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Code: New and old language lead to controversy

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cause people don't understand it," she said. "I think it eliminates the gray areas. By asking consent, it limits doubt. Also, both parties interact by asking, 'Is this okay?' It gives responsibility for both parties."

Kline also believes that step-by-step consent is not extreme. Step-by-step consent means that every single physical or sexual act must receive permission.

"It helps increase communication and made people more aware about sex and its consequences," she said. "Sex and violence is big in our culture, and our policy is to make people aware of it."

The proposed sexual conduct definitions fall into three categories of misconduct: rape, sexual assault and unwanted sexual behavior.

"When the code was reconstructed in 1989 and 1990, the people working on the draft thought it was a good idea to write a broad statement that covered a whole range of behavior," Green said. "These students thought it would be a stronger statement by the University to actually list rape . . . as opposed to include it under some umbrella offense."

Jenna Wasson, ASUO University affairs coordinator and part of the subcommittee that drafted the code's language, said the current code's language is too vague and doesn't indicate that both men and women can be victims of sexual assault.

"[The code] doesn't define unwanted sexual behavior such as rape," she said. "Now, I believe the language leaves no shadow of a doubt."

However, Polly Nelson, southern district coordinator for the American Civil Liberties Union of Oregon, worries about some of the language in the proposed code.

Nelson defines rape as sexual intercourse with full penetration. She disagrees with the proposed code's definition of penetration as "any degree of insertion, however

OTHER CHANGES

■ **EMERGENCY ACTION:** The Student Conduct Coordinator or his/her designee may take emergency action, such as immediate withdrawal, restricting the accused person's presence at the University or securing an order for a medical/psychological evaluation when a student could be a danger to the University.

■ **FORMAL HEARING:** Formal hearings are now determined by a person external to the University community. Students should take part in these hearings to reflect community values in decisions, and students should have a role in the formal conduct hearing process.

■ **RAPE-SHIELD PROVISION:** To prevent irrelevant information for evidence such as victim's sexual history during a rape case.

slight, of any body part or object into the vagina or anus."

"The definition of rape is very broad," she said. "Heavy petting can be called rape. [The definition] trivializes the crime of rape, and that's our main concern."

If a student was falsely accused of rape under the proposed guidelines, the student would be labeled a rapist, and this would follow that person forever, she said.

"I can understand that the students want a broader definition [of rape], but this is way too broad," Nelson said. "I would suggest the [language] should be much more tightly scripted and defined, such as the Oregon statutes."

The final revision of the proposed sexual misconduct code deals with jurisdiction, and this is a big step forward for the University to get involved, Nelson said.

The proposed rule defines jurisdiction for incidents "committed on or off campus" while the current code limits it to incidents that happen on-campus.

"I think what [jurisdiction] will do is give a woman another option that didn't exist before," Green said.

She adds if the perpetrator was a University student, but the victim wasn't, the school would have jurisdiction in some cases if the perpetrator was a danger to other University students.

The University is part of a growing trend at colleges nationwide to enforce specific and tough sexual misconduct codes, Green said.

"Colleges all over the country are grappling with this issue and trying to improve their procedures, [student] codes and [educational] trainings . . ." she said.

"This was done in the spirit of Antioch," Wasson said. "[However], students don't want [all their policies] on this campus. Students do want the consent requirement."

Phyllis Barkhurst, director of Sexual Assault Support Services, said she hopes the revised code will help increase rape reports.

"Most rape survivors are under the age of 25, and they're what we call the silent crime victims," she said.

Last year, 78 survivors of sexual assault, which includes rape and attempted rape, sought help, Barkhurst said. Less than 10 reported it.

"I think the new code shows a very different way that the University is looking at sexual assault, and that's a positive thing," she said. "It gives the victim a break in the fact that they don't have to prove anything."

A public forum will be held at 2 p.m. on Nov. 1 at the EMU Walnut Room for comments and suggestions.

The University Senate is expected to make their decision about whether to approve the code later this year.

The proposed student conduct code was drafted by Students for a Sexual Assault-Free Environment, students and faculty from the Unwanted Sexual Behavior Task Force and the Student Conduct Committee.

Senate: Changes could be beneficial to the whole code

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conduct is vague and difficult to enforce. . . therefore let it be resolved that the Student Senate supports the efforts of students at the University of Oregon who want to create a safer campus environment, by supporting the proposed new sexual misconduct language which improves the student conduct code."

ASUO President Matthew Scotten, who included conduct code changes in his campaign platform last spring, said he was pleased with the Senate's actions.

"I'm really excited," he said. "[The resolution] demonstrates that student leaders support these changes. The unfortunate fact is that a lot of incidents of sexual assault occur, and not all are reported. These [conduct code] changes clearly state what's appropriate behavior and what's not. It will make the process of pressing charges a lot easier for the survivor."

The Senate approved the resolution with only one abstention.

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