



UNIVERSITY OF OREGON

Decision Letter

June 20, 2014

Brandon Tristan Austin

ID number: Redacted

UO email: Redacted

Regarding Case: 00516-002-2014

Dear Brandon:

The University of Oregon has resolved a complaint(s) regarding your reported behavior on March 09, 2014 with the following incident description: You engaged in sexual acts with a fellow student without obtaining explicit consent.

I have found you responsible for the following charges:

1. Sexual Misconduct : Oregon Administrative Rule 571-021-0120(3)(h) Sexual Misconduct. A mission of the Student Conduct Code is to encourage good decision-making, personal integrity, and interpersonal behavior that is cooperative rather than coercive and that respects the rights of others. Sexual misconduct violates these values, and is committed when a student engages in sexual behavior described in OAR 571-021-0105(30). OAR 571-021-0105(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 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 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 interferes with work or academic performance 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 when the conduct is unwelcome and sufficiently severe or pervasive that it deprives that person of benefits of the University's educational environment.

As a result, I am imposing the following sanctions:

1. Suspension

You are suspended from the University of Oregon for a period of at least four years and until the

complainant is no longer enrolled or employed at the University of Oregon but for not more than a period of ten years.

You will be may be eligible to regain your status as a student on June 20, 2018 upon review of the compainants status with the University of Oregon.

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. Student may not come on to University Premises without explicit permission from the Director of Student Conduct and Community Standards or his designee.

IMPORTANT NOTE: It is the student's responsibility to withdraw from classes for periods the student is not allowed to be on campus.

2. Negative Notation on Transcript

A notation will be placed on your University of Oregon transcript that reads, "Student Conduct Violation".

Your student conduct record (different from your academic record) will indicate your responsibility (and/or lack of responsibility) for the above charges for five years after the date of the incident unless suspension, expulsion, or negative notation were imposed. Your student conduct record is only released by your express waiver (usually on an application to a scholarship, study abroad program, graduate school, etc.) or to other University staff/faculty on a strict need-to-know basis.

Your student account will be billed with an administrative fee, which covers the cost of administering the program and maintaining your records.

I hope you have learned and will continue to learn much from this experience. Please feel welcome to ask questions and seek help from me or my office in the future.

Sincerely,

Sandy Weintraub, Director, Student Conduct and Community Standards
541-346-3216
chicora@uoregon.edu

CC: Chicora Martin, Doug Park, Sam Hill