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Amendment to the Student Conduct Code, OAR 571-21-030

(20) SEXUAL MISCONDUCT. Sexual misconduct, an offense the University of Oregon recognizes as an act of violence, is committed when a student initiates a sexual act as described in

(a) when the act:

- 1) materially interferes with another person's academic performance or participation in University-sponsored or supervised activities, or performance of University employment; or
- 2) is committed on University-owned or controlled property, or at University sponsored or supervised activities; or
- 3) demonstrates reasonable threat to the health or safety of the campus community or the alleged student survivor.

Sexual gratification or pleasure of any party involved is not relevant to an offense in this subsection.

(a) SEXUAL MISCONDUCT OFFENSES

(i) Rape. Rape is an offense committed by a student who engages in penetration of another person, or who causes the penetration of another person, and who (a) does not first obtain explicit consent from that person or (b) knows or should have known the person was incapable of consent by reason of mental disorder, mental incapacitation, or physical helplessness.

(ii) Sexual Assault. Sexual Assault is an offense committed when a student subjects another person to sexual contact without having first obtained explicit consent or when he or she knows or should have known the person was incapable of consent by reason of mental disorder, mental incapacitation, or physical helplessness; and when a reasonable person would know that such a contact would cause emotional distress.

(b) DEFINITIONS

(i) "Explicit Consent" 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.

(ii) "penetration" means any degree of insertion, however slight, of the penis or any material object into the vagina or anus

(iii) "Sexual Contact" means the touching of the genitalia, anus, buttocks or breasts of a person or causing such person to touch the genitalia, anus, buttocks, or breasts of another.

(iv) "Mental disorder" means that a person suffers from a mental disease or disorder that renders the person incapable of appraising the nature of the conduct of the person.

(v) "Mental incapacitation" means that a person is rendered incapable of appraising or controlling the conduct of the person at the time of the alleged offense because of the influence of a controlled or other intoxicating substance or because of any act committed upon the person without the consent of the person.

(vi) "Physical helplessness" means that person is unconscious or for any other reason is physically unable to communicate unwillingness to an act.

*This change to the student conduct code
becomes effective this weekend.*

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Drinking: Grim Reaper site made impact on students

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bly if they choose to drink, and to educate students on the ramifications of drinking and driving, Devine said. The most visible attempt at this message was the Grim Reaper Project on the Knight Library Quad, where students could examine a smashed car and erect a headstone in memory of someone they knew who was killed in an alcohol-related car accident.

But not everyone is getting the message. Some students don't even know this is Alcohol Awareness Week.

"It is?" sophomore Tim Schaedler said. "I had no idea."

Schaedler and some friends were sitting on Taylor's patio sharing a pitcher of beer about 50 yards from the site of the Grim Reaper Project. Seated next to him was junior Andy Nicholson, who not only didn't know of the campaign, but said it most likely wouldn't have influenced his decision to be there.

"When you want a beer, you want a beer," Nicholson said. "You should never drink and drive. No way. But that's what makes campus so great — you don't have to because everything is so close to home."

Taylor's is not only centrally located to the Eugene neighborhood most heavily populated by students, it also sits on the corner of 13th street and Kincaid, along with the University bookstore, which is the busiest intersection on campus. Students walk, ride their bikes or just hang around the area on weekdays, especially during lunch hours. Yet there were no visible signs of the alcohol awareness campaign anywhere. Not even in front of the bookstore.

"Sometimes it's not everything you do, it's what you can get done," Devine said. "We had a lot to put together this week, including the Take Back the Night march [on Thursday night]. But including Taylor's is definitely something to consider for next year."

Sustare said he would have been more than happy to coordinate efforts with the campaign this year, but no one ever contacted him and asked.

"I have Taylor's participate in all alcohol awareness functions with every group that calls and asks," he said. "We would allow them to put up posters or hand out buttons — whatever they want."

"I don't think I would have ex-ited out dollar night because first and foremost [Taylor's] is a business," Sustare continued. "I'd have to see what the benefits would be and how I could make up for the financial loss. We have done benefits before where it's money out of my pocket, but as far as furthering the campaign's agenda, I would've allowed them to promote responsible drinking here."

The campaign's idea to sponsor a 5K run and have a free concert on campus was a good idea, but it doesn't seem like it would have been as effective as working with campus bars where students are actually drinking, said senior Brandi Baker, who was drinking with Schaedler and Nicholson.

"I don't think the run sends an effective message," she said. "But at least that and the band are bringing people together where people can see the message."

"I do think the grave site was really effective," she continued. "It reminds you of the dangers of drinking and driving and provides a visual element for people to see the losses others have experienced. It's important to stay in control when you drink, to know your limits and be responsible."

Responsibility is something everyone agreed on, and after seeing some of the statistics released by Mothers Against Drunk Driving (MADD) on college students' drinking habits, it's easy to see why.

One in three college students say they drink primarily to get drunk. College students also spend \$5.5 billion more on alcohol each year than they spend on soft drinks, tea, milk, juice, coffee or books combined. And in 1990, 21 billion miles were driven drunk, according to MADD.

"That's why we're doing this the week before Memorial Day, which is traditionally a large drinking and driving weekend," Devine said. "We want people to think before they drink."



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