President annually.

6.7. University Contract with Foundation:

a. The University may provide pursuant to a written contract limited and reasonable support to the Foundation, including but not limited to the cost of utilities and janitorial services and all or part of the salary and related personnel costs of staff support, from funds otherwise available to the University. As used in this policy, staff support is assistance by any personnel whose responsibilities and activities exclude policy making and other functions that would nullify the independence of the Foundation from the University.

b. The University shall contract with the Foundation regarding the terms and conditions for support and may contract for other purposes consistent with this policy. Any such contract and amendments thereto shall:

A. Accurately and fully describe the extent of such use and support and the consideration therefor;

B. Be approved by the President or their respective designees.

C. Funds received by the University because of a contract with the Foundation shall be placed in a current restricted account that is not a depository for donated or gift money.

7. Foundation Activities

7.1. Financial and other activities of the Foundation shall be administered and reported in accordance with law, prudent business practices and generally accepted accounting principles.

7.2. Audits and Financial Reports of the Foundation:

a. The Foundation shall be audited annually by a certified public accountant. The audit report shall be provided promptly to the President. The audit report shall be accompanied by a current list of Foundation officers, directors, trustees, managers and legal counsel and the officers of any group or entity described in Section 3.4 and 3.5 of this policy.
b. The Foundation shall permit the President, using University internal auditors, to inspect and audit all Foundation books and records at reasonable times. The Foundation shall provide such reports of and information on its financial status and operations as required by the President in order to assure conformance by the University and the Foundation with this policy.

8. Revocation of Recognition

8.1. The President may revoke recognition as provided therein, if the President finds that a Foundation or its operation conflict with this policy or the mission of the institution.

8.2. Prior to ordering revocation of recognition, the President shall notify the Foundation's governing body of the reasons that could form the bases for revocation of recognition. Within 30 days of receipt of the President's notification, the Foundation may in writing propose actions to remedy the deficiencies described by the President.

8.3. If the President approves the proposed actions, the Foundation's governing body shall implement the proposals within a time specified by the President.

8.4. If the President rejects the Foundation's proposed actions or finds that they are not adequately implemented, the President may revoke recognition by a written order to the Foundation's governing body specifying the reasons for revocation.

8.5. An order revoking recognition may be appealed to the Board of Trustees if filed with the University Secretary within 30 days of the date the President issues the order revoking recognition. The Board of Trustees shall review the President's decision but shall not reverse that decision unless the Board finds the President acted arbitrarily or capriciously.

8.6. An order revoking recognition shall terminate the Memorandum of Agreement and the privileges of recognition.

Download Policy

Chapter/Volume:

- Volume I: Governance
- Chapter 1: Governance and board affairs

University Policies

Policy Number: I.03.01
**Reason for Policy:** The purpose of this Policy is to promote University-wide consistency, clarity and understanding of the formulation, approval and promulgation of University of Oregon Policies.

**Entities Affected by this Policy:** All units of the university

**Responsible Office:** For questions about this policy, please contact the Office of the Secretary at 541-346-3166 or trustees@uoregon.edu.

**Enactment & Revision History:**

Amended on March 13, 2015 at recommendation of PAC and university senate

Approved by Dr. Scott Coltrane, Interim President on March 3, 2015

**Policy:**

**PREAMBLE**

Recognizing that the best approach to policy-making and excellence in a University setting is one that respects the longstanding tradition of shared governance in Higher Education by embracing the faculty’s role in governance, consulting with content experts, and considering the input of constituents affected by a policy, this Policy establishes the process for University Policy-making.

As provided in ORS 352.146, “[t]he president and professors constitute the faculty and as such have the immediate government and discipline of a university with a governing board and the students therein, except as otherwise provided by law or action of the governing board.”

As provided in ORS 352.029, the Board of Trustees of the University of Oregon (the “Board”) manages the affairs of the University of Oregon (the “University”) by exercising and carrying out all of the powers, rights and duties that are expressly conferred upon the Board by law, or that are implied by law or are incident to such powers, rights and duties.

As provided in ORS 352.107(m), the Board has the authority to establish Policies for the organization, administration and development of the University.

This Policy recognizes the University President’s on-going authority under the Board’s Policy on Retention and Delegation of Authority and the University of Oregon Constitution, to establish emergency and temporary Policies, Standards and Directives that are exempt from this Policy when the Board or the President deems it necessary or appropriate.

This Policy likewise recognizes the Board’s ongoing authority to adopt, revise, or repeal University Policies, Standards, and Directives by direct Board action, independent of this
Policy. The process set forth in this Policy will be the standard procedure for institutional policy-making.

1. Title. This Policy shall be known as the Policy on University Policies.

2. Purpose. The purpose of this Policy is to promote University-wide consistency, clarity and understanding of the formulation, approval and promulgation of University of Oregon Policies.

3. Definitions.

3.1 Policy. A University Policy (“Policy”) is a policy that (1) has broad application or impact throughout the University community, (2) must be implemented to ensure compliance with state or federal law, (3) is necessary to enhance the University’s mission, to ensure institutional consistency and operational efficiency, or to mitigate institutional risks; or (4) is otherwise designated by the Board or the President as a University Policy subject to the Policy-Making Process authorized in section 4. A policy establishes rights, requirements or responsibilities. Excluded from this definition are things such as, but not limited to, implementation guides, operating guidelines, internal procedures, and similar management controls and tools.

3.2 Academic Policy. A Policy that addresses curriculum, academic standards, academic standards of admission, academic freedom, tenure and promotion, major changes to academic programs, grading standards, student life that relates to the educational process, or other matters of an academic nature as commonly understood in higher education, as specified in Section 1.3 of the University of Oregon Constitution.

3.3 Responsible Office. An office designated by the Policy Advisory Council to be responsible for the development, review, maintenance and implementation of a Policy and for ongoing oversight of the Policy after its adoption.

4. Process. The following Policy-making Process shall be used for the efficient development, adoption, revision, or repeal of all new or existing Policies.

4.1 Any unit within the University such as a school, college, institution or department, may develop policies that relate solely to that unit so long as those policies do not conflict with applicable law and existing University Policies.

4.2 The President shall convene and maintain a Policy Advisory Council (PAC) and shall appoint a Chair or Co-Chairs. The President of the University Senate (“Senate President”) shall serve as a member of the PAC and may delegate a member of the faculty to act in his or her place when necessary. The University President, in consultation with others, including the Senate President, shall appoint students, faculty and staff to the PAC at his or her discretion. The PAC will advise and assist the President in the prioritization and organization of University Policies that are to be developed, adopted, revised, or repealed pursuant to the Policy-Making Process.
4.3 Any individual in the University community, any University unit, or the University Senate may submit a proposal for the development, revision or repeal of a Policy. Such a proposal shall be submitted to the University Secretary using a Policy Concept Form, to be developed and maintained by the University Secretary. On receiving a Policy Concept Form, the University Secretary shall post the Form on the Policy Library for public access and forward the Form to the Chair(s) of the PAC, who shall promptly forward it to PAC members.

4.4 For each Policy to be revised or repealed, or for each Policy Concept Form proposing a new Policy, the Chair(s) of the PAC shall designate a Responsible Office and will charge the Responsible Office with facilitating the development and review of Policies. The Responsible Office shall establish deadlines in connection with the development of a new Policy or for the review of an existing Policy for revision or repeal. The Responsible Office shall identify key constituent groups and subject matter experts for consultation regarding specific Policies. The Senate President shall inform the PAC Chair(s) if he or she considers a policy to be an Academic Policy. Policies determined to be Academic Policies shall follow those provisions outlined in section 5.

4.5 The Responsible Office, after consultation with groups identified pursuant to section 4.4, will draft proposed language for a new Policy, draft proposed language for the revision of an existing Policy, or recommend repeal of the Policy.

4.6 The Office of General Counsel shall review proposed language to ensure compliance with the law and existing University Policies.

4.7 The PAC shall ensure that each proposed revision, repeal or new Policy is made available for public comment. The PAC shall consider public comments and coordinate with the Responsible Office and General Counsel on any modifications resulting therefrom. For public comment on Academic Policies, see section 5.1.

4.8 The President will take action on the Policy or forward the Policy to the Board for consideration pursuant to the Policy on Retention and Delegation of Authority.

4.9 Notice concerning Policies that have been approved and published will be disseminated to vice presidents, deans, directors, the Senate President, the Senate Executive Coordinator, the presidents of the University’s collective bargaining units, the President of the ASUO, and other relevant persons or offices.

4.10 Following adoption of a Policy, the designated Responsible Office is responsible for assisting with the interpretation, administration, and oversight of the Policy and for developing standard operating procedures, guidelines, forms, user guides, and other materials to facilitate the implementation and enforcement of the Policy, as necessary.


5.1 For Academic Policies, the Senate President will initiate action within the Senate’s procedures and in collaboration with appropriate others. The Responsible Office for Academic
Policies shall be the Office of the Senior Vice President and Provost, which shall coordinate with the University Senate.

5.2 After action by the Senate, the Senate President will present the Policy to the University President, who will take action in accordance with Section 7.2 of the University of Oregon Constitution.

5.2.1 For each proposed new Academic Policy or change to an existing Academic Policy, if the President’s decision is contrary to a vote of the University Senate on the proposal, he or she shall come to the Senate within the time specified in Section 7 of the University of Oregon Constitution (60 days or longer if necessary) – as President of the Faculty – and suggest withdrawal or amendment. The Senate shall promptly consider the President’s request. If the President and the Senate cannot come to agreement after 60 days from the President’s presentation, the President and the Senate President shall jointly call a Faculty Assembly.

5.2.2 If a Faculty Assembly is called pursuant to section 5.2.1, the Statutory Faculty and President will fulfill their oversight obligations and exercise their authorities according to the procedures outlined in Section 9 of the University of Oregon Constitution.

5.3 Proposals regarding majors, programs, minors, certificates, courses, and degree requirements originate in academic units and are drafted by faculty. These items are not considered policies for the purpose of this Policy.

6. Policy Library. All current, enforceable, and official Policies shall be published on the University’s website in the online Policy Library and shall include the Policy’s revision history. Policies shall have force and effect once published. The publication shall include the Effective Date and the designated Responsible Office for each Policy. The official version of all Policies shall be maintained by the University Secretary.

7. Technical Revisions. The Secretary of the University, in consultation with the designated Responsible Office, shall have the authority to make technical revisions that do not alter the substance, scope, or objective of a Policy, which shall be exempt from the Policy-making Process, namely adding links, editing titles or office names to comply with organizational changes, formatting, or renumbering for organizational management.

8. Maintenance. The Responsible Office shall perform a review of each Policy at least once every ten years to ensure compliance with current laws, regulations and practices. A policy review schedule will be maintained in the Policy Library.

9. Emergency Policies. If the University needs to comply immediately with federal, state or local law, or in the case of a determined immediate emergency, the President, pursuant to the Policy on Retention and Delegation of Authority, may issue a temporary emergency Policy, or may temporarily suspend an existing Policy without following the procedures described in this Policy. Each action of this type shall have a duration of no more than six months unless a showing of necessity warrants a longer duration. If the President wishes to make the action
permanent, the President shall follow the procedures in this Policy.

10. **Transition.** This Policy on University Policies applies to University Policies developed, adopted, revised, or repealed after the effective date of this Policy. University Policies adopted prior to the effective date of this Policy shall, to the extent lawful, remain in effect until otherwise revised or repealed consistent with this Policy, independent Board action, or the processes specified in the Board’s Policy on Retention and Delegation of Authority.

11. **Amendment.** This Policy may be revised by the University President and University Senate.

**Related Resources:**
- Policy Concept Form
- University Records Management
- Policy Number: IV.10.01
- **Reason for Policy:** Oregon law states that Oregon public bodies “have a responsibility to ensure orderly retention and destruction of all public records, whether current or noncurrent, and to ensure the preservation of public records of value for administrative, legal and research purposes.” The University of Oregon ("the University") is subject to recordkeeping requirements established by state and federal laws. Reliable, authentic, complete records evidence decision-making and serve as primary vehicles for demonstrating compliance with policies and laws; preserving institutional memory; and, promoting business continuity.
- **Entities Affected by this Policy:** All University employees, volunteers, agents, units, and other individuals/entities acting on behalf of the University who create, manage, or otherwise retain University public records as defined in this policy.
- **Responsible Office:** For questions about this policy, please contact the University Records Manager at recordsmgr@uoregon.edu. The Responsible Executive Officer of this policy is the Vice President and General Counsel.

**Website Address for this Policy:**
Enactment & Revision History:

Enacted by President Schill on July 20, 2018.

Policy:

Policy Statement and Responsibilities

A. The University policy is to have a university-wide Records Management Program (the “Program”). Records Subject to Retention, as defined below, must be managed and retained for the specific periods of time set forth in the procedures that accompany this policy, in accordance with institutional or legal requirements, or for historical purposes.

B. The University shall maintain a records retention schedule for University Public Records that are Records Subject to Retention. The retention schedule shall be part of the procedures accompanying this policy. Records Subject to Retention must be retained and managed for the retention periods set forth in the University’s records retention schedule contained in the procedures accompanying this policy, and may only be disposed of according to that schedule. Except as provided in Section 1.5 and 1.6, when authorized by this policy (i.e., after the retention period is met), a University employee, volunteer, agent, or unit may destroy Records Subject to Retention according to the University’s record retention schedule.

C. Records that are not University Public Records, and Records Not Subject to Retention have no retention requirement and may be disposed of immediately. Such records containing confidential, sensitive or otherwise protected information should be destroyed in a secure manner such as shredding. Except as authorized by this policy and its accompanying procedures, no person may dispose of a University Public Record.

D. The University’s records retention schedule shall be established and maintained by the Program, shall be posted at recordsmanagement.uoregon.edu, and shall be reviewed every three years.

E. To the extent that state or federal laws prescribe retention periods for records not listed in the retention schedule or prescribe longer retention periods for records listed in the schedule, those laws are to be followed. While units are responsible for maintaining a general understanding of the laws and retention requirements that apply to their areas, units are encouraged to consult with the Office of the General Counsel (OGC) regarding questions about applicable legal requirements. Requests for changes in retention requirements within the schedule should be made to the University Records Manager and may be implemented only after approval by the University Records Manager in consultation with OGC.

F. From time to time, the application of the retention schedule may be temporarily halted for legal and/or administrative reasons. University Public Records may be material to a pending or threatened tort claim notice, litigation, or administrative proceedings or may become subject to an active public records request, subpoena, litigation discovery request, audit, internal or
external investigation, or litigation hold. Additionally, because organizational structures change over time, which may impact custodial responsibilities, it is possible to place an administrative hold on records that have otherwise met their retention period. In any of these triggering circumstances, and regardless of the terms of the University’s retention schedule, no University Public Records may be destroyed unless and until the triggering circumstance is concluded, and OGC approves their disposal. Units must inform OGC of any situation that might give rise to legal action as soon as the situation becomes apparent.

G. This policy supersedes any and all previous University records retention and destruction policies and related procedures. To the extent current University policies or procedures address specific retention requirements, those requirements are hereby amended to conform with this policy, its accompanying procedures and the retention requirements contained therein.

**ROLES AND RESPONSIBILITIES**

A. **The University Records Manager** shall direct the Program to develop, deliver, and monitor procedures and training to guide employees in how to create, maintain, protect, retain, and dispose of records in a manner consistent with legal requirements, operational needs, and preservation best practices.

B. **All employees, volunteers, agents, units, and other individuals/entities acting on behalf of the University** shall manage and dispose of records they create or receive in the course of business in accordance with the policy and accompanying procedures; and participate in Records Management trainings and related activities as requested.

C. **The University Archivist** will assist units holding Records Subject to Retention that may have long-term administrative or historical value, including identifying such records and developing a plan for their preservation and access.

D. **The Office of the General Counsel** shall coordinate discovery and public records requests and has the authority to suspend retention periods due to a pending public records request, subpoena, litigation discovery request, audit, internal or external investigation, or litigation hold.

E. **Executive leadership** shall allocate time required of employees to achieve compliance with the policy; work with direct reports to ensure recordkeeping responsibilities are met; and complete annual Records Management training.

F. **Senior leadership, such as Associate Vice Presidents, Deans, Directors, or their designees**, shall work with their direct reports to identify one or more employees who will serve as the Records Steward(s) for their designated areas and empower them to lead Records Management activities; support Records Steward’s participation in training and implementation activities; ensure that individual employees in their portfolios receive appropriate guidance; and complete annual Records Management training.

G. **Records Stewards**, shall guide the systematic maintenance and disposal of records and cooperation of all employees; serve as a resource to others in their units/departments/programs; and complete annual Records Management training. The criteria, time commitment, and scope of work for Records Stewards shall be described in the procedures accompanying this policy.
ENFORCEMENT

A. This policy has the force of law pursuant to Oregon law. It may be enforced through appropriate employee and volunteer personnel procedures, contract administration procedures, and student conduct code proceedings. In the event that the procedure used in a particular case does not include an opportunity for an appeal of any initial decision to a higher level within the University, the person aggrieved by such a decision may, within ten days of the decision, appeal the decision in writing to the University Records Manager.

DEFINITIONS

A. “University Public Record” means any book, document, paper, file, photograph, sound recording, computerized recording in machine or electronic storage, records or other materials, regardless of physical form or characteristic, made, received, filed or recorded at the University pursuant to law or in connection with the transaction of any University business or activity, whether or not confidential or restricted in use or access. These records constitute University property.

1. “Records Subject to Retention” means University Public Records identified in the University’s Retention Schedule or in a federal or state law prescribing a retention period for such records.

2. “Records Not Subject to Retention” means University Public Records that are not subject to retention. They include, but are not limited to:

- Messages on voice mail or on other telephone message storage and retrieval systems.
- University Public Records that are duplicates by reason of being photocopies or electronic copies.
- Transmittal and acknowledgment letters or emails.
- Spam, advertising, and announcements.
- Correspondence or notes pertaining to reservations of accommodations or scheduling of personal visits or appearances.
- Private emails or other messages or records that do not relate to University business or activities.
- Electronic text messages sent from one cellphone to another.
- Temporary records that may result from communication technologies (e.g., instant messaging, image messaging, and other multimedia mobile applications or technologies that may be developed and used in the future).
- Superseded drafts of letters or emails, minutes, notes, memoranda, reports, or articles.
- Desk, telephone, or meeting notes intended for temporary or personal use.
- Daily calendar or scheduling information.
- A stock of publications.
- Library and museum materials made or acquired and preserved solely for reference or exhibition purposes.
• Any metadata associated with a Record Not Subject to Retention.

Chapter/Volume:
- Volume IV: Finance, Administration and Infrastructure
- Chapter 10: Public records and retention

Related Resources:
University Records Management Procedures – http://recordsmanagement.uoregon.edu

University Venture Development Funds

Policy Number: IV.11.05
Reason for Policy: This policy outlines matters pertaining to the University Venture Development Fund, consistent with the Venture Grant Program outlined in state law.
Entities Affected by this Policy: University of Oregon Research & Innovation (and related departments); Finance & Administration; University Advancement; other university employees working within the matters described above.
Responsible Office: For questions about this policy, please contact the Office of the Vice President for Research and Innovation at 541-346-2090 or University Advancement at 541-346-3016.

Website Address for this Policy:
https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/university-venture-development-funds

Enactment & Revision History:

4/19/18: Revisions approved by President Schill. Policy renumbered from 580.043.0060-0100 to IV.11.05.

9/3/15: Technical revisions enacted by the University Secretary

7/1/14: Became a University of Oregon Policy by operation of law

Former Oregon Administrative Rule Chapter 580 Division 43, Sections 0060-100.

Policy:
A. Purpose; Definitions

(1) Purpose. This policy authorizes the University of Oregon (“University”) to establish a Venture Development Fund to provide moneys to facilitate the commercialization of the University’s research and development. Within the scope of this purpose and subject to these policies, the University may use moneys in its Fund to provide:

(a) Capital for University innovation and entrepreneurial programs;

(b) Opportunities for University students to gain experience in applying research to commercial activities;

(c) Proof-of-concept funding for transforming research and development concepts into commercially viable products and services;

(2) Definitions:


(b) Entity: any governmental body or agency, association, partnership, corporation, limited liability company, or other organization, however described or named and regardless of legal status, other than a Person.

(c) Person: a natural person or sole proprietorship.

(d) Venture Development Fund or Fund: A fund authorized by the Act.

(e) Venture Grant Program or Program: A grant program authorized by the Act.

(f) University: University of Oregon.

(g) Department of Revenue: the Oregon Department of Revenue.

(h) General Fund: the general fund of the State of Oregon.

(i) Remain in Oregon: maintaining the Entity headquarters in Oregon; or employing a majority of employees (on a full-time equivalent, head-count, or payroll basis) in Oregon.

(j) Board: the Board of Trustees of the University of Oregon.
(k) Tax Credit Certificate: a certificate authorized by the Act and in a form designated by the University that evidences a contribution to a Venture Development Fund.

(l) Donor: a person or entity that makes a contribution to a Fund authorized by the Act and this policy.

(m) Taxpayer: a person or entity that makes a contribution to a Fund authorized by the Act and this policy and that applies for a tax credit certificate authorized by the Act and this policy.

(n) Gross Royalty Income: cash realized by the University from royalties, milestone and license fee payments and from the sale of equity as a result of grants made under the Program.

B. Establishment of a Venture Development Fund by the University

(1) The University may establish a Fund in accordance with the Act and this policy.

(2) If the University establishes a Fund, it shall:

(a) Notify the Board and the Department of Revenue of the establishment of the Fund;

(b) Either directly or through its affiliated foundation solicit contributions to the Fund and receive, manage, and disburse any such contributions and the earnings thereon;

(c) Subject to the Act and this policy, issue tax credit certificates to contributors to the Fund. Taxpayers making a contribution to the University’s fund and wishing to receive a tax credit certificate evidencing that contribution must submit the contribution, together with an application for tax credit certificate, in a form designated by the University, to the University or, if directed by the University, to its affiliated foundation. A tax credit certificate will be issued to the Taxpayer unless the contribution exceeds the University’s then current tax credit certificate issuance authority, the Taxpayer’s application is incomplete, or the University cannot verify receipt of the Taxpayer’s contribution;

(d) Establish a grant program that meets the requirements for a Venture Grant Program under the Act and this policy;

(e) Subject to available moneys from the Fund, provide qualified grant applicants with moneys for the purpose of facilitating the commercialization of university research and development and related University student experiential education; and

(f) Report to the Department of Revenue the amounts of tax credit certificates issued by the University and maintain records of licensing and royalty revenue received by the University as the result of grants made from the Fund and records of amounts paid to the General Fund under the Act.
(3) The use of moneys donated under this policy may not be directed by a Donor. Rather, all moneys shall be available for the purposes set forth in the Act and this policy without regard to specific Donor instructions, except that the University or its affiliated foundation may charge its customary administrative assessment to manage the Fund as permitted by the Act. Except as authorized by law, no other fees or indirect costs may be charged against the Fund or any associated grants or other disbursements from the Fund.

(4) At the election of the University, moneys in a Fund may be held in the form of an endowment. The University may discontinue endowment treatment at any time.

C. Allocation of Authority to University to Raise Funds and Issue Tax Credits

(1) The University has established a Venture Development Fund in accordance with the Act and these rules. The program is managed by the Office of the Vice President for Research and Innovation (OVPRI). The Vice President for Research and Innovation shall annually designate and announce the Program tracks available for donor support on or before August 1 of each year.

(2) The University has authority for fundraising, and commensurate tax credit certificate issuance authority, as established by the Oregon State Legislature. Such authority shall be contingent on the establishment of a Fund in accordance with the Act and these rules and subject to the rule on redistribution of authority to raise funds and issue tax credits.

(3) Notwithstanding section (2) of this policy, immediately upon deposit into the General Fund of amounts transferred by the University in repayment of tax credits previously issued, the University may issue new tax credits in an amount not to exceed the transferred amount.

(4) The amount owed to the General Fund by the University may not exceed a threshold established by the Oregon State Legislature at any one time.

D. Redistribution of Authority to Raise Funds and Issue Tax Credits

The presidents of any two or more universities that have established a university venture development fund under Oregon Law may reach an annual agreement for the reallocation of amounts within their respective limits under the UVDF.

E. Eligibility to Receive Grants

(1) Subject to compliance with this policy, the University may make grants to itself for use by a constituent part of the University or to Entities but not to Persons other than University students participating in a formal University program supporting by the VPRI. The VPRI shall establish criteria for the receipt of grants under the Program. Each prospective recipient shall submit an
application to the University. Each grant shall be documented and implemented through an appropriate grant agreement and each grant agreement shall provide that the recipient, if other than a public agency, remain in Oregon for at least five years following the final disbursement of funds under the agreement or repay the grant plus compound interest at 8 percent per annum. Other criteria shall be as determined by the University except for the following:

(a) All grants must be used to facilitate the commercialization of the University’s research and development, which includes OVPRI programs that support related experiential education for University students (including postdocs)

(b) Priority should be given to applicants who can demonstrate with specificity that their efforts will result in technology with high commercial potential and societal impact

(2) To at least some degree, a Program as a whole, but not each individual grant, must provide:

(a) Capital for university entrepreneurial programs;

(b) Opportunities for students to gain experience in applying research to commercial activities;

(c) Entrepreneurial opportunities for persons interested in transforming research into viable commercial ventures that create jobs in this state; and

(d) Proof-of-concept funding for transforming research and development concepts into commercially viable products and services.

(3) The University shall screen potential awards for conflicts of interest. No award shall be made if an identified conflict of interest cannot be eliminated or managed.

F. Tax Credit Certificate and Grant Record-Keeping and Reporting

(1) The University shall retain copies of all tax credit certificates that it issues. Upon every issuance of a tax credit certificate by the University, and promptly after Board adoption of an order or resolution establishing or modifying the University’s allocation of tax credit certificate issuance authority, the University shall calculate and record in its records the amount, if any, of its fundraising and tax credit certificate issuance authority then remaining unused.

(2) As requested by the Board from time to time but no less often than annually, the University shall submit a written report to the Board summarizing its fundraising activity, amounts transferred to the General Fund, and issuance of tax credit certificates since its most recent report to the Board under this section and specifying its fundraising tax credit certificate issuance authority and the amount of that authority remaining unused as of the date of the report. The report shall include the number of tax credit certificates issued, the amount of funds raised by the
University, and the amounts transferred to the General Fund since its most recent prior report to
the Board under this section.

(3) As requested by the Board from time to time but no less often than annually, the University
shall submit a written report to the Board summarizing the grants made by the University under
its Program and how they serve the goals of the Act and this policy.

G. Recoupment of Tax Credits

The University shall monitor the use of Program grants and identify sources of Gross Royalty
Income received by the University as the result of the use of the grants. The University shall
cause the transfer of 20 percent of such Gross Royalty Income to the General Fund but not to
exceed the amount of the tax credit certificate issued by the University as a result of
contributions to the Fund. This does not preclude transfers from other sources. Immediately upon
deposit of the transferred amount into the General Fund, the University may issue new tax credit
certificates in an amount not to exceed the transferred amount. The University shall maintain
records of all transfers to the General Fund.

H. Reports to the Legislative Assembly

The University shall report annually to the Legislative Assembly or, if the Legislative Assembly
is not in session, to the interim legislative committees on revenue. The report shall be at the end
of the fiscal year of the University or of its affiliated foundation and provide information for that
fiscal year. The University shall include in the report all information required by the Act.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure

Related Resources: NA

Unmanned Aircraft Systems Policy

Policy Number: IV.05.07
Reason for Policy: The purpose of this Policy is to facilitate the operation of unmanned aircraft
systems (“UAS”) and model aircraft for teaching and research; mitigate any risks to individuals
and organizations potentially affected by UAS and model aircraft operations; and ensure
compliance with federal, state, and local laws, as well as regulations and contracts.
Entities Affected by this Policy: This Policy applies to all University of Oregon employees,
students, volunteers, vendors, and all visitors (invitees and licensees) who operate or seek to
operate all aircraft, including UAS and model aircraft, on or above any University property or at
any University sponsored event.
Emergency landings and landings for emergency support (e.g., Life Flight) are not governed by this Policy. Nor are UAS flights by University of Oregon employees unrelated to their University employment and not on or above any University property or at any University sponsored event.

**Responsible Office:** For questions about this policy, please contact the Office of the Vice President for Finance and Administration at 541-346-3003.

**Website Address for this Policy:**

[https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...](https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...)

**Enactment & Revision History:**

Approved by University President Michael Schill on March 28, 2017.

**Policy:**

**OVERVIEW**

UAS and model aircraft offer significant opportunities for teaching and research and provide the University community with valuable experiences in a wide range of disciplines. At the same time, UAS and model aircraft present unique health and safety risks, environmental risks, regulatory issues, and privacy concerns that must be balanced with the University’s other missions. The University of Oregon is committed to providing an academically vigorous, safe, and secure environment for all individuals. Inherent risks in operation of UAS and model aircraft necessitate proper safety practices, privacy restrictions, insurance protections, and requisite oversight of and authority for operation of UAS and model aircraft on University property, University sponsored events, or offsite in support of the University’s research, teaching, and business activities.

Operation of UAS and model aircraft is regulated by the Federal Aviation Administration (“FAA”) and federal, state, and local laws. The University shall develop procedures to comply with this Policy and all applicable statutory and regulatory expectations governing the operation of UAS and model aircraft, and to reduce risks to safety, security, and privacy.

Any UAS or model aircraft operation by University employees, students, volunteers, vendors, and all visitors (invitees and licensees) must be approved in advance by Safety and Risk Services’ (“SRS”) Chief Resiliency Officer (or their designee) through the UAS Procedures referenced below. All such operations must also comply with all federal, state, and local laws and University policies.

**GUIDELINES**
I. Office of the Vice President for Research and Innovation (“Research and Innovation”) and Safety and Risk Services (“SRS”), will assist with processing requests for UAS and model aircraft activities consistent with applicable federal, state, and local laws and regulations and University of Oregon (UO) policy requirements.

II. FAA regulations; federal, state, and local laws; and applicable UO policies must be followed in conjunction with any UAS or model aircraft activities.

III. Operation of UAS or model aircraft on any UO property or at any UO sponsored event is prohibited unless approved in advance by SRS’ Chief Resiliency Officer or their designee. SRS will seek review and input from Research and Innovation, the UO Police Department (UOPD), the Office of the General Counsel (OGC), and other stakeholders familiar with a particular request.

IV. Do not use UAS or model aircraft to monitor or record activities where there is a reasonable expectation of privacy.

   A. Using a UAS or model aircraft to record or observe areas such as camps or campus settings where minors are cared for or taught is prohibited unless expressly approved by SRS in advance.

   B. UAS and model aircraft must not be used for unapproved recordings of any campus events or performances, or for any unlawful purpose.

   C. Do not use a UAS or model aircraft to see inside a building unless expressly approved by SRS in advance.

V. Do not operate or participate in the use of UAS or model aircraft while under the influence of drugs or alcohol, or in a reckless or careless manner.

VI. Do not operate UAS or model aircraft directly over non-participants in the flight operations unless expressly approved by FAA and UO.

VII. Do not fly a UAS or model aircraft beyond line of sight.

VIII. Under FAA guidelines, Temporary Flight Restrictions (TFRs) may be implemented on UO property or at any UO sponsored event, which prohibit any type of UAS or model aircraft operations from taking place (e.g., UO sporting events). As needed, UO may issue additional “No Drone Zones” on UO property or at any UO sponsored event, which prohibit any type of UAS operations from taking place. (For example, the FAA prohibits all aircraft at or below 3,000 feet within a 3-mile radius of any stadium with a seating capacity of 30,000 or more people when there is a NCAA Division I football game occurring and one hour before and after the game.)
IX. The operation of UAS by UOPD and/or the UO Emergency Operations Center (EOC) may be exempt from this policy based on the determination of emergency needs. During such operations UOPD will follow internal department protocols consistent with federal, state, and local laws.

X. UAS Operated for Civil/Commercial or Public Operations/Government Purposes on Behalf of the University of Oregon.

A. Any University employee wishing to operate a UAS as part of their University employment, or any student, volunteer, vendor, or visitor (invitee or licensee) wishing to operate a UAS on behalf of UO, must do so under a Section 333 Exemption and Certificate of Authorization (COA) issue by the FAA, or a civil operation under Part 107. B. UAS owned by the UO of Oregon and used on behalf of the UO for Civil/Commercial or Public Operations/Government purposes will be operated under the authorization of the FAA, applicable federal, state, and local laws, and the UAS policy and procedures.

1. This authorization could take the form of an FAA Section 333 Exemption or Part 107 approval (for civil/commercial use) or a Public Use COA (for public/government use), and will be limited to a specific location and outline the conditions, parameters, and limitations of flight operations.

2. Those operating UAS under an FAA Section 333 Exemption or Part 107 approval must also review and be aware of all FAA specifications, and file for any necessary amendments in advance.

3. UAS owned and operated by the UO and used for Civil/Commercial or Public Operations/Government purposes on behalf of the UO must also comply with any applicable state law requirements, such as UAS registration with the Oregon Department of Aviation.

4. UOPD will work in conjunction with Research and Innovation, OGC, and local law enforcement jurisdictions for any UO sponsored events that do not occur on UO property.

XI. UAS Operated for Hobby or Recreational Purposes (“Model Aircraft”) on University Property or at a UO-Sponsored Event.

A. All UAS operated for a hobby or recreational purpose on UO property or at a UO-sponsored event are considered “model aircraft” for purposes of this policy.

B. Individuals may operate model aircraft for recreational purposes, provided that they obtain prior approval from SRS under the processes outlined in the UAS procedures and
follow federal, state, and local law and UO policies, including but not limited to FAA guidelines and the Student Conduct Code. Furthermore, the model aircraft remote pilot must comply with all federal, state, and local laws, UO policies, and the additional safety requirements listed in Section II.B of the UAS procedures.

C. Any remote pilot of a model aircraft flown for hobby or recreational purposes on UO Property or at a UO-sponsored event found to be operating in an unsafe manner may, in addition to the consequences listed below (“Accountability”), be prohibited from additional flights on UO Property or at UO-sponsored events.

XII. Data recorded from operation of a UAS on behalf of UO, including images, video and audio recordings, shall be maintained in accordance with university records retention policies and schedules and UAS procedures.

ACCOUNTABILITY

I. Any individual or organization found to be operating a UAS or model aircraft on UO property or at a UO sponsored event in violation of any federal, state, or local law, or applicable UO policies or procedures (including the UAS Policy and procedures) will subject the responsible persons to discipline in accordance with applicable UO policies and Collective Bargaining Agreements (“CBAs”), an order to cease operation of the aircraft, and/or an order to leave the premises or property owned or controlled by UO. Violators will be held accountable for their actions, including but not limited to:

A. Volunteers are subject to reprimand or loss of volunteer status.

B. Students are subject to the Student Conduct Code.

C. Employees are subject to corrective action up to and including termination pursuant to applicable UO policies and CBAs.

D. All are subject to the consequences resulting from the violation of federal, state, and local laws, which may include civil or criminal liability.

II. Violations will be considered in future UAS and model aircraft requests.

III. Legal prohibitions regarding physical presence on campus, trespassing, and other legal action may also be pursued against individuals and organizations that operate UAS or model aircraft in violation of this policy and its procedures.

IV. UO is not responsible for any damage resulting to a UAS or model aircraft. Fines or damages incurred by individuals that do not comply with the UAS policy and/or procedures will
not be paid by UO, and the remote pilot(s) will be responsible for any property damage or losses resulting from the operation of UAS or model aircraft.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 5: Public Safety and Risk Services

Related Resources: Procedures and Definitions Related to UAS Policy: UAS Procedures

Original Source: UO Policy Statement

Use of Email for Official and Mass Communications

Policy Number: IV.06.07

Reason for Policy: The university must be able to communicate quickly and efficiently with employees and enrolled students in order to conduct official university business. E-mail is an available and appropriate medium for such communication. E-mail is also an efficient, cost-effective, and environmentally sustainable way to communicate with large groups of people. However, non-strategic use of mass e-mail can reduce employee productivity, burden the IT infrastructure, and hinder the university’s ability to deliver critical messages. Recognizing these expectations and concerns, this policy establishes e-mail as an official form of university Communications and establishes the requirements for use of mass e-mail.

Entities Affected by this Policy: Anyone with access to a university email account.

Responsible Office: For questions about this policy, please contact University Communications at 541-346-3134 or uonews@uoregon.edu.

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure/ch-6-information-technology/use-email-official-and-mass

Enactment & Revision History:

Revisions approved by President Michael H. Schill on January 25, 2017. Merged with former UO Policy 01.00.15 and new policy number assigned: IV.06.07

02/08/2010 Policy number revised from 1.000 to 01.00.11
08/09/2005 Issued by: Vice President for Administration

Policy:

Unless otherwise prohibited by law, the University of Oregon (University or UO) may send official University communications to employees and students by e-mail to an account provisioned by the University with the full expectation that such e-mails will be read by the recipient in a timely fashion.

I. Assignment of E-mail Accounts

All UO students and employees are provisioned an account in the uoregon.edu domain, which is designated as their “UO e-mail account.” The UO e-mail may not be changed absent University approval. University communications that are sent by e-mail will be sent to UO e-mail accounts.

II. Responsibilities

Employees and students are expected to review messages received through their UO e-mail account on a frequent and consistent basis. Individuals must ensure that there is sufficient space in their accounts to allow for e-mail to be delivered. Communications may be time-critical. Individuals should use UO e-mail accounts for all University-related e-mail communications.

III. Use of Mass E-Mail

University mass e-mail is an e-mail message sent to any large campus audience (e.g. all students, all undergraduate students, all faculty, all staff, etc.). In this policy, mass e-mail does not include messages sent within a unit, department, school, college or similar subset of the university population. All mass e-mails shall follow the UO’s mass e-mail guidelines and procedures and be consistent with any applicable state and federal laws.

Mass e-mail is restricted to information that (i) pertains to the majority of the recipients, (ii) is critical or time sensitive, and (iii) meets one or more of the following standards:

- Alerts the campus community to situations about health and safety risks, as defined in the UO Crisis and Emergency Notification procedures;
- Provides information essential to the operation or execution of business;
- Notifies the campus community about changes in university governance, policy, and practice; or
Communicates important information from the president, provost, or other member of university senior leadership as defined in the mass email guidelines and procedures.

IV. Forwarding of E-mail

Individuals who choose to forward e-mail received on a UO e-mail account to a different e-mail address do so at their own risk. The University is not responsible for e-mail, including attachments, forwarded to any e-mail address.

V. Instructional Use of UO E-Mail Accounts

Faculty should use UO e-mail accounts for e-mail communication with students. The University’s course management system requires that faculty and students use their UO e-mail account to gain access to the system.

VI. Departmental Servers

E-mail accounts with addresses such as hr.uoregon.edu or law.uoregon.edu do not qualify as a UO e-mail account for purposes of this policy. Employees and students who prefer to use such accounts must forward e-mail to them. Such accounts are subject to Section IV above.

VII. Accessibility

E-mail sent by the University must use best practices for being accessible to message recipients. When creating an HTML mass e-mail message, senders must follow University guidelines and procedures.

Chapter/Volume:

- Volume IV: Finance, Administration and Infrastructure
- Chapter 6: Information technology

Related Resources:

https://communications.uoregon.edu/internal-mass-e-mail-requirements-guidelines-and-best-practices

https://brand.uoregon.edu/accessibility-practice

Emergency Notifications via Email (“UOAlert!”) - http://safety.uoregon.edu/content/uo-alert
Use of Seal, Logo and Related

**Policy Number:** I.01.03  
**Reason for Policy:** The purpose of this policy is to establish guidelines and regulations for the use of the University Seal, the Oregon Duck, the logo and other related brand and trademarked information.  
**Entities Affected by this Policy:** All units of the university  
**Responsible Office:** For questions about this policy, please contact the Office of the Secretary at 541-346-3166 or trustees@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-1-governance/ch-1-governance-board-affa...

**Enactment & Revision History:**

Amended on October 29, 2015 by President Michael H. Schill. (Previously UO Policy 07.00.01.)

**Policy:**

**Use by External Parties**

The University of Oregon does not lend, endorse, sponsor, or partner with external parties through the use of its name, logos, campus images or photos of buildings and grounds in a way that could imply an endorsement or sponsorship of a company, individual or other entity, its products, charitable contributions, or other business activities unless formal written approval has been granted. The University has existing relationships with charitable organizations, manages sponsorships with businesses through its Intercollegiate Athletic Department and University Advancement Office and has a formal trademark licensing program managing the use of its trademarks.

**Requirements of Consent**

A waiver to this prohibition may be considered if such endorsement is the subject of an agreement of substantial importance and value to the University, who retains all rights to make such decisions. The external entity proposing a waiver must submit a formal request to the Brand Management office. The decision to grant a waiver and the extent of the same shall be at the
discretion of that office, taking into consideration, among other things, the University's marketing and brand management's goals:

To promote and protect the University through implementation of a management system which establishes the means for consistent, favorable, and professional use of the brand and the trademarks and to fulfill the legal obligation to protect the University's image and trademarks.

The University of Oregon prefers to negotiate waivers request with a minimum of three weeks advance notice and reserves the right to deny negotiations if the timeliness factor is not observed.

Use by Internal Parties

University of Oregon logos, symbols, and seal may be used by internal parties only for purposes which will promote the goals and purposes of the University.

The director of Marketing Communications is authorized to approve any published logo that represents the University of Oregon in whole or in part. Responsibility for ensuring that only approved logos appear in publications and in advertisements shall be with the head of the department placing the printing order. The Vice President for Communications or his/her designee is authorized to grant exceptions to this.

Use of logos or the seal shall follow guidelines established and available at [http://brand.uoregon.edu](http://brand.uoregon.edu).

The registrar is authorized to use the university seal on official papers such as diplomas, transcripts and other official documents of that office. The president has designated the University Secretary as the official keeper of the university seal and has delegated to the vice president for Communications or his/her designee authority to make any other determinations about use of the university seal and signature marks.

The Oregon Duck

The Oregon Duck is copyrighted and licensed to the university under a special agreement. Special care must be taken when using this mark. Use of the costume character is coordinated through the Department of Intercollegiate Athletics. Other uses of the Oregon Duck are managed through the Offices of Marketing Communications and Brand Management.

Administration

The Marketing Communications and Brand Management Offices shall be responsible for implementation and interpretation of the University of Oregon's identifying marks or images by external parties and for negotiating the required contracts. For more information, see the Trademark Licensing policy.
Marketing Communications shall be responsible for implementation and interpretation of the use of the University of Oregon’s seal or logo by internal parties.

Chapter/Volume:

• Volume I: Governance
• Chapter 1: Governance and board affairs

Related Resources:

http://brand.uoregon.edu

Use of Student Building Fees

Policy Number: III.03.03
Reason for Policy: This policy contains matters pertaining to student fees for capital construction projects.
Entities Affected by this Policy: All students, as well as employees whose work relates to the above matters.
Responsible Office: For questions about this policy, please contact the Office of Student Life at 541-346-3216

Website Address for this Policy:

https://policies.uoregon.edu/vol-3-administration-student-affairs/ch-3-tuition-student-fees/use-
student-building-fees

Enactment & Revision History:

Revisions enacted by the President, and policy renumbered to III.03.03 and renamed (formerly “Student Building Fee Project Process”) on September 20, 2017.

Technical revisions enacted by the University Secretary on September 2, 2015.

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

Former Oregon Administrative Rule Chapter 580 Division 10, Sections 0100 through 0140.

Policy:
The Associated Students of the University of Oregon (ASUO) shall establish and convene a Student Planning and Construction Committee (SPCC), to review proposals and make recommendations on capital projects proposed to be funded, in whole or in part, from income from the student building fee and on projects impacting a facility in which operations are or will be funded, in whole or in part, from Incidental Fee income.

The University of Oregon shall recognize the role of the SPCC and will incorporate the SPCC’s recommendations into the approval process before decisions are made on capital construction projects funded, in whole or in part, from Student Building Fee income and any major renovations and new construction projects in which operations are or will be funded, in whole or in part, from Incidental Fee income, insofar as these projects might require an increased appropriation of operational funds. Any SPCC decision impacting the appropriation of the Incidental Fee shall require ASUO consideration and recommendation, in accordance with the Incidental Fee Authorization policy.

Specifically, the SPCC shall review capital projects presented by the university and recommend whether each such project should be approved and the relative priority of each such project. The committee may also request consideration of additional projects or project modifications that the committee or student government identifies independently.

The SPCC shall be comprised of seven members: three (3) students appointed by the ASUO President no later than September 1 of each year; one (1) representative of the Student Senate, to be designated by the Student Senate no later than October 1 of each year; one (1) graduate student representative, to be appointed by the ASUO President no later than September 1 of each year; one (1) at-large member elected by the student body during the prior year’s regular spring ASUO elections, and; the ASUO Vice President, who shall serve as an ex-officio non-voting member, except in case of a tie, when the ASUO Vice President shall cast the tie-breaking vote. In the event the seat of the at-large elected representative becomes vacant, the ASUO President shall appoint a replacement in accordance with the ASUO governing documents. The ASUO President (or designee) shall provide a list of SPCC members to the University President (or designee) no later than October 15 each year.

The SPCC shall be responsible for formulating and revising its own operating bylaws, in accordance with ASUO governance documents, University policy, and applicable law. These bylaws must not conflict with or impede the university’s capital construction process. All student projects will follow university processes and procedures, including Campus Planning Committee, Design Review Board, and any other formal parts of the capital project process.

The ASUO President shall convey the recommendations of the SPCC in writing to the University President (or designee). The University President shall review the recommendation(s) of the SPCC with the ASUO President prior to the deadline for submitting recommendation(s) to the University’s Board of Trustees. If the University President does not agree with the recommendations of the SPCC, the University President and ASUO President shall make good a faith effort to reach an agreement. This agreement may be conveyed in the form of a memorandum of understanding or other form of written communication deemed appropriate. If
agreement is not reached, the University President and the ASUO President may submit their recommendations for the allocation of the Student Building Fee to the Board of Trustees separately. The University President shall disclose that agreement has not been reached with the ASUO President.

Nothing in this policy is intended to preclude the University President from submitting capital construction projects to the Board of Trustees or limit any of the authority the Board reserved for itself in PRDA § 1.7.4 (i.e. capital projects exceeding $5 million).

Chapter/Volume:

- Volume III: Administration of Student Affairs
- Chapter 3: Tuition and student fees

Related Resources: NA
Original Source: Oregon Administrative Rule

Vehicles

Policy Number: IV.08.03
Reason for Policy: This policy outlines requirements and limitations pertaining to operations of state-owned, hired, and borrowed vehicles including driver qualifications, driver certification, vehicle qualifications, vehicular usage and travel, vehicle accidents and emergencies, and vehicle maintenance and repair.

Entities Affected by this Policy: General UO audience, including all employees, students, and authorized volunteers of the university.
Responsible Office: Transportation Services: 541-346-5444, transportation@uoregon.edu

Website Address for this Policy:

https://policies.uoregon.edu/vol-4-finance-administration-infrastructure...

Enactment & Revision History:

5/21/18: New policy enacted by the university president. This policy consolidates and revises four prior policies (08.00.01, 08.00.03, 571.0101.0100-0140, and 580.040.0025-0030).

Policy:

A. Definitions Subject to Vehicle Policy
(1) "Employees" mean those personnel on the University of Oregon payroll and temporary personnel.

(2) "Student" means a person currently enrolled/registered at the University of Oregon.

(3) “Volunteer” means a person appointed to perform official University duties as a public service without remuneration.

(4) “University Entity” refers to groups (including colleges, schools, departments, and other university organizational units, recognized faculty groups, recognized student groups, academic student groups, and self-defined groups of three or more members of the Statutory Faculty conducting university business.

(5) "Vehicle" means cars, vans, motorcycles, trucks, golf carts, utility vehicles, buses, and construction vehicles such as forklifts, skid loaders, and tractors;

(6) "State-Owned Vehicle" means a vehicle owned by or registered in the name of the State of Oregon, the University, or any of its departments;

(7) "Hired Vehicle" means a vehicle that is leased, hired, or rented by the state, the Board, the University, or any of its departments. This definition excludes private vehicles;

(8) "Private Vehicle" means a vehicle that is not a "state-owned vehicle" or a "hired vehicle" that is privately owned, loaned, or borrowed by employees, students, or others participating in University activities and used for university business travel;

(9) "University-Business Travel" means any activity for which all or part of the expenses may be reimbursed by any unit, department, or program of the University, or any travel conducted on behalf of, or by, a university entity.

**B. Driver Qualifications**

(1) To drive any vehicle for university-business travel, a driver must be certified through the University of Oregon Driver Certification process prior to driving any vehicle for university-business travel.

(2) To drive a van for university-business travel, a driver must also complete the required van-training.

(3) To drive a private vehicle for university-business travel a driver must also:

   (a) Carry liability, uninsured motorist, and personal injury protection insurance on the vehicle, as per state law; and,
(b) Comply with all university travel registration procedures.

(4) It is the responsibility of the driver to ensure all driver qualifications are met.

**C. Vehicle Qualifications**

(1) All vehicles operated for university-business travel must:

(a) Be in conformance with the vehicle specifications provided by the manufacturer’s owner's manual, current state and federal regulations, and OSHA requirements; and

(b) Be equipped with tire chains or other approved traction devices, as required by law due to road conditions.

(2) It is the driver's responsibility to ensure the vehicle they are operating for university-business travel meets vehicle qualifications.

**D. Vehicular Usage**

(1) Drivers operating any vehicle used for university-business travel must act in accordance with all applicable laws, state regulations, and University of Oregon policies and procedures.

(2) No state-owned or hired vehicle shall be used to transport University of Oregon students, employees, or volunteers when that use is not directly related to university-business travel.

(3) At least two certified drivers are required anytime a vehicle is used for university-business travel and traveling more than 300 miles before reaching the planned destination.

(4) Sponsoring university entities may internally establish criteria related to itineraries and/or travel time restrictions.

**E. Accidents and Emergencies**

(1) Drivers involved in an accident while driving any vehicle for university-business travel must follow all University of Oregon vehicle accident, injury reporting, and vehicle claims procedures.

(2) The University designates the University of Oregon’s Chief of Police or the Chief’s designee as the appropriate person to notify relatives of persons injured in an accident which occurs during university-business travel.
(3) Vehicle Accidents that occur while conducting university-business travel are reviewed by the University of Oregon’s Accident Review Board.

(a) Drivers involved in accidents may be required to complete a driver training course or other actions as recommended by the Accident Review Board; and

(b) A summary of all accidents is provided annually to the Vice President of Finance and Administration.

**F. Vehicle Maintenance and Repair**

(1) State-owned vehicles shall be sent to the University of Oregon Mobile Equipment Shop or other qualified commercial repair shop for regular and annual inspections.

(2) Inspections of state-owned vehicles shall ensure conformance with the vehicle specifications provided by the manufacturer’s owner's manual, current state and federal regulations, and OSHA requirements.

(3) Any state-owned vehicle involved in a collision shall be taken to the University of Oregon Mobile Equipment Shop or other qualified commercial repair shop for inspection within 24 hours of such incident.

(4) All costs for repairs and inspections of state-owned vehicles, including periodic and annual inspections, shall be borne by the Department having jurisdiction over the vehicle.

**Chapter/Volume:**

- Volume IV: Finance, Administration and Infrastructure
- Chapter 8: Parking and vehicles

**Related Resources:** Safety & Risk Services Travel Registration - Request to use Personal Vehicle for University of Oregon Business, [https://safety.uoregon.edu/sites/safety1.uoregon.edu/files/request_to_use_personal_vehicle_for_uo_business.pdf](https://safety.uoregon.edu/sites/safety1.uoregon.edu/files/request_to_use_personal_vehicle_for_uo_business.pdf)

BAO Travel Procedures, [https://ba.uoregon.edu/content/travel](https://ba.uoregon.edu/content/travel)

**Original Source:** UO Policy Statement

**Work Life**
**Policy Number:** V.04.01  
**Reason for Policy:** To maintain and enhance the health and wellbeing of the faculty, staff, and students at the University of Oregon.  
**Entities Affected by this Policy:** All employees of the university  
**Responsible Office:** For questions about this policy, please contact the office of Human Resources at 541-346-3159 or uoelr@uoregon.edu.

**Website Address for this Policy:**

https://policies.uoregon.edu/vol-5-human-resources/ch-4-workplace/work-life

**Enactment & Revision History:**

Enacted by the university president on January 6, 2020.

**Policy:**

The University of Oregon supports faculty, staff, and student employees (including Graduate Employees) in their pursuit of a balanced lifestyle. The university offers programs, policies, referrals and education that support employees at work, school, and home.

University leaders, managers, and supervisors are expected to provide support and flexibility to their employees, while at the same time, ensuring that the unit is able to meet operational needs. Whenever possible, supervisors are strongly encouraged to provide support and flexibility when employees have personal needs that arise outside the workplace or classroom. These needs may include, but are not limited to: death of a loved one; caring for children or other family members; personal physical, mental and emotional wellness; major life changes, such as job loss, birth or adoption of a child, etc.

University leaders, managers, and supervisors have the discretion to establish and implement work-life balance-related practices and are encouraged to give serious consideration to all reasonable requests on a case-by-case basis. Arrangements should be authorized only when it does not create unreasonable challenges for the University.

Within these guidelines, the responsibility for determining the relevance, feasibility, and timing of work-life arrangements rests with the supervisor. Considerations, including but not limited to, operational needs, safety concerns, and avoidance of disruptions to regular activities will always be substantial factors in such determinations.

University leaders, managers, and supervisors must continue to remain in compliance with all related federal and state laws, university and unit-level policies, and collective bargaining agreements.
Written Reprimands

**Last Updated:** 10/27/1993  
**Effective Date:** 10/27/1993  
**Reason for Policy:** To describe the purposes for which written reprimands are appropriately issued and to establish procedures for issuing written reprimands and maintaining them in University files.  
**Human Resources**  
Linda King and Randy Wardlow

**Policy Statement:**

A written reprimand is a serious disciplinary action. A written reprimand, a letter from a responsible University supervisor to an employee of the University in which that employee's unsatisfactory or unacceptable behavior or work performance is described and the necessity for change is noted. A reprimand also warns of future disciplinary procedures that shall be taken in the absence of improved performance. A written reprimand is often in order when previous oral or written warnings have not had their hoped for effect. Certain circumstances may warrant issuing a written reprimand as the first disciplinary action taken against an employee. A written reprimand can be distinguished from a written warning or admonition in that a reprimand is placed in an employee's personnel file and retained there for a predetermined amount of time.

**Procedures:**

When a supervisor believes that issuing a written reprimand to a classified, or student employee, may be appropriate, the supervisor should consult with the Director of the Office of Human
Resources to make sure that all appropriate University policies, procedures, and contractual relationships are observed.

When a supervisor believes that issuing a written reprimand to a member of the faculty may be appropriate, the supervisor should contact the vice president to whom the supervisor is responsible to make sure that all appropriate University policies and procedures are observed.

Formal processes, such as a hearing by a peer panel, that must be made available to employees before sanctions more serious than written reprimands may be imposed are not required prior to issuing a written reprimand. However, employees do have the right to know with specificity what behavior or performance has been found to be deficient and to respond to or dispute the findings, before a written reprimand may be issued. Providing this opportunity to the employee to be heard may be accomplished either in a face-to-face meeting between the supervisor and the employee, with any representatives the parties may wish to have present, or it may take place in writing. In either case, the supervisor must tell the employee what the deficient behavior is, and ask for any information, explanation, or other evidence that the employee may have that might change the supervisor's understanding of the situation. Supervisors have the responsibility to consider any information or contrary evidence the employee may submit before issuing a letter of reprimand.

A written reprimand should be in letter form addressed to the employee and signed by the supervisor. It should be delivered to the employee in confidence or sent via the U.S. Postal Service with a return receipt requested, and it should contain the following elements:

1. A description of the behavior or performance that has been found to be unacceptable or unsatisfactory. If University rules or policies have been violated, those should be cited.

2. A description of the supervisor's expectations for future behavior or work performance or any suggested or required remedial activities that the employee must undertake or should consider undertaking.

3. A description of any further disciplinary processes and sanctions that may be pursued if the employee does not improve or repeats the unacceptable behavior.

4. The period of time that the written reprimand shall remain in the employee's personnel file.

5. Notice to the employee that he or she has the right to place a rebuttal of the written reprimand in the personnel file to be retained there so long as the written reprimand is also present.

Written reprimands are documents relating to employee discipline, and therefore are confidential under state law and university policy. It is a violation of law and policy to disclose such personal information to anyone who does not have a University imposed need to know. The University may acknowledge to those inquiring that institutional action has been taken regarding an
employee, but the existence of a written reprimand or any of the reprimand's contents may not be disclosed.

**Issued by:** President

**Revision History:** 10/27/1993 Reviewed and Recommended by President's Staff
Supersedes 3/7/86 Procedure Guideline: Written Reprimands
02/08/2010 Policy number revised from 3.01 to 03.04.04

**Original Source:** UO Policy Statement