



UNIVERSITY OF NEBRASKA AT OMAHA

DRUG-FREE SCHOOLS & CAMPUSES ACT

[EDGAR PART 86]

BIENNIAL REVIEW

2022-2023 & 2023-2024

UNIVERSITY OF NEBRASKA AT OMAHA



DATES OF REVIEW

Start Date: 01 July 2022

End Date: 30 June 2024



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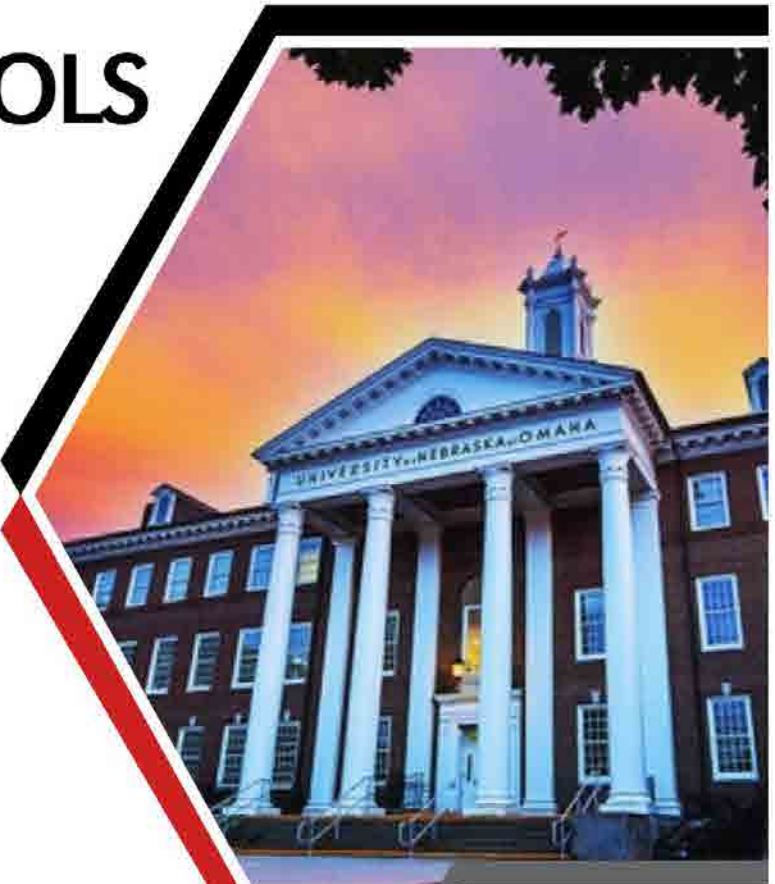


Table of Contents

Table of Contents	2
Introduction/Overview.....	3
Biennial Review Process	3
Policy Notification.....	4
Learn More!.....	4
Prevention at UNO	5
For Students	5
For All Mavericks	12
On-Going Programs, Evaluation Services, and Treatment at UNO.....	14
Alcoholics Anonymous (AA) Meetings	14
Outpatient Counseling & Evaluations.....	14
UNO Collegiate Recovery Community (CRC).....	14
Faculty & Staff Employee Assistance Program (FSEAP).....	15
Other Policies, Resources, & Supports	16
UNO Serving Alcoholic Beverages Policy.....	16
UNO Department of Public Safety	16
Goals & Recommendations.....	17
Review of 2022–2024 Biennial Report Goals	17
2024–2026 Biennial Report Goals	18
Appendices.....	19
Appendix A – All-Campus Notification Email	20
Appendix B – NU Student Code of Conduct	39
Appendix C – Y1CBP Full Report	74
Appendix D – Housing & Residence Life Community Policies.....	119
Appendix E – On-Campus Resident Notification Email.....	145
Appendix F – Omaha Greeks Policies	147
Appendix G – Omaha Athletics Policy Statement.....	163
Appendix H – UNO Serving Alcoholic Beverages Policy	203
Appendix I – Alcohol Service Request Form.....	207

Introduction/Overview

The Drug Free Schools and Campus Regulations (34 CFR Part 86) of the Drug-Free Schools and Communities Act (DFCCA) require institutions of higher education to certify that they adopt and consistently implement policies and programs that aim at the prevention of alcohol abuse and the distribution of illicit drugs. Institutions of higher education must, at a minimum, annually distribute the following to students and employees in writing:

- Standards of conduct that prohibit unlawful possession, use, or distribution of illicit drugs and alcohol on its property or as a part of its activities;
- A description of the health risks associated with the use of illicit drugs and abuse of alcohol;
- A description of applicable legal sanctions under local, state, or federal law;
- A description of counseling or treatment programs; and
- A clear statement and description of the disciplinary sanctions the institution will impose on students and employees.

Federal law also requires a biennial review of alcohol and drug programs as well as a review of the notification system that is in place for students and employees. The purpose of the biennial review is to determine the effectiveness of policies and prevention programs currently in place, determine the consistency related to the enforcement of alcohol and drug policies, and serves as an opportunity to ensure all students and employees are receiving the written documents within the campus notification system.

The University of Nebraska at Omaha (UNO) recognizes the importance of substance use prevention. The practice of conducting a biennial review is both a required federal law and also acts as a best practice to ensure we are creating a safe and lawful environment for our students and employees. Conducting a biennial review will help determine if the university is compliant with the Drug-Free Schools and Communities Act.

Biennial Review Process

In July 2024, the Alcohol & Drug Counselor with responsibility for the Biennial Review and the Director for Student Conduct & Case Management met to start the process of gathering the required data and policy descriptions related to campus-wide alcohol and drug policy and enforcement. During this initial meeting, reports were requested from each department to formulate a description of all efforts being conducted, both on- and off-campus, related to alcohol and drug policy, enforcement, and prevention. The following is a list of those who were requested to share information:

NAME	DEPARTMENT
Cathy Pettid	Associate Vice Chancellor & Dean of Students
Trent Fredericksen	Associate Dean of Students
Nate Bock	Director – Counseling & Psychological Services
Mark Frillman	Alcohol & Drug Counselor – Counseling & Psychological Services
Chloé Smith	Director – Student Conduct & Case Management
Drew Nielsen	Chief Compliance Officer – Business & Finance
Taricka Burton	Executive Director – Student Leadership, Involvement, & Inclusion
Sierra Roseby	Associate Director – Student Leadership, Involvement, & Inclusion
Bill Pickett	Director – Spirit, Traditions, & Signature Events
Leigh Garstecki	Director – Campus Recreation
Laura Thayer-Mencke	Director – Financial Support & Scholarships
Marshall Kole	Associate Director – Housing & Residence Life
Adam Wick	Assistant Property Manager – Scott Residential Management
Trevor O'Brien	Assistant Chief of Police – Public Safety
Taryn Ninemire	Physical Therapist – UNO Athletics
Lindsey Ekwerekwu	Executive Associate AD – UNO Athletics

Most departments complete year-end data at the end of June. It was determined that turning in departmental reports during the first two weeks in July would most accurately reflect yearly statistics. This would indicate that the biennial review process would begin each year in July, rather than April, to allow for the most robust and accurate data from the academic year.

Each department reported their updates that had been systematically recorded throughout each year. The information collected included: policy notification and distribution processes, updates on employee and student policies, descriptions of prevention efforts, outlines of

goals, and the number of individuals found responsible for violations of policy and associated outcomes. Once this information was collected, the review committee analyzed the data to ensure policies are appropriate and meeting the needs of the University and its students, explore possible changes based on the analyzed data, and make recommendations for a comprehensive education, prevention, and treatment program. The review showed that the overall program is effective at meeting its identified goals. It was determined that UNO is compliant with The Drug Free Schools and Campuses Regulations [Edgar Part 86].

Policy Notification

For Students, Faculty, & Staff

Annual policy notification is developed and reviewed yearly by the University of Nebraska general counsel. The notification document is sent to the University of Nebraska at Omaha and distributed to all students, faculty, and staff via email. This includes all currently enrolled students, regardless of the number of credit hours for which they are enrolled, and all current faculty and staff, regardless of department or FTE. Students, faculty, and staff are all provided with a University email address, which is listed as the primary contact for each person, so the notification is sent to the identified University email address.

The most recent notification document that was sent to students, faculty, and staff can be viewed in Appendix A of this document. This email includes:

- A hyperlink to view the most recent policies for the University;
- A description of the health risks associated with alcohol/substance use or abuse;
- Information regarding available assistance and treatment avenues; and
- Legal and disciplinary sanctions of using illegal drugs or alcohol.

It is very important that every member of the Maverick community, whether students, faculty, or staff have access to the annual policy notification. Because of this, the policy notification is also available on UNO's web page and within each student, faculty, and staff MavLINK account.

Special Considerations for Students

Notifications for students are sent on a rotating basis determined by the first week that registration is considered "closed" (students must have special permission from an instructor to register after this time) for each semester – Fall, Spring, and Summer. This is to ensure that the policy notification is reaching all current students, including all students who registered for courses early, late, and at each point in between. Once these periods are identified, general counsel will send the reviewed documents for campus distribution, and notifications will be sent to all students, faculty, and staff within one to two weeks.

Special Considerations for Faculty & Staff

Faculty and staff are notified annually via the email that can be viewed above. Each year, this notification is sent in mid-February. Because there is turnover in any workplace, the University has put into place a weekly notification that is sent to any new employee. This includes all benefits eligible employees, non-benefits eligible employees, student workers, graduate assistants, and instructors. This notification includes all information from the typical annual notification and includes the information required for the Affordable Care Act notification.

Learn More!

Accessing the Biennial Review

Per policy, all students, faculty, and staff can access a biennial review document at UNO in the Office of Student Conduct & Case Management. This office is currently located in the Hayden House. You may also request a biennial review document by emailing the Director for Student Conduct & Case Management, Chloé Smith, at unoconduct@unomaha.edu or by calling 402.554.2210.

Data Gathering & Initial Review

The following individuals were identified as those with responsibility for gathering the data required for this report and for the initial review of its contents.

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Cathy Pettid	Associate Vice Chancellor & Dean of Students
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On-Going Review

Due to the importance of the information provided within this document and to ensure there are on-going checks and balances, UNO has created an additional email that is generated for the Chief Compliance Officer periodically to ensure that the system for notifications is working properly and does not need to be updated or evaluated by IT.

Retention Policy

All biennial reviews are kept for a period of 10 years after the start date of the review period.

Prevention at UNO

Prevention strategies at UNO have been developed for students and all members of the Maverick community. The following pages will describe the prevention strategies at UNO.

For Students

UNO utilizes the CollegeAIM – the College Alcohol Intervention Matrix – in identifying prevention strategies for students. CollegeAIM, which was developed by the National Institute on Alcohol Abuse and Alcoholism (NIAAA), is a tool that provides a framework for creating and implementing strategies that fit into current prevention research, considering the effectiveness, cost, barriers, and reach of each intervention strategy. The next page lists UNO's current strategies and possible new strategies with very brief descriptions and some key factors regarding each strategy.

Some of those strategies are directly related to the work of Student Conduct at UNO. All students at UNO are responsible for upholding the expectations and policies in the NU Student Code of Conduct – the “Code” (see Appendix B for the full document). The Code details all the University policies for students and outlines the potential outcomes if a student is found responsible for a violation of the Code. The Office of Student Conduct & Case Management focuses on promoting student success while maintaining commitment to community standards at UNO. Students who have allegedly violated the Code meet with a member of the team. During the time of this biennial review, students would have met with a member of the Student Conduct & Case Management team.

One important piece of information that is not included below is the inclusion of an Amnesty Statement, entitled “Exception for Seeking Emergency Help.” This is found in Appendix B. Although not listed as a prevention strategy, this serves to allow students to engage with help resources, even if they are intoxicated or under the influence, without fear of repercussions.

STRATEGY PLANNING WORKSHEET

COLLEGE AIM

This worksheet was adapted from the National Institute on Alcohol Abuse and Alcoholism – *CollegeAIM*. In their evaluation, the team considered the following questions.

- **Priorities:** Which alcohol-related issues are of most concern to your campus?
- **Effectiveness:** Does research show that your current strategies are effective in addressing your priority issues? Might others be more effective?
- **Balance:** Realistically what are you able to accomplish with the resources you have? Is there a way to strike a balance?

CURRENT STRATEGIES

Strategy Name	Individual or Environmental?		CollegeAIM Ratings				Notes and Next Steps Keep as is? Modify to boost effectiveness? Add complementary strategies? Shift to more effective options?
	IND	ENV	Effectiveness	Cost	Barriers	Broad or Focused	
Brief Motivational Interventions							
BASICS – Student Sessions	⊗		*****	\$	■	▣	No changes are needed for this program.
First-Year – Student Sessions	⊗		*****	\$\$	■	▣	Efforts should be made to increase completion rate.
Conduct Staff – Content Training	⊗		****	\$	■	▣	No changes are needed for this program.
Health Care Staff – Content Training	⊗		*****	\$	■	▣	No changes are needed for this program.
Housing Staff – Content Training	⊗		****	\$	■	▣	No changes are needed for this program.
Social Norms Marketing Campaigns							
Alcohol-Focused	⊗	⊗	**	\$\$	■■	⊗	Efforts should be made to consistently update statistics to identify the most effective marketing strategies.
Substance-Focused	⊗	⊗	**	\$\$	■■	⊗	Efforts should be made to consistently update statistics to identify the most effective marketing strategies.
Campus Events & Presentations							
Alternative Programming		⊗	?	\$\$\$	■■	⊗	No changes are needed for this program.
What Is Your Degree Worth?		⊗	?	?	■	⊗	No changes are needed for this program.

POSSIBLE NEW STRATEGIES

Strategy Name	Individual or Environmental?		CollegeAIM Ratings				Notes and Next Steps Staff training or hiring needed? Other resources? Does the strategy require a plan for conducting an outcome evaluation?
	IND	ENV	Effectiveness	Cost	Barriers	Broad or Focused	
Collegiate Recovery Community (CRC)	⊗	⊗	Unknown	\$\$	■	⊗	Hiring for a staff coordinator
Recovery Ally Trainings	⊗		Unknown	\$	■	⊗	Pre-/post-survey regarding perceptions and stigmas
All Recovery Meetings	⊗		Unknown	\$	■	⊗	Attendance tracking to understand participation
<div> <div> Key <div> ***** Very High Effectiveness **** High Effectiveness *** Moderate Effectiveness ** Low Effectiveness * Very Low Effectiveness </div> <div> \$\$\$ High Cost \$\$ Moderate Cost \$ No to Low Cost </div> <div> ■■■ Significant Barriers ■■ Moderate Barriers ■ No or Low Barriers </div> <div> □ Broad Target Audience ■ Focused Target Audience </div> </div> </div>							

Brief Motivational Interventions – BASICS & First-Year Student Sessions

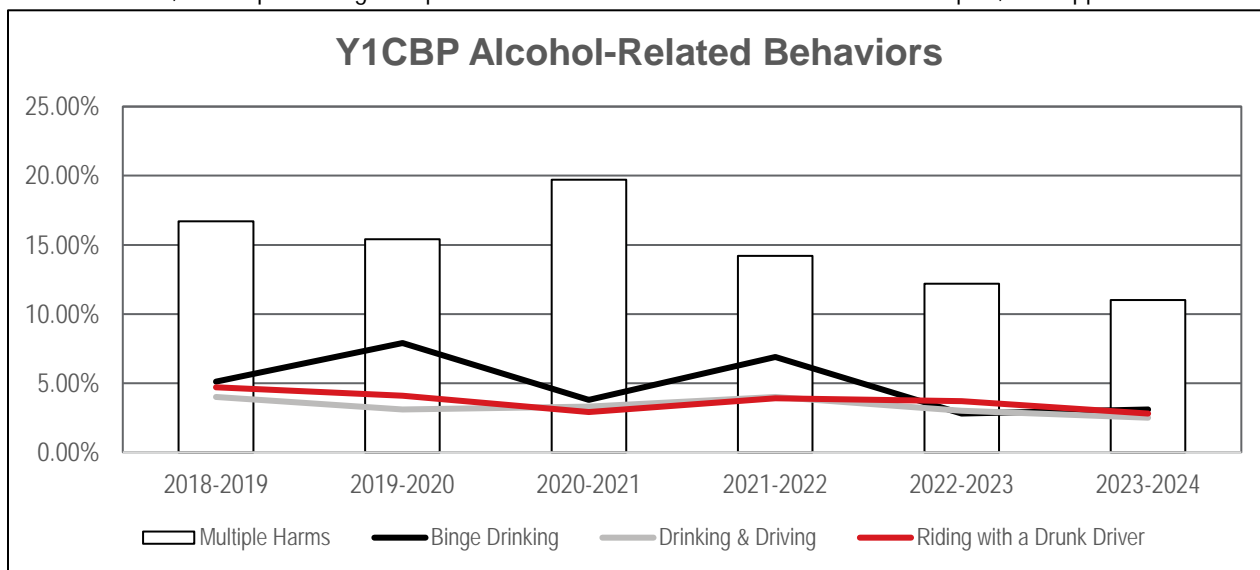
BASICS is primarily used as an outcome for students found responsible for a violation of the University of Nebraska (NU) Student Code of Conduct. Within BASICS, there are programs for both alcohol and substances. "BASICS for Alcohol – 1" and "BASICS for Substances – 1" entails a 1-hour individual meeting with Nate Bock LIMHP, LADC or Mark Frillman, LADC. "BASICS for Alcohol/Substances – 2" is assigned when a student is found responsible for a second violation of the NU Student Code of Conduct. This is typically a longer conversation that focuses more on the student's underlying relationship with alcohol or substances, whether that is social, cultural, or other. When a student is assigned to complete BASICS, they will first fill out an online version of the BASICS questionnaire. This questionnaire will have the students explore their own alcohol or substance use and share individualized norming data for them to consider with their results. Those results will also be utilized to guide the conversation when they meet with a licensed alcohol and drug mental health practitioner. All those who have responsibility for BASICS conversations have been trained in motivational interviewing techniques. Below are the breakdowns for BASICS conversations between July 1, 2022 through June 30, 2024.

	July 1, 2022 – June 30, 2023	July 1, 2023 – June 30, 2024
BASICS for Alcohol – 1	114 Completed – 4 Incomplete	97 Completed – 8 Incomplete
BASICS for Substances – 1	3 Completed – 1 Incomplete	8 Completed – 0 Incomplete
BASICS for Alcohol/Substances – 2	6 Completed – 2 Incomplete	8 Completed – 0 Incomplete
BASICS Totals	123 Completed – 7 Incomplete	116 Completed – 8 Incomplete

In academic year 2013-2014, UNO implemented their first First-Year College Alcohol Profile (Y1CAP). This tool was developed with our system partners from the University of Nebraska – Lincoln and with our state partners within the Nebraska Collegiate Consortium (NCC). This tool is still utilized at UNO; however, it was updated in Fall 2020 to be the First-Year College Behavioral Profile (Y1CBP) to expand the focus to include alcohol and other substance use. The UNO Y1CBP provides students with UNO-specific data relating to alcohol and substance use norming. UNO had a completion rate of approximately 80% from academic year 2015-2016 through 2018-2019; however, the completion rate has declined over time and has become more sporadic, ranging from 32% to 60%. UNO has been exploring methods to increase the completion percentage, including inviting all first-year students to complete the Y1CPB during their online orientation, new marketing strategies to encourage completion, and inclusion of specific populations into the Y1CBP. One such specific population is student athletes, which was added as a sub-category in academic year 2023-2024.

NCC provides the full report of the Y1CBP to UNO each year, including a year-to-year comparison with UNO data as well as a breakdown of results as compared with other institutions in Nebraska. The full Y1CBP is available in Appendix C of this document for review. A few highlights from the Y1CBP:

- In the Y1CBP for 2023-2024, UNO students reported the highest percentage of students who abstain from drinking (80.6%); however, they also reported a slightly higher percentage of students who engage in binge drinking (2.8% in 2022-2023 to 3.1% in 2023-2024). Students reported lower percentages in relation to drinking and driving, riding with a drunk driver, and experiencing multiple harms due to alcohol use. To review the full report, see Appendix C below.



Brief Motivational Interventions – Housing, Student Conduct, & Student Health Content Trainings

Research suggests that, as an intervention/prevention strategy, BASICS is more effective when the following criteria are met:

- The intervention is completed within a short period of time after the policy violation occurred (typically two weeks);
- Those in the referral process are trained in and utilize motivational interviewing techniques; and
- Those in the referral process are knowledgeable about BASICS and can answer related questions.

The waiting time to sign up for and complete BASICS has almost always been at or below two weeks, which means that students are able to get signed up and complete the conversation quickly. Those referring students to BASICS also generally set a deadline for a ten-day completion, which means that most students are completing the conversation within the most effective time frame.

The staff making referrals, including Student Conduct and Housing staff members, are all knowledgeable about BASICS, so they are well equipped to answer questions that students may have. In previous years, staff members have been trained through role-play so they can more fully understand what BASICS is and its purpose. All staff engaged in the referral process are also trained in motivational interviewing techniques to lower defensiveness about completing BASICS. The staff members focus on building rapport with students, learning about their lives, and then talking about the incident that occurred and any related outcomes.

Social Norms Marketing Campaigns

UNO provides social norms marketing at events and in high students traffic areas. In previous years, posters, door hangers, standup cut-outs, and more have been utilized to engage students in a variety of manners. These have been developed through a partnership with the Omaha Collegiate Consortium (OCC), a UNO campus advertising firm, and an outside advertising agency. They are paid for through the Partnership for Success (PFS) grant.

UNO has used these social norms marketing campaigns to raise awareness about alcohol and substance use, bystander intervention, Good Samaritan Laws, and other topics. A few examples are provided below:



An example of a social norms digital sign.



An example of a social norms cut-out.



An example of social norms Instagram post.

Alcohol & Substance-Alternative Programming

In Fall 2010, UNO was awarded a Strategic Prevention Framework – State Incentive Grant (SPF-SIG) that allowed for the implementation of late-night, alcohol-free programming. The program that was introduced was called Midnight MOJO and was typically held once per month for the academic year. Although this type of programming is no longer called Midnight MOJO and has a separate funding source, it has continued to be popular programming on UNO's campus. For the purposes of this report, any program that is open to the full campus and begins after 5:00PM is considered Alternative Programming.

EVENT NAME	DATE	TIME	ATTENDEES
Hispanic Heritage Month Food Tour: Tipico Helado	August 15, 2022	4:00PM	200*
GLO! with MavPro	August 26, 2022	8:00PM	1561

EM 44: Bystander Intervention Training	September 22, 2022	7:00PM	Unknown
EM 44: Bystander Intervention Training	September 27, 2022	6:00PM	Unknown
MavPro's Vala's Tickets Day 1	September 27, 2022	Various	170
MavPro's Vala's Tickets Day 2	September 28, 2022	Various	171
EM 44: Bystander Intervention Training	September 29, 2022	7:00PM	20*
MavPro's Vala's Tickets Day 3	September 30, 2022	Various	141
The Walking Drag Show	October 3, 2022	4:00PM	235
Vala's Pop Up Event	October 14, 2022	Various	189
EM 44: Bystander Intervention Training	October 25, 2022	5:30PM	25*
EM 44: Bystander Intervention Training	November 2, 2022	6:00PM	30*
EM 44: Bystander Intervention Training	November 3, 2022	7:30PM	25*
Maniacs at Men's Hockey	November 5, 2022	6:00PM	Unknown
EM 44: Bystander Intervention Training	November 14, 2022	5:30PM	Unknown
EM 44: Bystander Intervention Training	November 15, 2022	6:30PM	Unknown
EM 44: Bystander Intervention Training	November 17, 2022	6:00PM	Unknown
EM 44: Bystander Intervention Training	November 21, 2022	7:30PM	35*
EM 44: Bystander Intervention Training	December 1, 2022	6:00PM	50*
Free Movie Vouchers	January 23, 2023	Various	150*
Sean Bott Mentalist	January 26, 2023	5:00PM	111
EM 44: Bystander Intervention Training	February 7, 2023	6:00PM	Unknown
It's Game Time!	February 9, 2023	7:00PM	50*
Life After UNO: Dinner Etiquette	February 28, 2023	5:00PM	Unknown
MavPro Food Night	March 1, 2023	6:00PM	253
Late Night Breakfast	March 7, 2023	8:00PM	326
OMaathon 2023 (Dance Marathon)	April 1, 2023	Various	635
EM 44: Bystander Intervention Training	May 1, 2023	7:00PM	Unknown
De-Stress Fest: MavPro Event Trivia Night	May 11, 2023	6:00PM	104
Omaha Greeks x Phired Up Dynamic Recruitment Session	August 14, 2023	5:30PM	Unknown
Movie Night	August 22, 2023	8:00PM	517
GLO! With MavPro	August 25, 2023	8:00PM	1197
UNO Soccer Doubleheader	August 31, 2023	5:00PM	257
EM 44: Bystander Intervention Training	September 6, 2023	6:00PM	Unknown
Volleyball Pre-game Party	September 8, 2023	5:30PM	121
Volleyball Pregame Party	September 23, 2023	6:00PM	55
Volleyball Giveaway	September 23, 2023	8:00PM	118
Valas Pop-Up Day 1	September 25, 2023	Various	260
Valas Pop-Up Day 2	September 26, 2023	Various	255
Valas Pop-Up Day 3	September 27, 2023	Various	251
Volleyball Pregame and Game	October 5, 2023	6:00PM	150
UNO Volleyball vs Denver	October 11, 2023	6:30PM	111
Winter Sports Spirit Night	October 29, 2023	6:00PM	142
Homecoming: Treat with an Athlete	October 29, 2023	6:00PM	200
Homecoming: Halloween Hunger	October 31, 2023	9:00PM	215
Killers of the Flower Moon	November 6, 2023	5:00PM	23
UNO Men's Soccer Watch Party	November 16, 2023	6:00PM	59
Discover with Durango Luminarium	November 16, 2023	6:30PM	204
Destress Fest: Relaxing with Ramen	December 6, 2023	8:00PM	188
Destress Fest: Comfy Croc Day	December 7, 2023	8:00PM	73
Disco On Ice	December 7, 2023	10:00PM	465
Destress Fest: Omaha Hockey vs SCSU	December 8, 2023	7:00PM	500
Destress Fest: Hockey Pregame Party with SGA	December 9, 2023	5:30PM	119
Destress Fest: Snack Attack	December 11, 2023	5:00PM	75
Destress Fest: Dancing for Donuts	December 11, 2023	9:00PM	163
Destress Fest: Dinner With Durango	December 11, 2023	7:00PM	179

Destress Fest: Toppers Tuesday	December 12, 2023	9:00PM	362
Destress Fest: Putt-Putt Fun at Prehistoric Putt	December 13, 2023	7:00PM	350
Pre-Game Newman Center	January 19, 2024	5:30PM	98
Medieval Monday with Mini-Golf	January 22, 2024	6:00PM	64
Durango Days: Late Night Chick-Fil-A	January 24, 2024	9:30PM	460
Men's Basketball vs St. Thomas	February 1, 2024	6:00PM	127
WBB Game	February 8, 2024	6:00PM	44
Omaha Men's Basketball	February 15, 2024	6:00PM	104
Omaha Men's Basketball	February 17, 2024	6:00PM	83
Late Night Breakfast	February 28, 2024	8:00PM	308
Women's Basketball vs St. Thomas	February 29, 2024	6:00PM	32
UNO Hockey vs North Dakota	March 8, 2024	6:00PM	249
UNO Hockey vs North Dakota	March 9, 2024	5:00PM	252
Hockey Watch Party	March 15, 2024	7:30PM	21
Discover With Durango	March 21, 2024	7:00PM	118
UNO baseball vs Creighton	April 9, 2024	6:00PM	224
Maverick Meals - Late Night Toppers Pizza	April 10, 2024	9:00PM	310
De-Stress Fest: Late Night Cereal Bar	May 8, 2024	8:00PM	235
De-Stress Fest: Painting and Pasta with MavPro	May 13, 2024	6:00PM	132
De-Stress Fest: Late Night at Chick-Fil-A	May 14, 2024	9:30PM	318
De-Stress Fest: Comfort with Cookies	May 15, 2024	9:00PM	198

*These attendance numbers report anticipated attendance; actual attendance data was not provided.

Additionally, Campus Recreation hosted two Health Fairs, one in each Fall semester. For Fall 2022, which was held on November 4, 2022, there were 260 attendees. For Fall 2023, which was held on November 1, 2023, there were 258 attendees. This was marketed to all students, faculty, and staff via social media, an event page, MavDaily, and Bullseye.



2022 Health & Wellness Fair Flier



2023 Health & Wellness Fair Flier

Additional Strategies & Initiatives – On-Campus Residents

UNO has on-campus housing on each of its two campuses – Dodge Campus and Scott Campus – with six residential facilities between the two. Maverick Village and University Village are located on Dodge Campus and can house approximately 1,000 students; Scott Court, Crossing, Hall, and Village are located on Scott Campus and can house approximately 1,500 students. In total, around 2,500 students can live on-campus each year. On-campus housing provides a very different environment for students than they would experience in off-campus housing.

University Housing also provided significant alcohol-alternative programs over this time period. They are included below. These events are each hosted on Saturday Nights as part of the Saturday Night Socials programming and are generally hosted beginning at 9:00PM.

DATE	EVENT NAME	LOCATION	ATTENDEES
08/27/22	Smash Bros Tournament	UV Clubhouse	57
09/10/22	Red Carpet Movie Trivia and Mocktails	UV Clubhouse	66
09/24/22	HRL Fall Festival	UV Clubhouse	45
10/08/22	Spooky Saturday Night Social	UV Clubhouse	67
10/29/22	RHA Halloween Night	UV Clubhouse	61
11/12/22	Milk and Cookies PJ Party	UV Clubhouse	45
02/11/23	SNS Winter Informal	UV Clubhouse	32
02/25/23	SNS Smash Bros Tournament	UV Clubhouse	28
04/22/23	World Earth Day	UV Clubhouse	50
05/06/23	Summer Kick-Off Festival	UV Clubhouse	100
08/26/23	Back to the '80's	UV Clubhouse	121
09/23/23	Housing CarniFall	UV Clubhouse	61
10/24/23	Saturday Night Spooks	UV Clubhouse	48
11/04/23	Pajama Party	UV Clubhouse	45
12/02/23	Hallmark Night	UV Clubhouse	21
02/10/24	SNS	UV Clubhouse	46
02/24/24	SNS Crime at the Casino	UV Clubhouse	26
03/23/24	March SNS: Mario Madness	UV Clubhouse	30
04/06/24	Picnic Party SNS	UV Clubhouse	45
04/20/24	SNS: Hot Ones Challenge and Ice Cream Bar	UV Clubhouse	40
05/04/24	SNS: Blossom Bash	UV Clubhouse	38

Students living in on-campus housing are expected to follow the NU Student Code of Conduct and are responsible for the policies in the Housing & Residence Life Community Policies, which can be found in Appendix D of this document. In addition to being provided with the policy documents, on-campus residents receive a letter from the Office of Student Conduct & Community Standards and Alcohol & Other Drug Education. Students will only receive this letter when they move onto campus, so students who have continued their lease for an additional year may not receive the letter for a second time. The full letter can be found in Appendix E.

On-campus students are also provided with a breakdown of the potential outcomes if they are found responsible for a violation of the Code. Those can be found in the full policy document (Appendix E). They are also included here:

Alcohol Policy Violation Possible Outcomes

Possible responses/sanctions to a violation of the alcohol policy include:

- Conduct meeting with a member of the conduct team.
- Educational Requirement, typically participation in BASICS (\$100 fee – funds are used for wellness initiatives).
- University Disciplinary Probation.
- Behavioral Requirement, which could include items such as university service, bulletin boards; implementing an event/program related to violation, etc.
- Possible relocation or removal from housing. Residents will still be held liable for their contract lease even if they are removed for conduct reasons.
- Parental notification – Housing & Residence Life staff reserves the right to contact parents/guardians/guarantors about any resident who is in violation of this policy or is transported to detox or the hospital for alcohol use health concerns.
- Referral to the Office of Student Conduct and Community Standards to discuss your student status.
- UNO Public Safety (UNO DPS)/Omaha Police Department (OPD) may be notified, and appropriate legal charges may be filed by UNO DPS or OPD (e.g., Minor in Possession [MIP], procuring for a minor, Minor in Consumption [MIC], etc.).

Substance Policy Violation Possible Outcomes

Possible responses/sanctions to a violation of the drug policy include:

- Conduct meeting with a member of the conduct team.
- Educational Requirement: Mandatory participation in BASICS (\$100 fee – funds are used for wellness initiatives).
- University Disciplinary Probation.
- Behavioral Requirement, which could include items such as university service, bulletin boards, implementing an event/program related to violation, etc.
- Possible relocation or removal from housing. Residents will still be held liable for their contract lease even if they are removed for conduct reasons.
- Parental notification. Housing & Residence Life staff reserves the right to contact parents/guardians/guarantors about any resident who is in violation of this policy or is transported to detox or the hospital for drug use health concerns.
- Referral to the Office of Student Conduct and Community Standards to discuss your student status.
- UNO Public Safety (UNO DPS)/Omaha Police Department (OPD) may be notified, and appropriate legal charges may be filed by UNO DPS or OPD (e.g., possession of a controlled substance, etc.).

Additional Strategies & Initiatives – Omaha Greeks

In Spring 2014, a UNO delegation attended the NASPA Annual Conference. One specific session from that conference related to the effectiveness of Brief Motivational Interventions for students in a Greek-affiliated organization. The presenters shared their research, done through Everfi, that indicated that BASICS is an effective prevention strategy and was especially effective when utilized with the Greek-affiliated organizations they included in their study. At UNO, a separate set of norming data for BASICS was created with those students in mind specifically. That tool has continued to be utilized since its introduction in academic year 2014-2015.

The Omaha Greeks are expected to follow the NU Student Code of Conduct, and they are also held to the standards in the Omaha Greeks Policies. Those can be reviewed in Appendix F. These are reviewed by staff with chapter leadership once per semester in an in-person training or retreat. Violations of this specific policy are tracked separately. In the time of this review, there was one major violation of the policy.

Additional Strategies & Initiatives – Student Athletes

UNO and UNO Athletics hold student athletes to a high standard for their health and safety, particularly in relation to unpermitted alcohol or substance use. Student athletes are provided with both the Code and the *Omaha Athletics Policy Statement on Alcohol and Other Drug Education and Testing*. This document provides student athletes with the expectations they are expected to meet as a student athlete at UNO. The full policy document can be reviewed in Appendix G; the policy covers the following topics, among others:

- A description of the purpose and mission of the policy;
- An overview of the alcohol and substance education provided to student athletes;
- Full explanations of each policy and the potential outcomes for violating the policy;
- An outline of the testing requirements and expectations for student athletes;
- Guidelines for the Safe Harbor Program – a program for voluntary disclosure; and
- Any applicable special considerations, appeal options, or exemptions.

Each student athlete is also expected to review the policies and complete the forms included in the Appendices. Those appendices are included in the full policy document below in Appendix G.

From July 1, 2022 through June 30, 2024, a total of 211 drug test screens were completed. Of those 211, there were 39 positive tests for substances (specifically marijuana). There were two student athletes who transferred to another institution; however, these may not be in direct correlation with positive testing results. During this same time frame, there were zero Safe Harbor Program participants.

For All Mavericks

UNO recognizes the importance of including all Mavericks in prevention efforts related to alcohol and substance use. This includes students, faculty, staff, parents and family members, and the Omaha/Nebraska communities. Below is a brief description of each strategy with dates and attendance (as available).

NEW STUDENT ORIENTATION

Although this is entitled New Student Orientation, parents and family members are included in the learning opportunities for orientation. During New Student Orientation, students are introduced to the Y1CBP. As described above, the Y1CBP shares norming data with new students about alcohol and substance use. Parents and families are introduced to information to help them start the conversation with their students relating to alcohol and substance use.

Attendance	All new and transfer students	Date(s)	Various – prior to enrolling in classes
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UNO HEALTH FAIR

The UNO Health Fair is open to all members of the Maverick community. The fair is an event to help students, faculty, and staff get connected with resources related to health and safety, whether on-campus or off-campus. Each year, the participants of the fair may vary slightly, but some key participants every year are CAPS, Accessibility Services Center, Nebraska Medicine – UNO Student Health, the Collegiate Recovery Community, and many more.

Attendance	Varies by year; well-attended; see above	Timing	Typically held annually in November
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POWER OF PARENTING

The *Power of Parenting* is a resource created by the Nebraska Collegiate Consortium (NCC) that has been tailored for UNO's needs. It is based on the work of Robert Turisi from Penn State University. This information is shared with parents and families through New Student Orientation, as a postcard after orientation, and on the CAPS website.

Check it out: [Power of Parenting website](https://www.unomaha.edu/student-life/wellness/power-of-parenting/index.php)

(Full link: <https://www.unomaha.edu/student-life/wellness/power-of-parenting/index.php>)

Attendance	Not Applicable	Timing	Not Applicable
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DRUG AWARENESS COURSE (PHHB 2070)

UNO Course Catalog: "An introduction to the effects and rationales of drug use, misuse, and abuse. Included are the physiological, psychological, sociological, pharmacological, and legal aspects of drugs in a culturally diverse United States and abroad."

Attendance	Maximum of 40 students per section	Timing	One section each Fall & Spring, not Fall 2023
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HOUSING & RESIDENCE LIFE WEEKLY REVIEW MEETING

The Housing & Residence Life (HRL) Weekly Review Meeting serves as an opportunity for staff to discuss housing concerns, particularly those related to alcohol and substance use. During these meetings, alleged violations of the Code are discussed, staff are assigned to address the concerns, and notes are updated to accurately reflect the plans. This meeting is also used to ensure timely follow-through of any outcomes from a violation occurs to ensure the interventions are effective.

Attendance	Staff from HRL, Public Safety, Accessibility Services, Student Conduct, Multicultural Affairs, and more.	Timing	Weekly on Monday mornings
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BRIEF MOTIVATIONAL INTERVIEWING TRAININGS

Brief Motivational Interviewing (BMI) is an incredibly important skill for our staff to have when working with students who may be struggling with alcohol and substance use concerns. BMI techniques focus on using interpersonal communication to understand a student's desire (or lack thereof) to change their behaviors and can help students explore the potential consequences (both positive and negative) of the choices they are making. UNO provides trainings in BMI to UNO students, faculty, and staff and to other schools who are members of the Omaha Collegiate Consortium partnership.

Attendance	2022: 7 Trainings with 30 Participants	Timing	Various
	2023: 6 Trainings with 25 Participants		Also, available as requested

RESIDENT ASSISTANT (RA) TRAININGS

RAs are student-leaders on UNO's campus who serve as mentors for a population of approximately 30-50 other students. Because RAs serve in this important role, they receive training in a wide variety of topics, including alcohol and substance concerns.

Attendance	All Dodge & Scott Campus RAs	Timing	Annually in August
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CLASSROOM PRESENTATIONS

5 Recovery Ally Trainings were completed in classrooms and for staff.

Attendance	5 Total Trainings	Timing	Various
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COMMUNITY PARTNERSHIPS

UNO collaborates with two community entities that work to address several environmental strategies – the Nebraska Collegiate Prevention Alliance (NECPA – previously NCC) and the Omaha Collegiate Consortium (OCC). NECPA is a state-wide collegiate prevention group funded by the Nebraska State Patrol. They offer resources to institutions who are members, including national speaker events, the College Behavioral Profile, the *Power of Parenting* tool, marketing creation and assistance, and opportunities to receive funding. You can learn more about NECPA on [the NECPA website](https://nepreventionalliance.org/) (Full link: <https://nepreventionalliance.org/>).

The OCC is a smaller entity within NECPA, which narrows the focus to institutions in Omaha, Nebraska and the specific needs they may have. There are currently seven institutions represented in the OCC. Currently, the OCC is involved with two grants – a block grant and the PFS grant – and has partnered with the NCC on social norming campaigns, bystander intervention trainings, degree marketing programs, marketing on Nebraska’s Good Samaritan Law, the Collegiate Recovery Safe Space, among others. You can learn more about the OCC on [the NECPA website](https://nepreventionalliance.org/history-NECPA) (Full link: <https://nepreventionalliance.org/history-NECPA>).

UNO has also worked with the OCC to create and implement strategies related to the intersection between alcohol use and sexual assault. The created strategy, which was introduced in 2018, involves student leaders who are trained to present active bystander awareness presentations to their peers and others. These have been provided to RAs, various classes, student groups, and others who have requested this information for their team.

UNO also attended the NECPA Statewide Convening held in Summer 2024. This was a training offered by NECPA to network with other individuals doing similar work, talk about prevention/education strategies, and learn new information.

Attendance	One UNO staff members	Timing	10 meetings annually + luncheon in April annually
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On-Going Programs, Evaluation Services, and Treatment at UNO

UNO has a variety of on-going programs, evaluation services, and treatment options available. Those include, but are not limited to, Alcoholics Anonymous (AA) meetings, outpatient counseling and evaluations, the Collegiate Recovery Community (CRC), and the Faculty/Employee Assistance Program (FEAP). Each of these is described in greater detail below.

Alcoholics Anonymous (AA) Meetings

Three AA meetings are held on Monday, Wednesday, and Friday each week from 12:00PM-1:00PM. The meetings are open to all Mavericks, to the Omaha community, and to anyone interested in learning more about AA. Like most AA meetings, these are an open discussion format. They are not affiliated with UNO, though they are held on-campus.

Outpatient Counseling & Evaluations

The UNO Counseling & Psychological Services (CAPS) offers alcohol and substance outpatient counseling at no charge for participants who are “non-court suggested” participants. The service is performed by licensed counselors – one who is fully licensed in drug and alcohol counseling and one who is dual-licensed in mental health and drug and alcohol counseling. These counselors are listed in the state-approved providers for the judicial system to provide evaluation and treatment for individuals who have been found responsible for a violation of alcohol and substance laws. This service is also available for “court suggested” participants and is available at approximately ½ of the average charge for similar services in the community. For the time frame of July 1, 2022 through July 31, 2024, the following are representative of “court suggested” and “non-court suggested” appointments:

Appointment Type	Total Appointments	Length in Hours	Total Clients	Total Sessions
Judicial System Referral	6	11.50 Hours	6	6
UNO or Self-Referral	8	17.00 Hours	9	9
Evaluation Follow-Up	3	1.75 Hours	3	3
Intake Appointment	15	15.00 Hours	15	15
Counseling Appointment	96	96.00 Hours	24	96

UNO Collegiate Recovery Community (CRC)

UNO’s Collegiate Recovery Community (CRC) is a supportive environment within the campus culture for students who identify as recovering from alcoholism or drug addiction. The goal of the CRC is to provide authentic college experience and access to the campus culture in an environment that has the potential to be hostile for students in recovery. Many college students experience pressure to choose between their recovery and their education. An active CRC helps students maximize the protective factors that contribute toward persistence with education.

College students in recovery are often invisible on campus, they may find trusting others with their recovery status difficult, making recovery and education separate. The Collegiate Recovery Program provides a venue for students in recovery to connect and support one another.

The CRC at UNO is very active and involved. From July 1, 2022 through June 30, 2024, there have been over 30 programs intended to support CRC students and to Alcohol and Substance Outreach & Education. UNO has also supported the CRC with a 0.20 FTE in-kind staff commitment each year.

DATE	EVENT	HOURS
8/12/2022	CRC Move-In	3 hours
8/20/2022	Housing Block Party	3 hours
8/21/2022	MavFest	2 hours
9/1/2022	Ally Training-Class	1.5 hours
10/27/2022	Fall Festival	2 hours
11/3/2022	Health Fair	3 hours
12/8/2022	DeStress Event	2 hours
1/27/2023	Tabling	2 hours
3/8/2023	All Recovery Meeting	1.5 hours
3/15/2023	All Recovery Meeting	1.5 hours
3/20/2023	Ally Training-Greek Council	2 hours
3/22/2023	All Recovery Meeting	1.5 hours
3/23/2023	Ally Training-Senior Staff	2 hours
3/29/2023	All Recovery Meeting	1.5 hours
4/5/2023	All Recovery Meeting	1.5 hours
4/12/2023	All Recovery Meeting	1.5 hours
4/19/2023	All Recovery Meeting	1.5 hours
4/25/2023	Ally Training-Class	2 hours
4/26/2023	All Recovery Meeting	1.5 hours
5/3/2023	All Recovery Meeting	1.5 hours
5/4/2023	Graduate Class Presentation	2 hours
5/10/2023	All Recovery Meeting	1.5 hours
5/17/2023	All Recovery Meeting	1.5 hours
5/25/2023	Ally Training-RA Staff	2 hours
6/6/2023	Graduate Class Presentation	3 hours
6/24/23	ARHE Conference-Ohio	5 days
6/29/2023	CRC Move Day	Unknown
7/18/2023	Statewide Convening	1 day
8/19/2023	Housing Block Party	3 hours
9/1/2023	Board Game Night	2 hours
9/27/2023	Ally Training-class	2 hours
9/28/2023	Ally Training-Class	2 hours
10/6/2023	BASICS-Swim Team	2 hours
11/1/2023	Health Fair	3 hours
11/8/2023	WBGB-Fund Raising Event	3 hours
11/27/2023	Graduate Class Presentation	3 hours
1/17/2024	NASPA Conference	3 days
2/14/2024	CRC Movie Event-Aksarben	3 hours
3/6/2024	Ally Training-Staff	2 hours
4/25/2024	Ally Training-Class	2 hours
5/10/2024	Gym Event	3 hours
6/29/2024	ARHE Conference-SanDiego	5 days
7/10/2024	Statewide Convening	1 day

Faculty & Staff Employee Assistance Program (FSEAP)

UNO has contracted with Best Care to provide confidential counseling and referral services to benefit-eligible Faculty and Staff and their eligible dependents through Best Care's Employee Assistance Program. One reason an individual may choose to seek assistance through FEAP includes Alcohol and Drug Abuse/Dependency. Use of the FSEAP counseling is completely confidential. Information cannot be shared with anyone without written permission, unless otherwise required by Law.

This service is only available for benefit-eligible faculty and staff and their eligible dependents, which does not include student workers or Graduate Assistants; however, those who are not eligible for the FSEAP may generally utilize CAPS. They are dedicated to assisting students, faculty, and staff with challenges that have impacted their overall well-being, including counseling related to a wide range of alcohol and substance issues. For anyone who is not eligible for FEAP or CAPS, counseling is available through the College of Education Community Counseling Clinic (CCC). You can learn more about the CCC on [the College of Education website](http://www.unomaha.edu/college-of-education-health-and-human-sciences/counseling/community-counseling-clinic/index.php).

(Full link: www.unomaha.edu/college-of-education-health-and-human-sciences/counseling/community-counseling-clinic/index.php)

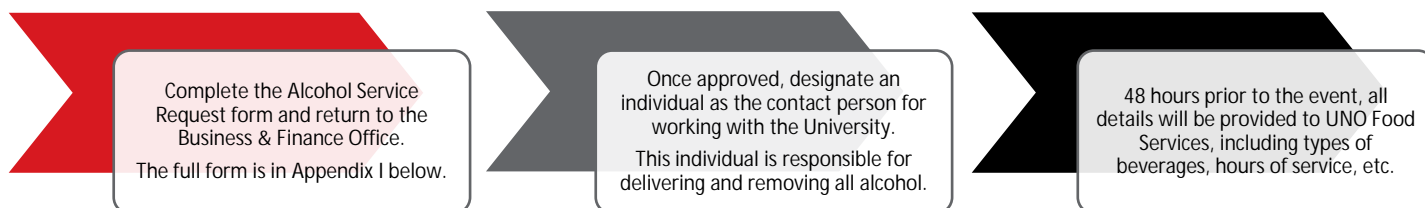
Other Policies, Resources, & Supports

UNO recognizes that there are other policies, resources, and supports relevant to the conversation on alcohol and substance use. Described below and linked in the Appendices are the Serving Alcohol Beverages Policy, Federal Financial Aid Policy, and information about UNO's Office of Public Safety.

UNO Serving Alcoholic Beverages Policy

UNO is considered a permit-only campus for alcohol use, which means that alcohol is not permitted unless an organization, event, or other entity receives a permit to serve alcoholic beverages. These must be approved by the Vice Chancellor for Business & Finance. The full policy can be found in Appendix H below.

Those wishing to receive a permit for alcohol must follow these procedures:



These steps must be completed and all policies from the UNO Serving Alcohol Beverages Policy must be followed. Any deviation from those expectations may be a violation of University policy or the Code.

From July 1, 2022 through June 30, 2024, 53 events were approved and accepted for alcohol service.

UNO Department of Public Safety

University of Nebraska Omaha Department of Public Safety (UNODPS) is located in the Eppley Administration Building, Room 100, and provides services to the University community 24 hours a day. Call 402.554.2648 for information regarding any service offered by UNODPS. The primary duties and responsibilities of the Department are:

- To protect life and property;
- Provide building and grounds patrol;
- Enforce Traffic and Parking Rules & Regulation;
- Enforce Federal and State Laws, City Ordinances and University Policies on campus;
- Investigate criminal offenses;
- Recover stolen property;
- Control the UNO key system; and
- Provide for the general safety of all persons while on campus.

UNODPS coordinates all functions of campus safety. They are responsible for the continuous patrol of campus property and respond to calls for service. UNODPS law enforcement officers and security officers patrol Dodge Campus, Scott Campus, and Center Campus

locations 24/7 by foot, bicycle, and motorized patrols. UNODPS is a blended security team featuring sworn law enforcement officers and campus security officers. UNODPS' sworn law enforcement officers have full police and arrest powers. Officers complete certification at the State Law Enforcement Training Center and are commissioned by the State of Nebraska as Special Deputy Sheriffs. They undergo continuous training to upgrade and maintain their professional skills. While they have the authority to enforce Omaha city ordinances and state laws within Douglas County, their primary jurisdiction is property owned by and associated with UNO.

Campus Security Officers (CSOs) are unarmed and do not have arrest powers. CSOs are trained in first aid, CPR, AED (Automated External Defibrillator), defense tactics, and undergo other specialized training to enhance their skills.

Additional Services Provided by UNODPS

Lost and Found Repository – Public Safety maintains the Lost and Found Repository. Many buildings hold found property for a short time before turning it over to UNODPS. Items are kept for at least 30 days at UNODPS and then donated to charity or destroyed. Contact Public Safety at 402.554.2776 to inquire about lost items.

Operation I.D. – Your electronic equipment or other personal belongings may be engraved to aid in finding lost or stolen property. Stop by the Public Safety Office to check out an engraver and instructions to mark your property. University Building Keys Public Safety's responsibilities include control of the University key system. Eligible University employees should make requests for keys through their department chairperson, who will direct the request to Public Safety. More information regarding this process can be found under Facility Access Management.

Fingerprinting – The Department of Public Safety provides a fingerprinting service for individuals who require fingerprints for local, state and federal positions and for children of students, staff, faculty and alumni. Children's fingerprints are strictly for the benefit of the parents should a child ever become missing. No records are maintained by UNODPS. Contact Public Safety to schedule an appointment.

Goals & Recommendations

Review of 2022–2024 Biennial Report Goals

Below are the goals that were identified in the 2020-2022 biennial report, including the status and any relevant notes or updates.

STRATEGY	STATUS	NOTES & UPDATES
Continue to use Data from Y1CBP and NACHB to formulate and implement social norms campaigns reflecting high-risk substance use (alcohol and cannabis).	On-Going	<ul style="list-style-type: none"> Social norm campaigns continue on a regular basis with CBP and National Assessment of College Health Behaviors (NACHB) data.
Initiate community-wide social norm campaigns with advertising strategies.	On-Going	<ul style="list-style-type: none"> Additional strategies and initiatives were utilized in the past two years, including rotation of marketing materials and new marketing mediums.
Continue to provide BASICS as an intervention strategy for students found responsible for a violation of the campus alcohol/drug policy.	On-Going	<ul style="list-style-type: none"> BASICS continues to be provided to students who are found responsible for a violation of the campus alcohol and drug policy.
Include the Recovery Ally Training as part of the Housing & Residence Life Resident Assistant training.	In Progress	<ul style="list-style-type: none"> Alternate timing is being explored for providing this information to Resident Assistants.
Initiate All Recovery Meeting open to all OCC school students on a weekly schedule, increasing equity capital. Utilize the CEC to improve access.	In Progress	<ul style="list-style-type: none"> Alternate locations for All Recovery Meetings have been explored.
Increase CRC membership by 10% with use of Y1CBP self-identification as a prospective member, increasing equity capital.	On-Going	<ul style="list-style-type: none"> Self-identification as a potential member or student with interest was added to Y1CBP.
Increase CRC Engagement by 20% with weekly and monthly social events; Recovery Ally Training; Alcohol Presentations addressing high-risk use to campus partners (i.e. Greek Life, NAMI, etc.), increasing equity capital.		<ul style="list-style-type: none"> Social events have been planned and implemented with campus and community partners. CRC has worked to partner with many other departments for visibility on campus.
Maintain CBP information regarding cannabis use risk to reflect the most up to date information.	Complete	<ul style="list-style-type: none"> CBP was updated.

Initiate a student worker position within the CRC/CAPS structure to improve availability for campus awareness.	Complete	<ul style="list-style-type: none"> A student worker position was created, and the student worker has assisted in marketing and visibility efforts.
Continue partnerships with OCC and NECPA.	On-Going	<ul style="list-style-type: none"> Partnerships have continued and will continue. UNO participated in the annual conference as well.
Continue participation in the NECPA Advisory Board.	On-Going	<ul style="list-style-type: none"> Participation has continued over the past year.
Improve social media presence.	On-Going	<ul style="list-style-type: none"> Social media presence has continued.

2024–2026 Biennial Report Goals

The following have been identified as goals and recommendations for the 2022-2024 biennial review cycle.

- Expand the current Narcan Initiative to educate members of the community regarding proper use of Narcan.
- Maintain the current operations of the CRC, including regularly scheduled AA meetings, having resources/supports available, and ensuring students are aware of the location of the CRC.
- Maintain the current Recovery Ally Trainings and continue to provide those to the campus community.
- Continue use of the CBP as follow-up for certain student conduct violations and have it available for campus community members.
- Increase trainings and retreats that are scheduled from Student Leadership and Involvement and update campus information regarding Greek Formal prevention meetings.
- Consider any available grants relating to serving our student populations about Alcohol/Substance Education.
- Providing Wellness Coaches with training regarding alcohol and substance recovery and allyship.
- Connect with International Programs and International Orientation as an opportunity for education for our incoming international students.

Appendix A – All-Campus Notification Email

UNO's Drug-Free Campus Policy

Dear UNO Community,

All UNO students and employees (faculty and staff) are required to adhere to the university's Drug-Free Campus Policy. The link below describes the health risks, available assistance and treatment avenues, and legal and disciplinary sanctions of using illegal drugs or alcohol.

Drug Policy (Updated 2023) – Linked to the current drug policy which is included below

Should you have questions about this policy, please contact:

Counseling and Psychological Services | 402.554.2409

Student Life and Wellbeing | 402.554.2779 | unostudentlife@unomaha.edu

Human Resources | 402.554.4481 | unohr@unomaha.edu



MEMORANDUM

TO: George Holman, Associate Vice Chancellor, Student Affairs, UNK
Scott Benson, Director of Human Resources, UNK
Ricci Fast, Director, Police & Parking Services, UNK
Alex Straatmann, Chief Compliance Officer, UNK
Michelle Holman, Clery/Accreditation Manager, UNK
Amy Lanham, Director of Campus Recreation, UNL
Tony Rathgeber, Chief of Staff and Associate to the Vice Chancellor, Student Affairs, UNL
Ben Lennander, Interim Assistant Vice Chancellor for Human Resources, UNL
Layton Brooks, Employee Relations, Compensation and Employment Director, UNL
Hassan Ramzah, Assistant Vice Chancellor, Chief of Police, UNL
Agustin Champion, Sergeant, University Police, UNL
Jennifer McConville, Associate Dean for Finance, Operations, and Student Services, NCTA
Jeff Knapp, Director, Counseling and Psychological Services, UNMC
Philip Covington, Associate Vice Chancellor for Student Success, UNMC
Charlotte Evans, Associate Vice Chancellor, Chief of Police, UNMC, UNO
Sarah Gloden Carlson, Assistant Vice Chancellor & Director for Human Resources, UNMC
Linda Cunningham, Associate Director, Human Resources, UNMC
Nathan Bock, Director, Counseling & Health Services, UNO
Steve Kerrigan, Assistant Vice Chancellor for Human Resources, UNO
Drew Nielsen, Chief Compliance Officer, UNO, UNCA
Cathy Pettid, Associate Vice Chancellor for Student Life and Well Being, UNO
Sheryl Gartner, Director of Human Resources, UNCA

FROM: D. Ashley Robinson, Associate General Counsel

DATE: June 27, 2024

RE: Drug and Alcohol Abuse Prevention Update

Attached is the most recent version of the “Drug and Alcohol Abuse Prevention Update” and accompanying charts.

In order to comply with the Drug-Free Schools and Communities Act, 20 U.S.C. § 1011i and the Drug-Free Schools and Campuses Regulations 34 C.F.R. § 86, the University must establish drug and alcohol abuse prevention programs for students and employees. Each year, students and employees must receive materials that contain standards of conduct, a description of the various laws that apply in the jurisdiction regarding alcohol and drugs, a description of the various health risks of drug and alcohol abuse, a description of counseling and treatment programs that are available, and a statement on the

sanctions the University will impose for a violation of the standards of conduct.

To assist with meeting these requirements, please see the Drug and Alcohol Abuse Prevention Update and accompanying charts. The materials have been revised to include the changes that have occurred in both state and federal statutes over the last year.

Please remember to conduct the required biennial reviews mentioned on page 12 of the Drug and Alcohol Abuse Prevention Update. The biennial review must include a determination of the number of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities and the number and type of sanctions imposed by the institution as a result of drug and alcohol-related violations and fatalities that occur on the institution's campus or as part of the institution's activities.

If you have any questions, please contact me at (402) 472-1201.

Attachments:
Drug and Alcohol Abuse Prevention Update (June 20, 2024)

DRUG AND ALCOHOL ABUSE PREVENTION UPDATE

A. STANDARDS OF CONDUCT FOR EMPLOYEES AND STUDENTS REGARDING ALCOHOL AND DRUGS (BOARD OF REGENTS POLICY 2.1.5)

The illegal possession, use, or distribution of drugs or alcohol by students and employees is a violation of University rules as well as State and Federal laws. Officers of the University are to cooperate with State and Federal agencies in the prevention of drug abuse. In satisfaction of this mandate and in order to fulfill its obligations under the Drug Free Workplace Act of 1988, 41 U.S.C. § 701, and the Drug Free Schools and Communities Act of 1989, 20 U.S.C. § 1145g, the University has formulated standards of conduct for both its employees and its students which prohibit the following acts:

1. use, possession, manufacture, distribution, or sale of illegal drugs or drug paraphernalia on University premises or while on University business or at University activities, or in University supplied vehicles either during or after working hours;
2. unauthorized use, possession, manufacture, distribution, or sale of a controlled substance as defined by the Federal Controlled Substances Act, 21 U.S.C. §§ 801 et seq., or Nebraska Drug Control Laws, Neb. Rev. Stat. §§ 28-401 et seq., on University premises, or while engaged on University business or at University activities or in University supplied vehicles, either during or after working hours;
3. unauthorized use, manufacture, distribution, possession, or sale of alcohol on University premises or while on University business, or at University activities, or in University-supplied vehicles, either during or after working hours;
4. storing in a locker, desk, vehicle, or other place on University owned or occupied premises any unauthorized controlled substances, drug paraphernalia, or alcohol;
5. use of alcohol off University premises that adversely affects an employee's or student's work or academic performance, or an employee's or student's safety or the safety of others;
6. possession, use, manufacture, distribution, or sale of illegal drugs off University premises that adversely affects the employee's work performance or the student's academic performance, or an employee's or student's safety or the safety of others;
7. violation of State or Federal laws relating to the unauthorized use, possession, manufacture, distribution or sale of alcohol, controlled substances, or drug paraphernalia;
8. in the case of employees, failure to notify an employee's supervisor of an employee's arrest or conviction under any criminal drug statute as a result of a violation of law which occurs at the University of Nebraska workplace.

[The Standards of Conduct were approved by the Regents in 1990. See Board of Regents of the University of Nebraska, *Minutes*, Vol. 55, p. 204 (October 12, 1990) and Vol. 56, p. 149 (September 6, 1991) are available at

<https://nebraska.edu/regents/bylaws-policies-and-rules>].

B. DESCRIPTION OF APPLICABLE LEGAL SANCTIONS UNDER FEDERAL, STATE, OR LOCAL LAW FOR UNLAWFUL POSSESSION OR DISTRIBUTION OF ILLICIT DRUGS AND ALCOHOL

The information on the following pages summarizes selected provisions of Federal, State, and local laws that provide criminal and civil penalties for unlawful possession or distribution of drugs and alcohol.

1. Federal Penalties and Sanctions for Illegal Possession of Controlled Substances

21 U.S.C. § 844(a)

First Conviction: Up to 1-year imprisonment and fine of at least \$1,000 or both. After one prior drug conviction: At least 15 days in prison, not to exceed 2 years, and a fine of at least \$2,500. After 2 or more prior drug convictions: at least 90 days in prison, not to exceed 3 years, and a fine of at least \$5,000.

21 U.S.C. §§ 853(a) and 881(a)

Forfeiture of tangible and intangible personal and real property used to possess or to facilitate possession of a controlled substance if that offense is punishable by more than 1-year imprisonment. Forfeiture of vehicles, boats, aircraft, or any other conveyance used, or intended for use, to transport or in any manner to facilitate the transportation, sale, receipt, possession, or concealment of controlled substances.

21 U.S.C. § 844a

Civil fine of up to \$10,000 for each violation of 21 U.S.C. § 844 involving controlled substances listed in 21 U.S.C. § 841(b)(1)(A).

21 U.S.C. § 862

Denial of Federal benefits, such as financial aid grants, contracts, student loans, and professional and commercial licenses, for individuals convicted of distributing controlled substances (drug trafficking). The denial can last up to 5 years for the first conviction and up to 10 years for the second conviction. Those who have three or more convictions will be permanently ineligible for all Federal benefits.

18 U.S.C. § 922(g)

Ineligible to receive or possess a firearm or ammunition.

Miscellaneous

Authority to revoke certain Federal licenses and benefits, e.g., pilot licenses, public housing tenancy, etc., is vested with the officials of individual Federal agencies.

The United States Drug Enforcement Administration publishes information that summarizes trafficking penalties under Federal law for various drugs. The information is available

at https://www.dea.gov/sites/default/files/drug_of_abuse.pdf and <https://www.dea.gov/sites/default/files/2022-12/federal%20trafficking%20penalties.pdf>. Note: These are only Federal penalties and sanctions. Additional State penalties and sanctions may apply.

2. State Penalties and Sanctions for Illegal Possession of Controlled Substances

The framework for the regulation of most drugs, also called controlled substances, is set out in the Uniform Controlled Substances Act. In addition, other Nebraska State laws establish penalties for various drug-related offenses as summarized below. Nebraska laws are available at <http://nebraskalegislature.gov/laws>. Charts 1 and 2 summarize the sanctions under Nebraska law for possession or distribution of various drugs.

Crimes Involving Minors:

Any person 18 years of age or older who knowingly or intentionally manufactures, distributes, delivers, dispenses, or possesses with intent to manufacture, distribute, deliver or dispense a controlled substance or a counterfeit controlled substance (i) to a person (under the age of 18 years); (ii) in, on, or within 1,000 feet of a school, college, university, or playground; or (iii) within 100 feet of a youth center, public swimming pool, or video arcade shall be punished more severely. The law also provides for an enhanced penalty for anyone 18 years of age or older to knowingly and intentionally employ, hire, use, cause, persuade, coax, induce, entice, seduce, or coerce any person under the age of 18 years to manufacture, transport, distribute, carry, deliver, dispense, prepare for delivery, offer for delivery, or possess with intent to do the same a controlled substance or a counterfeit controlled substance. See Neb. Rev. Stat. § 28-416(4)(a) and (5)(a) (Supp. 2023).

Persons under the age of eighteen who violate the drug laws may be subject to additional sentencing provisions found in Neb. Rev. Stat. § 28-416(18) and (19); these include impounding licenses or permits issued under the Motor Vehicle Operator's License Act, completion of community service, and attending drug education classes.

Immunity and Violation Exceptions:

The law provides immunity from drug related violations in subsection (3) of §28-416 and §28-441 (which relates to drug paraphernalia) in certain circumstances. The law provides immunity when a person may need medical assistance as a result of a drug overdose and the evidence for the violation of the laws was obtained as a result of the drug overdose and the request for medical assistance. A penalty may not be imposed on a person who otherwise violated the law if the person (i) made a good faith request for emergency medical assistance in response to the possible drug overdose of themselves or another person as soon as the emergency situation was apparent; (ii) made the request for medical assistance; and (iii) when emergency medical assistance was requested for the possible drug overdose of another person:

(A) remained on the scene until the medical assistance arrived; and (B) cooperated with medical assistance and law enforcement personnel. Neb. Rev. Stat. § 28-472 (Cum. Supp. 2022).

Similarly, the law also provides immunity from arrest and prosecution for drug or alcohol offenses for victims and witnesses of sexual assault. A person shall not be arrested or prosecuted for an eligible alcohol or drug offense if such person witnessed or was the victim of a sexual assault and such person: (a) Either: (i) In good faith, reported such sexual assault to law enforcement; or (ii) Requested emergency medical assistance for the victim of the sexual assault; and (b) Evidence supporting the arrest or prosecution of the eligible alcohol or drug offense was obtained or discovered as a result of such person reporting such sexual assault to law enforcement or requesting emergency medical assistance. (2) A person shall not be arrested or prosecuted for an eligible alcohol or drug offense if: (a) Evidence supporting the arrest or prosecution of the person for the offense was obtained or discovered as a result of the investigation or prosecution of a sexual assault; and (b) Such person cooperates with law enforcement in the investigation or prosecution of the sexual assault. Neb. Rev. Stat. § 28-1701 (Cum. Supp. 2022).

Probation Conditions:

Any person convicted of a drug law violation, if placed on probation, shall, as a condition of probation, satisfactorily attend and complete appropriate treatment and counseling on drug abuse. Neb. Rev. Stat. § 28-416 (14) (Supp. 2023).

Tax Provisions:

Anyone who possesses or sells the following amounts of controlled substances or imitation controlled substances must pay the appropriate taxes to the Nebraska Department of Revenue and have the stamps attached to the controlled substances. Marijuana is not included in the definition of “controlled substances” here but is also taxed, as follows:

Illegal marijuana is taxed at \$100 for each ounce or portion of an ounce. Neb. Rev. Stat. § 77-4303(a) (Reissue 2018).

Any controlled substance that is sold by weight or volume (i.e., cocaine, crack, methamphetamine, etc.) is taxed at \$150 for each gram or portion of a gram. Neb. Rev. Stat. § 77-4303(b) (Reissue 2018).

Any controlled substance that is not sold by weight (i.e., LSD, Quaaludes, methamphetamine in tablets, PCP, etc.) is taxed at \$500 for each 50 dosage units or portion thereof. Neb. Rev. Stat. § 77-4303(c) (Reissue 2018).

Failure to have the proper tax stamps attached to the controlled substance is a Class IV felony, with a criminal penalty of up to a 2-year imprisonment and 12-month post-

release supervision or a \$10,000 fine or both. Neb. Rev. Stat. § 28-105(1) (Cum. Supp. 2022); Neb. Rev. Stat. §§ 77-4309 (Reissue 2018).

Property Forfeiture:

Property used to manufacture, sell, or deliver controlled substances can be seized and forfeited to the State. Property subject to forfeiture may include cash, cars, boats, and airplanes, as well as drug paraphernalia, books, records, and research, including formulas, microfilm, tapes, and data. Neb. Rev. Stat. § 28-431 (Cum. Supp. 2024).

Being Under the Influence of Any Controlled Substance for Unauthorized Purpose:

It is a violation of Nebraska law to be under the influence of any controlled substance for a purpose other than the treatment of a sickness or injury as prescribed or administered by a practitioner. In a prosecution, the State need not prove that the accused was under the influence of a specific controlled substance, only that the accused manifested symptoms or reactions caused by the use of any controlled substance. Neb. Rev. Stat. § 28-417(1)(g) (Reissue 2016).

Drug Paraphernalia Offenses:

It is a violation of Nebraska law to use, or to possess with intent to use, drug paraphernalia to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. Neb. Rev. Stat. § 28-441(1) (Cum. Supp. 2022). An individual is not in violation of this section if one of the immunity exceptions described above applies. The exceptions include circumstances related to making a good faith request for emergency assistance and to victims and witnesses of sexual assault. Neb. Rev. Stat. § 28-441(3) (Cum. Supp. 2022); Neb. Rev. Stat. § 28-472 (Cum. Supp. 2022); and Neb. Rev. Stat. § 28-1701 (Cum. Supp. 2022).

"Drug paraphernalia" is defined to include such things as hypodermic syringes, needles, pipes, bongs, roach clips, and other items used, intended for use, or designed for use with controlled substances. Neb. Rev. Stat. § 28-439 (Reissue 2016).

It is unlawful to deliver, possess with intent to deliver, or manufacture with intent to deliver drug paraphernalia knowing, or under circumstances in which one should reasonably know, that it will be used to manufacture, inject, ingest, inhale, or otherwise introduce into the human body a controlled substance. This section does not apply to pharmacists, pharmacist interns, pharmacy technicians, and pharmacy clerks who sell hypodermic syringes or needles for the prevention of the spread of infectious diseases. Neb. Rev. Stat. § 28-442 (Cum. Supp. 2022).

It is a violation of Nebraska law for a person 18 years of age or older to deliver drug

paraphernalia to a person under the age of 18 who is at least three years his or her junior. Neb. Rev. Stat. § 28-443 (Reissue 2016).

A violation of Neb. Rev. Stat. § 28-441 (use or possession of drug paraphernalia) is an infraction and is punishable on the first offense by a fine of up to a maximum of \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. §§ 28-441 (Cum. Supp. 2022) and 29-436 (Reissue 2016). The penalty for violation of Neb. Rev. Stat. § 28-442 (delivery or manufacture of drug paraphernalia), which is a Class II misdemeanor, is up to a 6-month imprisonment or a fine up to \$1,000 or both. Neb. Rev. Stat. § 28-442 (Cum. Supp. 2022) and § 28-106(1) (Reissue 2016). The penalty for violation of Neb. Rev. Stat. § 28-443 (delivery of drug paraphernalia to a minor), a Class I misdemeanor, is imprisonment for up to one year or a fine up to \$1,000 or both. Neb. Rev. Stat. § 28-443 (Reissue 2016) and § 28-106(1) (Reissue 2016).

Imitation Controlled Substances:

It is a violation of Nebraska law to knowingly or intentionally manufacture, distribute, deliver, or possess with intent to distribute or deliver an imitation controlled substance. Neb. Rev. Stat. § 28-445 (Reissue 2016). "Imitation controlled substance" is a substance that is not a controlled substance or controlled substance analogue, but which is represented to be an illicit controlled substance or controlled substance analogue. Neb. Rev. Stat. § 28-401(30) (Cum. Supp. 2024). The first violation of this law is a Class III misdemeanor, and the penalty is up to a 3-month imprisonment or a \$500 fine or both. A second offense violation of this law is a Class II misdemeanor, and the penalty is imprisonment for up to six months or a \$1,000 fine or both. Neb. Rev. Stat. § 28-445 (Reissue 2016) and § 28-106(1) (Reissue 2016).

Controlled Substance Analogues:

For purposes of Nebraska's Uniform Controlled Substance Act, controlled substance analogues (often called "designer drugs") are treated as controlled substances. Such an analogue is defined as (i) substantially similar in chemical structure to the chemical structure of a controlled substance or (ii) having a stimulant, depressant, analgesic or hallucinogenic effect on the central nervous system that is substantially similar to or greater than the effect of a controlled substance. Neb. Rev. Stat. § 28-401(31)(a) (Cum. Supp. 2024).

3. State Law Penalties and Sanctions for Selected Alcohol Offenses

Minor In Possession:

It is against the law for a person under the age of 21 years to sell, dispense, consume, or possess alcohol. Neb. Rev. Stat. § 53-180.02 (Reissue 2021). In general, unless an exception applies, any person under the age of 21 years violating this law is guilty of a Class III

misdemeanor; additional consequences may apply if the person is 18 years of age or younger. Neb. Rev. Stat. § 53-180.05(4) (Cum. Supp. 2022) and § 53-181 (Reissue 2021); § 28-106(1) (Reissue 2016). Depending on the age of the violator and the number of the offense, penalties for violation of this law may include one or more of the following: the impoundment of the offender's license for thirty days or more; the requirement to attend an alcohol education class; the requirement to complete twenty hours or more of community service; submission to an alcohol assessment by a licensed counselor; imprisonment of up to three months; and/or a \$500 fine. Neb. Rev. Stat. § 53-180.05(4) (Cum. Supp. 2022) and § 53-181 (Reissue 2021); § 28-106(1) (Reissue 2016).

The law provides immunity from minor in possession alcohol charges when someone underage is in need of medical assistance. A penalty may not be imposed on a person who otherwise violated the law if the person (i) made a good faith request for emergency medical assistance in response to the possible alcohol overdose of themselves or another person as soon as the emergency situation is apparent; (ii) made the request for medical assistance; and (iii) when emergency medical assistance was requested for the possible alcohol overdose of another person: (A) remained on the scene until the medical assistance arrived; and (B) cooperated with medical assistance and law enforcement personnel. Neb. Rev. Stat. § 53-180.05(4) (Cum. Supp. 2022) and § 53-181(3) (Reissue 2021).

Similarly, the law also provides immunity from arrest and prosecution for alcohol offenses for victims and witnesses of sexual assault. A person shall not be arrested or prosecuted for an eligible alcohol offense if such person witnessed or was the victim of a sexual assault and such person: (a) Either: (i) In good faith, reported such sexual assault to law enforcement; or (ii) Requested emergency medical assistance for the victim of the sexual assault; and (b) Evidence supporting the arrest or prosecution of the eligible alcohol offense was obtained or discovered as a result of such person reporting such sexual assault to law enforcement or requesting emergency medical assistance. (2) A person shall not be arrested or prosecuted for an eligible alcohol offense if: (a) Evidence supporting the arrest or prosecution of the person for the offense was obtained or discovered as a result of the investigation or prosecution of a sexual assault; and (b) Such person cooperates with law enforcement in the investigation or prosecution of the sexual assault. Neb. Rev. Stat. § 28-1701 (Cum. Supp. 2022).

Procuring Alcohol:

It is a violation of Nebraska law to sell, furnish, give away, exchange, deliver, or permit the sale, gift, or procuring of any alcoholic liquors to or for any minor or to any person who is mentally incompetent. Neb. Rev. Stat. § 53-180 (Reissue 2021). A violation of this law is a Class I misdemeanor, which is generally punishable by up to a one-year imprisonment or a \$1,000 fine or both. Neb. Rev. Stat. § 53-180.05(1) (Cum. Supp. 2022) and § 28-106(1) (Reissue 2016). However, if alcohol is knowingly and intentionally provided to a minor and the minor's consumption of the alcohol or impaired condition attributed to the alcohol leads to the serious bodily injury or death of any person, the person who provided the alcohol

shall be guilty of a Class IIIA felony and serve a mandatory minimum of at least 30 days' imprisonment. The penalty for a Class IIIA felony is up to a three year imprisonment and 18-month post release supervision or a \$10,000 fine or both and a minimum of a 9-month post-release supervision if imprisonment is imposed. Neb. Rev. Stat. § 53-180.05(2) (Cum. Supp. 2022) and Neb. Rev. Stat. § 28-105(1) (Cum. Supp. 2022).

Consumption on Public Property:

It is a violation of Nebraska law for any person to consume alcoholic liquors upon property owned or controlled by the State or any governmental subdivision thereof, unless authorized by the governing bodies having jurisdiction over such properties. Neb. Rev. Stat. § 53-186 (Reissue 2021). A violation of this statute is punishable on the first offense by a fine of up to \$100; a second offense within two years of the first is punishable by a fine between \$100 and \$300; a third offense within two years of the second is punishable by a fine between \$200 and \$500. Neb. Rev. Stat. § 53-186 (Reissue 2021) and § 29-436 (Reissue 2016).

Driving While Intoxicated:

Operating or being in physical control of a vehicle while under the influence of alcoholic liquors or drugs is a violation of Nebraska law when such person has a concentration of eight-hundredths (.08) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath. Neb. Rev. Stat. § 60-6,196.01 (Reissue 2021).

There are various consequences for violating this law. The consequences range depending on the number of prior convictions and the level of alcohol in the person's blood or breath. The first violation of this law is a Class W misdemeanor and is punishable by seven to 60 days of imprisonment and a \$500 fine. Neb. Rev. Stat § 60-6,197.03 (Reissue 2021) and § 28-106(1) (Reissue 2016). In addition, an offender's driver's license is revoked for six months, and the offender is ordered not to drive any motor vehicle for any purpose for a like period. Neb. Rev. Stat. § 60-6,197.03(1) (Reissue 2021). Suspended sentence or probation includes a mandatory requirement that probation or suspension be conditioned on an order that the offender will not drive any motor vehicle for any purpose for 60 days and pay a \$500 fine. Neb. Rev. Stat. § 60-6,197.03(1) (Reissue 2021).

Penalties for a second conviction include a \$500 fine and a maximum of a six-month imprisonment, with no less than a mandatory 30-day imprisonment. Neb. Rev. Stat. § 60-6,197.03 (Reissue 2021) and § 28-106(1) (Reissue 2016). As part of the judgment of conviction, the offender's operator's license is revoked for 18 months. Neb. Rev. Stat. § 60-6,197.03(3) (Reissue 2021). If an offender is placed on probation or the sentence is suspended, a mandatory condition is that the offender must not drive any motor vehicle for any purpose for a period of 18 months. Neb. Rev. Stat. § 60-6,197.03(3) (Reissue 2021). In addition, the probation order shall include as one of its conditions the payment of a \$500 fine and confinement in the city

or county jail for 10 days or the imposition of not less than 240 hours of community service. Neb. Rev. Stat. § 60-6,197.03(3) (Reissue 2021).

Penalties for a third conviction include a \$1,000 fine and a maximum of a one-year imprisonment, with a minimum 90-day imprisonment, and an order of license revocation for 15 years. Neb. Rev. Stat. § 28-106(1) (Reissue 2016) and Neb. Rev. Stat. § 60-6,197.03(4) (Reissue 2021). If an offender is placed on probation, or the sentence is suspended, a mandatory condition is that the offender's operator's license shall be revoked for a period of at least 2 years but not more than 15 years. Neb. Rev. Stat. § 60-6,197.03(4) (Reissue 2021). In addition, the probation order shall include the payment of a \$1,000 fine and as one of its conditions confinement in the city or county jail for 30 days. Neb. Rev. Stat. § 60-6,197.03(4) (Reissue 2021).

Fourth convictions are a Class IIIA felony. Neb. Rev. Stat. § 60-6,197.03(7) (Reissue 2021). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least 180 days imprisoned in a city or county jail or an adult correctional facility. Neb. Rev. Stat. § 60-6,197.03(7) (Reissue 2021). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60-6,197.03(7) (Reissue 2021). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for 90 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 90 days after release. Neb. Rev. Stat. § 60-6,197.03(7) (Reissue 2021).

Fifth and subsequent convictions are a Class IIA felony. Neb. Rev. Stat. § 60-6,197.03(9) (Reissue 2021). Offenders in this class will have their licenses revoked for a period of 15 years and the offender must spend at least two years in prison. Neb. Rev. Stat. § 60-6,197.03(9) (Cum. Supp. 2020). Probation or suspension of sentence must be conditioned so that the offender's license is revoked for a period of 15 years. The revocation order shall require that the offender not drive for 45 days after which he or she may apply for an ignition interlock permit and installation of such device. Neb. Rev. Stat. § 60-6,197.03(9) (Reissue 2021). In addition, the probation order shall include as one of its conditions a \$2,000 fine and confinement in the city or county jail for 180 days with required use of a continuous alcohol monitoring device and abstention from alcohol use for no less than 180 days after release. Neb. Rev. Stat. § 60-6,197.03(9) (Reissue 2021).

Persons with a higher concentration of alcohol, fifteen-hundredths (.15) of 1 gram or more by weight of alcohol per 100 milliliters of blood or per 210 liters of breath on a first conviction and subsequent conviction, are subject to even stiffer penalties. Neb. Rev. Stat. § 60-6,197.03(2), (5), (6), (8) and (10) (Reissue 2021). Where a person has three prior convictions and then has another conviction involving this higher alcohol concentration, the person shall be

guilty of a Class IIA felony with a minimum sentence of one year of imprisonment and have their license revoked for a period of 15 years. Neb. Rev. Stat. § 60-6,197.03(8) (Reissue 2021). In addition, any probation order shall be applied as previously indicated under Neb. Rev. Stat. § 60-6,197.03(7) (Reissue 2021).

Persons convicted of a DWI violation may be ordered to have an ignition interlock device installed at their expense on each motor vehicle operated by the convicted person during the period of revocation. Neb. Rev. Stat. §§ 60-6,197.03 and 60-6,211.05 (Reissue 2021). DWI convictions also have an impact on the ability of a person to obtain both automobile and life insurance coverage.

Local laws may also make it a crime to operate a motor vehicle under the influence of alcohol or to commit certain acts involving the consumption or possession of alcohol, e.g. “open container” laws.

C. DESCRIPTION OF HEALTH RISKS ASSOCIATED WITH USE OF ILLICIT DRUGS AND ABUSE OF ALCOHOL

Serious health risks are associated with the use of illicit drugs and alcohol. The National Institute on Drug Abuse states that most drugs of abuse can alter a person’s thinking and judgment, leading to health risks, including addiction, drugged driving and infectious disease. Most drugs could potentially harm an unborn baby; pregnancy-related issues are listed for drugs where there is enough scientific evidence to connect the drug use to specific negative effects. The following are some important facts to know regarding alcohol and drugs.

1. **Alcohol:** Below are key points the National Institute on Alcohol Abuse and Alcoholism provides regarding alcohol’s effects on the body at <https://www.niaaa.nih.gov>.

Drinking too much – on a single occasion or over time – can take a serious toll on your health. Here’s how alcohol can affect your body:

- **Brain:** Alcohol interferes with the brain’s communication pathways and can affect the way the brain looks and works. These disruptions can change mood and behavior and make it harder to think clearly and move with coordination.
- **Heart:** Drinking a lot over a long time or too much on a single occasion can damage the heart, causing problems including cardiomyopathy – stretching and drooping of heart muscle; arrhythmias – irregular heartbeat; stroke; and high blood pressure.
- **Liver:** Heavy drinking takes a toll on the liver and can lead to a variety of problems and liver inflammations including steatosis, or fatty liver; alcoholic hepatitis; fibrosis; and cirrhosis.
- **Pancreas:** Alcohol causes the pancreas to produce toxic substances that can eventually lead to pancreatitis, a dangerous inflammation and swelling of the blood

vessels in the pancreas that prevents proper digestion.

- **Cancer:** Based on extensive reviews of research studies, there is a strong scientific consensus of an association between alcohol drinking and several types of cancer. In its Report on Carcinogens, the National Toxicology Program of the US Department of Health and Human Services lists consumption of alcoholic beverages as a known human carcinogen. The research evidence indicates that the more alcohol a person drinks—particularly the more alcohol a person drinks regularly over time—the higher his or her risk of developing an alcohol-associated cancer. Based on data from 2009, an estimated 3.5 percent of all cancer deaths in the United States (about 19,500 deaths) were alcohol related. Clear patterns have emerged between alcohol consumption and the development of the following types of cancer: head and neck cancer; esophageal cancer; liver cancer; breast cancer; and colorectal cancer.
- **Immune System:** Drinking too much can weaken your immune system, making your body a much easier target for disease. Chronic drinkers are more liable to contract diseases like pneumonia and tuberculosis than people who do not drink too much. Drinking a lot on a single occasion slows your body's ability to ward off infections – even up to 24 hours after getting drunk.

2. **Drugs:** With drugs, it has been shown that while initial use may have been voluntary, drugs of abuse alter gene expression and brain circuitry, which affects human behavior and becomes an addiction. Once addiction develops, the brain changes interfere with one's ability to make voluntary decisions, leading to compulsive drug craving, seeking and use. The long-term use of drugs can be far reaching and affect cardiovascular disease, stroke, cancer, HIV/AIDS, hepatitis, and lung disease. Drugs use has respiratory, gastrointestinal and musculoskeletal effects, and can damage kidneys, the liver, the brain and lead to premature death. In addition, the changes that occur in the brain through long-term drug use can lead to paranoia, depression, aggression, and hallucinations. These issues affect not only the individual, but loved ones, fellow students, and the public in general.

The health risks of alcohol and substances abuse are more thoroughly described by the National Institute on Drug Abuse through charts and information available at <http://www.drugabuse.gov/drugs-abuse/commonly-abused-drugs-charts>.¹

D. ASSISTANCE, UNIVERSITY SANCTIONS, AND OTHER INFORMATION

Assistance:

Employees and students needing help in dealing with drug or alcohol problems are encouraged to make voluntary use of their campus Employee Assistance Programs and Student Counseling Centers. The Employee Assistance Programs and Student Counseling

¹ Last visited on June 15, 2023.

Centers can help by offering the following services:

- Objectively assessing the situation and referring employees or students to the proper resources.
- Supplying short-term personal counseling and problem solving.
- Providing education and training to supervisors on how to intervene with troubled employees.

University Sanctions:

In the event a faculty or staff member violates this policy or is convicted of unlawful manufacture, distribution, dispensation, possession or use of controlled substances or alcohol on University property or as part of any University activity, the University will take appropriate action.

For administrators, staff, and faculty not included in the UNK or UNO collective bargaining units, one or more of the following actions may be taken:

- Referral to the Faculty/Employee Assistance Program for evaluation and assessment to determine the appropriate treatment for rehabilitation;
- Participation in a drug rehabilitation program;
- Disciplinary action, up to and including termination of employment and referral for prosecution.

For faculty included in the UNK or UNO collective bargaining units, conviction of drug law offenses may be considered adequate cause for imposition of the disciplinary process provided in the Collective Bargaining Agreement. Violation of this policy may also be considered adequate for imposition of the disciplinary process and referral for prosecution.

As required by 41 U.S.C. § 8102(a)(1), part of the Drug-Free Workplace Act of 1988, faculty and staff involved in the performance of federal contracts or grants must notify their supervisor within five days if they are convicted of any criminal drug statute as a result of violation of the law that occurs at the workplace. The term “conviction” means a finding of guilt (including a plea of nolo contendere) or imposition of sentence, or both, by any judicial body charged with the responsibility to determine violation of the Federal or State criminal drug statutes. The supervisor will immediately notify the Academic Affairs Office when faculty members are affected or the Human Resources Office when staff members are affected. The University, in turn, will notify the applicable granting or contracting agency or agencies of the conviction within ten days after receiving notice of an employee’s criminal drug statute conviction.

Review:

Biennially, the University will review its Substance Abuse Policy/Program to determine its effectiveness and to ensure that the sanctions required for violations of the policy are consistently enforced.

CHART 1
**SANCTIONS UNDER NEBRASKA LAW FOR UNLAWFUL POSSESSION OR DISTRIBUTION OF ANABOLIC STEROIDS,
MARIJUANA, AND HASHISH OR OTHER SUBSTANCES CONTAINING TETRAHYDROCANNABINOLS**

Drug	Quantity	Penalty for "simple" possession	Penalty⁵ for manufacture, distribution, delivery, dispensation, or possession with intent to manufacture, distribute, deliver or dispense
Anabolic Steroids ¹ Schedule III(d)	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine, or both. Class IV felony.	Up to 20 years imprisonment; Class IIA felony.
Hashish or Concentrated Cannabis ² Schedule I(c)(18)	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine, or both. Class IV felony.	Up to 20 years imprisonment; Class IIA felony.
Marijuana ³ Schedule I(c)(8) Or Synthetically Produced Cannabinoids ⁴ Schedule I (c)(27)	Any detectable amount up to 1 ounce	1st offense - \$300 fine and possible assignment to controlled substances course. Infraction. 2nd offense - \$400 fine and up to five days imprisonment. Class IV misdemeanor. 3rd and subsequent offenses - \$500 fine and imprisonment not to exceed 7 days. Class IIIA misdemeanor.	Up to 20 years imprisonment; Class IIA felony.
	More than 1 ounce but less than 1 pound	Up to 3 months imprisonment or \$500 fine or both. Class III misdemeanor.	
	More than one pound	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine, or both. Class IV felony.	

¹All citations to the Drug Schedule are effective July 18, 2024; "Anabolic steroid means any drug or hormonal substance, chemically and pharmacologically related to testosterone (other than estrogens, progestins, and corticosteroids), that promotes muscle growth and includes any controlled substance in Schedule III(d) of section 28-405. Anabolic steroid does not include any anabolic steroid which is expressly intended for administration through implants to cattle or other nonhuman species and has been approved by the Secretary of Health and Human Services for such administration, but if any person prescribes, dispenses, or distributes such a steroid for human use, such person shall be considered to have prescribed, dispensed, or distributed an anabolic steroid within the meaning of this subdivision" Neb. Rev. Stat. § 28-401(32) (Cum. Supp. 2024).

² "Hashish or concentrated cannabis means (i) the separated resin, whether crude or purified, obtained from a plant of the genus cannabis or (ii) any material, preparation, mixture, compound, or other substance which contains ten percent or more by weight of tetrahydrocannabinols. Neb. Rev. Stat. § 28-401 (28)(a) (Cum. Supp. 2024). When resins extracted from industrial hemp as defined in section 2-5701 are in the possession of a person as authorized under section 2-5701, they are not considered hashish or concentrated cannabis for purposes of the Uniform Controlled Substances Act." Neb. Rev. Stat. § 2-5701 (Reissue 2022).

³ "Marijuana" is defined at Neb. Rev. Stat. § 28-401(14)(a)-(e) (Cum. Supp. 2024).

⁴ Nomenclature for these cannabinoids is not internationally recognized and may change; so as long as the chemical structure of a drug fits into this drug's enumerated categories, it shall be included. *See* Neb. Rev. Stat. § 28-405, Schedule I (c)(27) (Supp. 2023).

⁵ All felony classifications and penalties are found in Neb. Rev. Stat § 28-105 (Cum. Supp. 2022).

CHART 2
SANCTIONS UNDER NEBRASKA LAW FOR UNLAWFUL POSSESSION OR DISTRIBUTION OF ILLICIT DRUGS

Drug^{1,2}	Quantity	Penalty for "simple" possession³	Penalty⁶ for manufacture, distribution, delivery, dispensation, possession with intent to manufacture, distribute, deliver or dispense
Methamphetamine "Meth" or "Speed" Schedule ⁴ II(c)(3)	Any detectable amount up to 10 grams	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class 1D felony.
	At least 28 grams but less than 140 grams		Not less than 5 years imprisonment and not more than 50 years imprisonment. Class 1C felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Heroin Schedule I(b)(11)	Any detectable amount up to 10 grams	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class 1D felony.
	At least 28 grams but less than 140 grams		Not less than 5 years imprisonment and not more than 50 years imprisonment. Class 1C felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Cocaine or Base Cocaine "Crack Cocaine" Schedule II(a)(4)	Any detectable amount up to 10 grams	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
	At least 10 grams but less than 28 grams		Not less than 3 years imprisonment and not more than 50 years imprisonment. Class 1D felony.
	At least 28 grams but less than 140 grams		Not less than 5 years imprisonment and not more than 50 years imprisonment. Class 1C felony.
	140 grams or more		Not less than 20 years imprisonment and not more than life imprisonment. Class 1B felony.
Phencyclidine "PCP" or "Angel Dust" Schedule II(d)(4)	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
Lysergic Acid Diethylamide "LSD" Schedule I(c)(7)	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 20 years imprisonment. Class IIA felony.
Fentanyl "China White" Schedule II(b)(5)	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
"Exceptionally Hazardous Drugs" ⁵	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Not less than 1 year imprisonment and not more than 50 years imprisonment. Class II felony.
Schedule I/II/III drugs not classified as "Exceptionally Hazardous Drugs"	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 20 years imprisonment. Class IIA felony.
Any Controlled Substances classified in Schedule IV or V	Any detectable amount	Up to 2 years imprisonment and 12 months post-release supervision or \$10,000 fine or both. Class IV felony.	Up to 3 years imprisonment and 18 months post-release supervision or \$10,000 or both. Class IIIA felony.

¹ Outlined in Neb. Rev. Stat. § 28-416 (Supp. 2023).

² All citations to the Drug Schedule are effective as of July 18, 2024.

³ Neb. Rev. Stat. § 28-416(3) (Supp. 2023).

⁴ All references are to the controlled substances schedules enumerated in Neb. Rev. Stat. § 28-405 (Supp. 2023).

⁵ "Exceptionally Hazardous Drug" is defined in the Uniform Controlled Substances Act, Neb. Rev. Stat. § 28-401(29) (Cum. Supp. 2024).

⁶ All felony classifications and penalties are found in Neb. Rev. Stat. § 28-105 (Cum. Supp. 2022).

Appendix B – NU Student Code of Conduct

University of Nebraska

Student Code of Conduct (“Code”)

Students at the University of Nebraska are members of an academic community in which academic integrity and responsible conduct are essential for the community to function. To ensure that students know what is expected of them, the University has adopted the Standards of Academic Integrity and Responsible Conduct (“Standards”).

- Section I - Persons & Organizations Subject to the Standards
- Section II - Standards of Academic Integrity and Responsible Conduct
- Section III - University Responses to a Violation of the Standards
- Section IV - Enforcement of Standards
- Section V - Temporary Suspension
- Section VI - Miscellaneous Procedural Matters

All allegations of sexual misconduct, including sexual harassment under by Title IX of the Education Amendments of 1972 (Title IX), sexual assault, sexual harassment, sexual violence, dating violence, domestic violence, or stalking are investigated and addressed following the procedures set forth in Executive Memorandum No. 38.

SECTION I

Persons & Organizations Subject to the Standards

A. Students

1. The term “student” includes all persons enrolled at the University, including online and non-degree seeking individuals.
2. All students are subject to the Standards of Academic Integrity and Responsible Conduct as set forth in this Code while they are enrolled as an undergraduate student or a graduate student
3. For purposes of the Standards, a student is considered to be enrolled starting one (1) week before the first day of classes of the first semester or session for which the student has registered for classes, or when the student engages in University sponsored activities whichever occurs first. A student’s enrollment ends when the student graduates, withdraws from the University, or fails to register for classes for three (3) consecutive semesters, with summer term considered to be a semester, or no longer has a continuing student relationship with the University.
4. As a general rule, the Standards do not apply to graduate students when the graduate students are fulfilling their employment responsibilities, – but the Standards of Academic Integrity apply to conduct that is related to the courses in which graduate students are enrolled. Further, as a general rule, the Standards apply to graduate students with assistantships, but they do not apply to conduct

that is related to teaching responsibilities. Therefore, the Standards do not affect graduate student academic freedom.

- a. The Standards of Responsible Conduct apply to students enrolled at the College of Law, but students at the College of Law are subject to the Law College Honor Code and not the Standards of Academic Integrity set forth in this Code.
 - b. The Standards of Responsible Conduct do not apply to post-doctoral fellows and medical/health profession residents not enrolled in credit courses.
5. Students who are accused of committing a violation of the Standards while they are enrolled at the University may still be held responsible for the violation even if they later withdraw from the University prior to a resolution of the alleged violation.

B. Organizations

The Standards apply to recognized student organizations, which are organizations that have been authorized by the University to use University facilities. Any student organization that is registered with the University, including student clubs, student organizations operating online, and fraternities and sororities, or similar programs, is a recognized student organization for purposes of the Code.

C. Effect on Academic Sanctions

The University may address academic misconduct through proceedings under the Code as well as through proceedings implemented by an instructor or academic department. Specifically, imposition of academic sanctions on a student by an instructor or academic program does not prevent the University from instituting proceedings against the student under the Code.

In addition, the Code does not prevent an academic program from imposing academic sanctions on students who engage in unprofessional conduct as defined by program specific policies or professional licensure requirements.

D. Locations in which the Standards Apply

1. The term “on-campus” includes all University premises, including all University of Nebraska locations; physical campuses, including all adjacent streets and sidewalks, and any University affiliated programs; events or activities, including those located in other states or countries; and the use of any University electronic systems. The term “off-campus” means any location that is not on-campus.
2. The Standards of Academic Integrity apply regardless of where the conduct occurs.

3. The Student Code of Conduct applies to conduct that occurs on-campus and, in the situations set out below, to conduct that occurs off-campus.
 - a. Pursuant to Regents By-Law 5.5, the Student Code of Conduct should not be applied as a matter of course to off-campus conduct simply because the conduct also violates federal, state, or local law.
 - b. The Student Code of Conduct applies to conduct that occurs off-campus in the following situations:
 - i) The Code states that it applies to conduct that occurs off-campus.
 - ii) The conduct occurs in or on the grounds of a university-approved housing unit.
 - iii) The conduct occurs at events or during travel authorized, funded, or sponsored by the University.
 - iv) The conduct occurs at events or during travel funded or sponsored by a student organization.
 - v) The conduct poses a risk to the health and safety of individuals and application of the Code is reasonably necessary to educate the student about the risks of the conduct or to help the student avoid engaging in the conduct in the future.
 - vi) The conduct poses a serious risk to the health or safety of individuals and is of the type that the student could easily engage in on-campus.
 - vii) The conduct was intentional and caused, or attempted to cause, physical injury to a university employee or another student.
 - viii) The conduct could, or was intended to, cause harm on-campus.
 - ix) A conduct officer:
 - (1) determines that the conduct in a particular matter distinctly and clearly implicates the University's interests;
 - (2) prepares a written explanation of the interests and how the conduct implicates them; and
 - (3) provides the written explanation to the student or student organization.

SECTION II

Standards of Academic Integrity and Responsible Conduct

The Standards are all structured in the same way. They contain a general category of conduct that violates the Code, followed by a list of specific types of conduct. The list is not exhaustive and does not reflect all conduct that may be in violation of the Code. The word “include(s)” before a list should be read as saying that the types of conduct in the list are *examples* of conduct that is covered by the general category rather than an exclusive list. For example, the first violation that appears below is “Cheating.” The words “which includes” come next, followed by ten (10) examples. If a student engages in conduct that is similar to those examples and that people would normally think of as cheating, then that student has engaged in cheating in violation of the Code.

The words “means” before a list should be read as saying that the general category covers only the types of conduct in the list. In other words, the list is *exclusive*. For example, one of the general categories is “Hazing Students.” The words “which means” come next, followed by a definition and three situations in which hazing may occur. A student may be found responsible for Hazing under the Code only if the conduct occurs in one of those three situations.

Nothing in the Standards of Responsible Conduct may be construed to apply to conduct or words that are protected by the First Amendment to the United States Constitution or by Article I of the Nebraska Constitution. Likewise, nothing in the Standards of Responsible Conduct may be construed in a manner that is inconsistent with the Board of Regents Policy, [*Commitment to Free Expression; Guide for Facilities Use; and Education*](#). [RP-6.4.10 on pg. 221]

A. Standards of Academic Integrity

Students are expected to approach and complete their academic work with integrity. They are expected to do their own work, to be honest in the statements they make, to refrain from harming others, to refrain from improperly helping others, and to follow the rules. Students must read instructions and syllabi carefully so that they know what their instructors expect in terms of academic integrity.

Students who are unsure whether or not particular conduct is appropriate should ask their instructors or university administrators. Failing to act with integrity is a violation of the Code. A student fails to act with integrity when they engage in or attempt to engage in any of the following conduct.

1. ***Cheating***, which includes, but is not limited to:
 - a. Copying from another student’s exam, assignment, or project.
 - b. Using materials during an exam or for an assignment that are not authorized by the instructor.
 - c. Using devices during an exam that are not authorized by the instructor.
 - d. Taking any materials out of the exam room (for example, the exam itself or scratch paper) that the exam instructions prohibit students from taking.
 - e. Making an electronic copy of part or all of an exam, unless the instructions authorize making a copy.
 - f. Possessing a copy of an exam or assignment that the student knows or should have known that they are not authorized to have.
 - g. Working on an exam or assignment with someone else, unless group work has been authorized by the instructor.
 - h. Taking an exam for another student, or allowing their exam to be taken by someone else.
 - i. Taking all or part of work that someone else prepared and submitting it as one’s own.
 - j. Taking all or a substantial part of an assignment submitted for one course and submitting it in another course, without the authorization of the instructor for that course.

2. ***Dishonesty, Falsification, and Fabrication***, which includes, but is not limited to:
 - a. Making false statements to avoid taking an exam or submitting an assignment at the scheduled time.
 - b. Making false statements to avoid a penalty for failing to take an exam or submit an assignment at the scheduled time.
 - c. Making up or purposefully misstating information or sources in any assignment or research project.
 - d. Engaging in plagiarism by presenting the words or ideas of another person as one's own.
 - e. Making changes to a graded exam or assignment and then representing that the changes were part of the original exam or assignment.
3. ***Harmful Academic Action Towards Others***, which includes, but is not limited to:
 - a. Interfering with another person's research or academic work.
 - b. Knowingly making false charges that another student violated these Standards.
4. ***Improperly Helping Others***, which includes, but is not limited to:
 - a. Helping another student on an exam or an assignment when the student is not authorized to receive help.
 - b. Knowingly helping another student violate these Standards, including, but not limited to, sharing an instructor's teaching materials without permission.
 - c. Unauthorized distribution, electronically or otherwise, of an instructor's course materials.
5. ***Failing to Follow the Rules***, which includes, but is not limited to:
 - a. Failing to follow the instructions of an exam proctor.
 - b. Failing to follow testing center rules.

B. Standards of Responsible Conduct

Students are expected to conduct themselves responsibly. Students must remember that they are members not only of the University community but also of the community in which the University is located. This means that students are expected to make responsible decisions about the use of drugs and alcohol, to behave appropriately as a member of the academic community, and to refrain from conduct that threatens the safety of the community.

Failing to act responsibly is a violation of this Code. Engaging in any of the following conduct is considered a failure to act responsibly:

1. ***Using, Possessing, Manufacturing, Selling, or Distributing Illegal Drugs, Narcotics or Controlled Substances, except as expressly permitted by law.***
2. ***Using, Possessing, Selling, or Distributing Prescription Drugs when not legally permitted or authorized.***
3. ***Using, Possessing, or Distributing Drug Paraphernalia.***
4. ***Being in the physical presence of unauthorized alcohol or in the physical presence of illegal drugs, which includes, but is not limited to:***
 - a. Being in a residential room of a University residence hall or university-approved housing in which illegal drugs or unauthorized alcohol are present.
 - b. Being on campus in a vehicle in which illegal drugs or alcohol are being used.
 - c. Being off campus on University approved activities, or otherwise representing the University, in which illegal drugs or unauthorized alcohol are present.
 - d. Being in the presence of illegal drugs or unauthorized alcohol in these locations may not be a violation if the student establishes they were unaware of the presence of illegal drugs or unauthorized alcohol.
5. ***Misuse of Alcoholic Beverages, which includes, but is not limited to:***
 - a. Using, possessing, or providing alcoholic beverages on campus without University authorization.
 - b. Being intoxicated to the point of becoming incapacitated or posing a danger to oneself or others.
 - c. Driving while under the influence of alcoholic beverages or drugs in violation of law.
 - d. Possessing or consuming alcoholic beverages while under the age of twenty-one (21), except when expressly permitted by law.
6. ***Providing Alcoholic Beverages to Underage Students at Off-Campus Parties and Events, which includes, but is not limited to:***
 - a. Providing alcoholic beverages to underage individuals.
 - b. Making alcoholic beverages available on premises that the students control when they know that underage individuals are likely to be present, the beverages are left in a place easily accessible to underage individuals, and some or all of the beverages are consumed by underage individuals.
 - i) A student will be considered to have control of premises if they were on the premises at the time alcoholic beverages were furnished to underage individuals and

- (1) they are the lessee or owner of the premises;
 - (2) they obtained authorization from the lessee or owner to use the premises; or
 - (3) they have legal access to the premises.
- ii) A student will be considered the lessee if they lease the premises for any purpose, regardless of the length of the lease.
- c. Purchasing or delivering alcoholic beverages for an event where some or all of the beverages are consumed by underage individuals when the student knew that underage individuals would likely be present and that the alcoholic beverages would likely be easily accessible to them.
- d. Putting out alcoholic beverages at an event where some or all of the beverages are consumed by underage individuals when the student knew that underage individuals would likely be present and that the alcoholic beverages would likely be easily accessible to them.

7. ***Engaging in, or attempting to engage in, behavior that may cause harm to an individual or property***, which includes, but is not limited to:

- a. Physical abuse or unwelcome contact, such as hitting, pushing, kicking, choking, biting, or spitting.
- b. Threatening to commit an act of violence for the purpose of terrorizing another person or persons.
- c. Threatening another person with imminent physical harm.
- d. Restraining another person, without legal authority to do so unless it can be shown that there was a reasonable basis to believe that restraining the person was necessary to protect the restrained person, self or others from physical harm.
- e. Harassing another person, by intentionally engaging in a course of conduct that serves no legitimate purpose and that would seriously terrify, threaten, or intimidate a reasonable person.
- f. Harassing another person due to their status as a member of a protected class in a manner that is so severe, persistent, or pervasive as to limit or deny a reasonable person's ability to participate or benefit from the University's programs, activities, or employment.
- g. Taking pictures or making recordings of another person without the person's consent in any place where a person would have a reasonable expectation of privacy, including, but not limited to: the person's bedroom; in the person's living quarters in a residence hall; in a locker room; or in a restroom.
- h. Taking without permission, destroying, damaging, or vandalizing property that belongs to the University, to University employees, to a student organization, or to others.
- i. Taking money without permission that belongs to others.

- j. Accessing, transferring, altering, or destroying without authorization electronic files or devices that belong to the University, or other persons.
 - k. Taking, duplicating, or using the identification card, keys, or credentials of another without authorization.
 - l. Failing to comply with the campus tobacco policy.
8. ***Engaging in Conduct that Disrupts Classes, University Operations, Activities, or Order***, which includes, but is not limited to:
- a. Interfering with an instructor's ability to conduct class by failing to follow the instructor's rules or instructions regarding behavior.
 - b. Being present in a location on campus without proper authorization.
 - c. Obstructing, impeding, or blocking entrances to or hallways in University buildings, roads, sidewalks or windows on campus, or entrances to campus.
 - d. Yelling, screaming, or making loud noises with bullhorns or other such devices.
 - e. Engaging in protests, sit-ins, or demonstrations at times or in locations where those kinds of activities are not permitted.
9. ***Failing to Comply with University Housing Policies***, which means:
- a. Violating any student housing unit policy or regulation whether as a resident or visitor. Visit [campus housing website] for applicable policies and regulations.
10. ***Hazing Students***, which means:
- a. Any action taken or situation created that intentionally or recklessly endangers the physical or mental health or safety of a student when that activity is performed:
 - i) in the course of a student organization member considering the student for membership, continued membership, or affiliation with the organization;
 - ii) in the course of a student organization considering the student for membership, continued membership, or affiliation with the organization; or
 - iii) in response, either in whole or in part, to an expression of interest by the student in becoming a member of the organization.
 - b. Hazing is a violation regardless of whether it occurs on or off campus.
 - c. Permission or approval of the student being hazed is not a defense to hazing.
 - d. Examples of hazing activity include, but are not limited to, paddling, beating, or branding a student, depriving a student of sleep for a prolonged

period, sexually penetrating a student or touching the student in a lewd manner, subjecting the student to prolonged exposure to the elements, depriving the student of food or water, leaving the student in a remote location without a means of return, subjecting the student to conduct designed to shock the student, or having the student engage in criminal conduct, engage in humiliating conduct, perform prolonged calisthenics, consume items that are not normally consumed by people, consume items in quantities that are not normally consumed by people, or consume alcohol.

11. ***Doing Private Acts in Public***, which includes, but is not limited to:
 - a. Engaging in sexual acts such as intercourse or masturbation in public, exposing one's private body parts in public, or urinating or defecating in public.
12. ***Misusing University Computer and Network Systems***, which includes, but is not limited to:
 - a. Engaging in conduct prohibited by Sections 5 and 6 of the Policy for Responsible Use of University Computers and Information Systems. (Executive Memorandum 16).
13. ***Falsification***, which includes, but is not limited to:
 - a. Knowingly providing false information to the University for the purpose of obtaining something of value, such as admission to the University or a University program, an award, a scholarship, an identification card, membership on an athletic team, or the use of University facilities.
 - i) This Standard applies from the time of application for admission to the University, regardless of when the student actually enrolls.
14. ***Engaging in Conduct that Creates a Threat to Community Safety***, which includes, but is not limited to:
 - a. Possessing weapons in violation of [Campus Weapons Policies](#). [RP-6.4.8 on pg. 219]
 - b. Using weapons to cause physical harm to others.
 - c. Possessing or using fireworks.
 - d. Making, possessing, or using false forms of identification such as driver licenses and University identification cards.
 - e. Tampering with fire or safety equipment.
 - f. Intentionally making false reports of fires, bombs, or other emergencies.
 - g. Failing to comply with requests for identification or other lawful commands from emergency personnel, police officers, or University

employees that are reasonably related to the employee's job responsibilities.

15. ***Failing to Comply with any University or Campus Policy, Rule or Regulation***, which means the violation of any University policy, rule, or regulation published in hard copy or available electronically on any University website. Electronic copy published on any University website shall supersede hard copy.
16. ***Violation of Law***, which means:
 - a. Engaging in conduct that is sufficient to constitute a violation of federal, state, or local law that causes, or could cause, harm to the campus community to the extent the University's interests are distinctly and clearly involved.
17. ***Abuse of University Disciplinary Proceedings***, which includes but is not limited to:
 - a. Failing to comply with the notice from a Conduct Board or University official to appear for a meeting or hearing as part of the Disciplinary Proceedings.
 - b. Knowingly falsifying, distorting, or misrepresenting information before a Conduct Board.
 - c. Disrupting or interfering with the orderly conduct of a Conduct Board proceeding.
 - d. Filing a frivolous or knowingly false report(s).
 - e. Attempting to intimidate or coerce an individual from reporting potential violations of the Code, participating in an investigation or disciplinary proceeding, or otherwise making use of the Disciplinary Procedures.
 - f. Attempting to influence the impartiality of a member of a Conduct Board prior to, and/or during the course of, the Conduct Board proceeding.
 - g. Attempting to harass (verbal or physical) and/or intimidate a member of a Conduct Board prior to, during, and/or after a disciplinary proceeding for purposes of disruption of the conduct process.
 - h. Failing to comply with the University response(s) imposed under the Student Code.
18. ***Sexual misconduct or any other unwelcome sexual, sex based, or gender-based conduct*** which includes, but is not limited to:
 - a. Sexual assault;
 - b. Sexual harassment;
 - c. Dating violence;
 - d. Domestic violence;
 - e. Stalking;
 - f. Sexual exploitation; or

g. Sexual harassment under Title IX.

The definitions of terms in 18(a-g) appear in Board of Regent Policy 2.1.8. and Executive Memorandum No. 38. All allegations of sexual misconduct, including sexual assault, sexual harassment, sexual violence, dating violence, domestic violence, stalking and sexual exploitation are investigated and addressed following the procedures set forth in the University of Nebraska Response to Allegations of Student Sexual Misconduct, adopted pursuant to Executive Memorandum No. 38.

C. Exception for Seeking Emergency Help

Students should seek emergency help for themselves or other individuals if they have been drinking alcohol or using illegal drugs and suffer a physical injury or have problems functioning.

Those problems include difficulty walking, talking, breathing, or staying conscious. They also include being mentally confused, having a seizure, or being cold or pale. Students have died from alcohol poisoning and drug overdoses. Students should seek emergency assistance by contacting 911.

The University will not take disciplinary action against students for using or possessing alcohol, if the use or possession was part of the incident for which they received emergency help or sought emergency help for another person, or if they were involved in the care of that person. The University will not take disciplinary action against students for using or possessing illegal drugs or unauthorized prescription drugs if the use or possession was part of the incident for which they received emergency help or sought emergency help for another person, or they were in the immediate vicinity of that person.

The Conduct Officer will determine if the student is eligible for this exception after meeting with the student. Students may still be charged by law enforcement officials for violations of federal, state, or local laws. Additionally, the policy is not a means to excuse students from other violations of the Student Code.

As a condition of not taking action against them, however, the University may require students to meet with a Conduct Officer and to participate in an alcohol or drug educational program that is designed to help increase their awareness of their alcohol or drug-related behavior.

D. Responsibility of Student Organizations

1. A student organization is responsible for conduct that the organization engaged in, facilitated, or authorized, whether expressly or impliedly. Whether an organization engaged in, facilitated, or authorized conduct is a factual question that requires an evaluation of the totality of the circumstances to determine whether it is fair and reasonable to hold the organization itself responsible. The relevant circumstances include, but are not limited to, the following:
 - a. Whether the conduct was planned, approved, or engaged in by one

or more officers or authorized representatives of the organization who were acting in their capacities as officers or authorized representatives.

- b. Whether the conduct was the result of a policy or practice of the organization.
- c. Whether a significant number of members were involved or engaged in the conduct.
- d. Whether the conduct occurred at or in connection with an activity or event funded, sponsored, publicized, or advertised by the organization.
- e. Whether the conduct occurred at a location over which the organization had control at the time of the conduct.
- f. Whether the conduct occurred at an event that reasonable people would associate with the organization.
- g. Whether the officers or authorized representatives of the organization could have reasonably foreseen that the conduct could occur and, if so, whether they failed to take reasonable steps to prevent the conduct.
- h. Whether the conduct is attributable to the organization under the organization's own policies, including local or national risk management guidelines.

SECTION III

University Responses to Violations of the Standards

If a student or student organization is found to be responsible for a violation of the Standards, the University's response may involve requirements designed to educate the student about the risks of the conduct, to assist the student in refraining from the conduct in the future, or to protect others. The University's response may also involve sanctions to the student or the student organization for engaging in the conduct and to deter the student or student organization from engaging in the conduct in the future.

A. University's Response

- 1. The University's response may include one (1) or more of the following:
 - a. **Written Warning**
 - i) This is a warning by a Hearing Officer or the University Conduct Board that the student receiving the warning committed a violation of the Standards and that future violations may result in a harsher response.
 - ii) The warning may also include advice on steps that the student may take to avoid future violations.
 - b. **Probation for a specified period of time**

- i) Probation may include conditions that must be satisfied.
- ii) The conditions must be reasonably related to the violation or the reasons for the violation.
 - (1) Examples of conditions for students include the completion of educational programs and behavioral evaluations.
 - (2) Examples of conditions for student organizations include completing educational programs and adopting policies and procedures to minimize the risk of the wrongful conduct occurring in the future. Other examples include not engaging in specified recruitment practices holding specified events, or participating in specified events.
- iii) The failure to satisfy a condition of probation may be treated as an independent violation of the Standards of Responsible Conduct.
- iv) A violation of the Standards while a student or student organization is on probation may result in a more severe response to the new violation than if the new violation was considered in isolation.

d. **Expulsion from University Housing**

- i) The student is permanently barred from living in or being present on the premises of any University residence hall or housing unit.

e. **Suspension from University Housing**

- i) The student may not live in or be present on the premises of any University residence hall or housing unit for a specified period of time.
- ii) Conditions may be imposed on the student returning at the end of the specified period, but any such conditions must be reasonably related to the reasons for the suspension.

f. **Mandatory Relocation**

- i) The student is required to move to a different room, University residence hall, or housing unit.

g. **Loss of Privileges for a Specified Period of Time**

- i) Loss of a privilege to engage in any activity or experience not required to satisfy graduation requirements, including but not limited to:

- (1) Prohibition or limitation on the use of University electronic resources such as, internet access, email access, computers, or tablets.
- (2) Prohibition or limitation on the use of University media resources, such as communal televisions, projectors, etc.
- (3) Prohibition or limitation on the use of University wellness/recreation center equipment.
- (4) Prohibition or limitation on on-campus dining.
- (5) Prohibition or limitation on use of on-campus transportation.
- (6) Prohibition or limitation on use of University purchasing cards or accounts.
- (7) Prohibition or limitation on use of University keys and/or card access.
- (8) Prohibition or limitation on the use of personal media devices.
- (9) Restriction on access to campus.

h. Restitution

- i) Requiring the student to return to the owner money or property that the student wrongfully took.
- ii) Requiring the student to pay the owner for property destroyed or damaged.

i. Performance of Service to the University Community

- i) The service must be reasonable in type and duration.
- ii) When possible, the service should be designed to make amends for the violation, to educate the student about the harmful consequences of the violation, or to allow the student to develop their academic or professional skills.

j. Completion of Educational Programs, Assignments, or Behavioral Evaluations that are reasonably related to the violation

- i) These may include, but are not limited to, academic integrity programs, anger management programs, completing presentations or written assignments, substance abuse evaluations, and other such programs and evaluations that are designed to help the student identify and address factors that may have contributed to the violation. Students may be responsible for the costs or fees associated with any such programs or evaluations.

k. Employment Restrictions

- i) Prohibition or limitation on University student employment.

l. Revocation of Admission and/or Degree

- i) Admission to or a degree awarded from the University may be revoked for fraud, misrepresentation, or other violation of the Standards in obtaining the degree, or for other serious violations committed by a student prior to graduation that may have resulted in suspension or expulsion.

m. Withholding Degree

- i) The University may permanently withhold awarding of a degree or withhold the award of a degree pending the completion of Disciplinary Procedures, including the completion of all University responses imposed.

n. No Contact

- i) A No Contact order may prohibit, but is not limited to, the following:
 - (1) Approaching one (1) or more specified individuals at any time.
 - (2) Calling one (1) or more specified individuals at any time.
 - (3) Sending via email or by any other means, any communication to one (1) or more specified individuals at any time.
 - (4) Contacting or communicating with one (1) or more specified individuals through a third-party.
- ii) If the student subject to the No Contact order believes contact with one (1) or more of the specified individuals is necessary, any such contact must be made through the Student Conduct Office or with the expressed permission of a Conduct Officer.

o. Loss of Status as a Recognized Student Organization

- i) The loss may be permanent or for a specified period of time.
- ii) Conditions may be imposed on the organization for regaining its status at the end of the specified period, including the condition that the members comply with the Code of Conduct during the specified period.

p. **Suspension for a Specified Period**

- i) Suspension is a temporary separation from the University of Nebraska.
- ii) During the suspension period the student is prohibited from entering University property, functions, events, and activities without prior written approval of the Vice Chancellor responsible for student conduct or their designee. The University response may be enforced with a trespass action as necessary.
- iii) A notation will be made on the student's transcript but will be removed after the suspension period ends.
- iv) Conditions, including the reapplication for admission, may be imposed on the student returning at the end of the specified period, but any such conditions must be reasonably related to the reasons for the suspension.

q. **Expulsion**

- i) Expulsion is a permanent separation from the University of Nebraska.
- ii) An expelled student is precluded from registration, class attendance or participation, and residence on campus.
- iii) An expelled student is prohibited from entering University property, functions, events, and activities without prior written approval of the Vice Chancellor responsible for student conduct or their designee. This University response may be enforced with a trespass action as necessary.
- iv) A notation will be made on the student's transcript.

- 3. If there is a dispute about whether a student or a student organization complied with any of the conditions imposed as part of the response to a violation, the dispute must be resolved at a hearing before a Hearing Officer.
- 4. The factors relevant to the determination of the appropriate response(s) include, among others, the nature and seriousness of the conduct, the harm that the conduct caused or might have caused, the student's academic progress or experience, the student or student organization's acceptance of responsibility for the conduct, the student or student organization's efforts to conceal or avoid responsibility for the conduct, the student or student organization's explanations for the conduct, the student or student organization's prior record of violations, the interests of the University, and the imposition of any sanctions pursuant to procedures other than those authorized by this Code (for example, sanctions imposed by a faculty member or by civil authorities).

SECTION IV Enforcement of the Standards

A. Definitions

1. ***University Day.*** This section contains various deadlines that are stated in days. The term “University Day” means a weekday on which the campus offices are open. Check the [academic calendar](#) on the campus website to determine the days on which the campus offices are closed.
2. ***E-Mail Address of Record.*** This section also contains references to the “e-mail address of record.” That term means the student’s University assigned e-mail address. Because important notices may be sent to students by e-mail, it is extremely important that students make sure they check that email regularly.

B. The Persons Involved in Enforcement of the Standards

1. ***Conduct Officer.*** A Conduct Officer is responsible for investigating alleged violations of the Standards, for presenting the University’s information and position in hearings, and for exercising the discretion that the Code specifically grants to Conduct Officers. The Conduct Officer may propose administrative resolutions.
2. ***Hearing Officer.*** A Hearing Officer has the authority to hear and resolve allegations that a student or student organization violated the Standards and if the Officer determines that a violation occurred, for determining the University’s response. Unless otherwise agreed upon through an administrative resolution, a Hearing Officer may not designate suspension or expulsion as a response to a violation by a student or loss of status as a response to a violation by a student organization. Only the University Conduct Board may do so.
3. ***University Conduct Board.*** The University Conduct Board has the authority to hear and resolve charges that a student or a student organization violated the Standards and if the Board determines that a violation occurred, for determining the University’s response. The procedures for selecting the members of the Board and the requirements for a quorum are set out in Section VI.
4. ***Appeals Officer or Board.*** An Appeals Officer or Appeals Board may hear appeals authorized by this Code. The procedures for selecting members of the Appeals Board and the requirements for a quorum are set out in Section VI.

An appeal heard by the Appeals Board must be heard before an appeals panel of no fewer than three (3) members of the Appeals Board. The appeals panel shall select its own Chair. All members of the appeals panel possess voting privileges.

5. ***Appointments.*** Conduct Officers, Hearing Officers, and Appeals Officers are appointed by the Vice Chancellor responsible for student conduct or by their designee. A person may be appointed as a Hearing Officer, Conduct Officer, or Appeals Officer regardless of whether the person is an employee of the University. The person may be appointed for all types of cases or may be appointed for a particular case or type of case. Although a person may be appointed as a Hearing Officer, a Conduct Officer, and an Appeals Officer, the person may only serve as one of those in the same case.

C. Investigating Potential Violations

1. When the University receives information about a potential violation of the Standards, a Conduct Officer may conduct an investigation to determine if there is a reasonable basis to believe that a student or a student organization has engaged in conduct that violates the Standards.
2. In the course of the investigation, the Conduct Officer may contact the student or the officers of the student organization that is the subject of the investigation. Before discussing the alleged violation(s) with the student or officers, the Conduct Officer must state in writing:
 - a. that the Conduct Officer is investigating an alleged violation of the Standards;
 - b. what the alleged violation is;
 - c. that the student or officer is not required to discuss the alleged violation with the Conduct Officer;
 - d. that the student or officer has the right to be accompanied by an advisor when the student meets with the Conduct Officer; and
 - e. that the student or the organization may choose as the advisor anyone, including an attorney, but that the student or the organization is responsible for any fees that the advisor may charge. The student's advisor may provide guidance to the student, but may not otherwise directly participate in the conduct process.
3. The Conduct Officer must complete the investigation within thirty (30) University days after written notice about a possible violation was first received by the Conduct Officer. The Vice Chancellor responsible for student conduct or their designee may grant the Conduct Officer extensions of no more than an additional sixty (60) University days if the Conduct Officer applies in writing for an extension within the initial thirty (30) day period and shows that exceptional circumstances exist that warrant an extension of time. More than one (1) extension may be granted.

4. If the Conduct Officer determines that there is not a reasonable basis to believe that the student or student organization violated the Standards, the Conduct Officer should not take any further action in the matter.
5. If the Conduct Officer determines that there is a reasonable basis to believe that student or the student organization engaged in conduct that violates the Standards, the Conduct Officer has the discretion:
 - a. to take no further action in the matter;
 - b. to seek an administrative resolution of the matter; or
 - c. to set the matter for hearing.

In exercising discretion, the Conduct Officer should consider all the relevant circumstances, including the nature and seriousness of the alleged violation, any sanctions that may have been imposed pursuant to procedures other than those authorized by this Code (for example, sanctions imposed by a faculty member or by the civil authorities), the past conduct of the student or student organization, the ease or difficulty of proving the alleged violation, the interests of fairness, the interests of those harmed by the alleged violation, and the interests of the University.

6. If the Conduct Officer determines that suspension or expulsion may be an appropriate University response, and unless an administrative resolution is agreed upon, the Conduct Officer must set the matter for hearing before the University Conduct Board. If suspension or expulsion is not a potential University response, the matter will be set before a Hearing Officer unless either the Conduct Officer or the student requests the matter be set before a University Conduct Board.
 - a. During the week preceding final examinations and the week(s) of final examinations, University breaks, and summer sessions a University Conduct Board may not be available. Accordingly, a Respondent may waive their right to a hearing before a University Conduct Board.
7. A matter that is set for hearing before a University Conduct Board must consist of no fewer than three (3) members of the Conduct Board, at least one (1) of whom must be a faculty member and at least one (1) of whom must be a student. The Chair of the Conduct Board is responsible for conducting the hearing and resolving any procedural and evidentiary issues that may arise. The Conduct Board shall select its own Chair. All members of Conduct Board possess voting privileges.

D. Instituting Proceedings

1. A Conduct Officer institutes a proceeding under this Code by sending a request for an informal meeting, an administrative resolution, or a notice of hearing to a

student or student organization. The student or student organization against whom a Code violation has been alleged is referred to as the “Respondent.”

2. The request or notice of hearing must be in writing and sent by e-mail to the Respondent's e-mail address of record. If the Respondent is a student organization, the request or notice of hearing must be sent by e-mail to:
 - a. one of the officers of the organization at the officer's e-mail address of record, and
 - b. the organization's faculty advisor of record, if any, or if the organization is a fraternity or sorority, the person listed as the chapter's advisor, if any, in the records maintained by the Office of Fraternity & Sorority Life.
3. The contents of the request are set out below in subsection E. The contents of the notice are set out below in subsection F.

E. Informal Meeting

1. An informal meeting is an opportunity for the Respondent to discuss the alleged misconduct with a Conduct Officer. During an informal meeting, the Conduct Officer may proceed with administrative resolution of a complaint pursuant to Section F(1) if the Conduct Officer determines administrative resolution is appropriate and is accepted by the Respondent.
2. A written request for an informal meeting must inform the Respondent:
 - a. that the Conduct Officer intends to address an alleged violation(s) of the Standards;
 - b. what the alleged violation(s) is;
 - c. that the student or officer is not required to discuss the alleged violation(s) with the Conduct Officer;
 - d. that the student or officer has the right to be accompanied by an advisor when the student meets with the Conduct Officer; and
 - e. that the student or the organization may choose as the advisor anyone, including an attorney, but that the student or the organization is responsible for any fees that the advisor may charge. The student's advisor may provide guidance to the student, but may not otherwise directly participate in the conduct process. The process shall not be unduly delayed based on the availability of the Respondent's advisor.

F. Administrative Resolutions

1. An administrative resolution is an agreement between the University, through the Conduct Officer, and the Respondent in which:

- a. the Respondent admits the violation and agrees to the response(s) stated in the agreement, or
 - b. the Respondent does not admit the violation but agrees to the responses stated in the agreement. If the parties reach an agreement, the agreement must be in writing and signed by the parties. An electronic signature is sufficient.
- 2. A written request for an administrative resolution must contain:
 - a. an explanation of what an administrative resolution is;
 - b. a statement of the charge(s) against the Respondent, including the time and place of the alleged violation(s); and
 - c. a statement of the response(s) proposed by the Conduct Officer. The request must also explain what the Respondent must do to accept or reject the proposal and inform the Respondent that the matter may be set for hearing if the Respondent rejects the proposal. If the parties fail to reach an administrative resolution, the Conduct Officer has the discretion to take no further action in the matter or to set the matter for hearing.
- 3. If the Respondent does not respond to the written request for an administrative resolution within five (5) University days, and unless the University's proposed response is suspension or expulsion, the proposed administrative resolution will be deemed accepted by the Respondent. The Conduct Officer may grant the Respondent an extension of time to respond to the Administrative Resolution, upon the request of the Respondent and at the sole discretion of the Conduct Officer.
- 4. The Conduct Officer may propose an administrative resolution at any time prior to the beginning of a hearing before a Hearing Officer or the University Conduct Board. A proposal for an administrative resolution that is made after a notice of hearing is sent may be made orally or in writing.

G. Hearings

A hearing is an opportunity for the parties to be heard before a Hearing Officer or the University Conduct Board. A University Conduct Board will hear matters that may result in suspension or expulsion. All other matters will be heard by a single Hearing Officer, unless a University Conduct Board is requested by the Conduct Officer or the Respondent. If a matter is set for a hearing, a written notice of hearing must be sent regardless of whether a written request for an administrative resolution was previously sent.

Notice of Hearing

- 1. The notice of hearing for a student must contain the following information:
 - a. Source of the misconduct complaint(s).

- b. Statement of alleged facts constituting misconduct under the Code or other policy.
 - c. Citation of the specific provision(s) of the Code or other policy alleged to have been violated.
 - d. Description of the pertinent information (e.g. records, statements, images or other information) to be presented.
 - e. Date, time and place of the hearing before the Hearing Officer or Conduct Board. Each hearing shall be scheduled at least five (5) University days after the date the notice has been sent.
 - f. A statement that the student or student organization accused of misconduct may be accompanied by legal counsel or other advisor at the hearing before the Conduct Board, to be provided at the expense of the student or student organization, and that such legal counsel or advisor may advise the student or student organization, but may not directly participate in the hearing.
 - g. That the student or student organization accused of misconduct is under no obligation to make any statement at the hearing relevant to the alleged misconduct, and that refusal to make a statement will not be considered as an indication of responsibility.
 - h. That the student or student organization accused of misconduct has the right to inspect any pertinent information the Conduct Officer intends to present at the hearing, no fewer than five (5) University days prior to the hearing, in the Office of Student Conduct and Community Standards and that the student or student organization will be advised in writing prior to the hearing of any pertinent information subsequently discovered, which the Conduct Officer intends to present at the hearing and given an opportunity to inspect such information.
 - i. A statement that if the student or student organization intends to present evidence, including witnesses, that information must be provided to the Conduct Officer no fewer than two (2) University days in advance of the hearing.
2. The notice of hearing must be sent at least five (5) University days before the hearing date. The hearing must be held no later than thirty (30) University days after the notice of hearing was sent. The time limits in this paragraph may be lengthened or shortened if the parties agree to do so. The time limits may also be lengthened if one of the parties makes a written request to the Vice Chancellor responsible for student conduct and the Vice Chancellor or their designee determines that there is a good reason for doing so. Under no circumstances may the hearing be held more than sixty (60) University days after the notice of hearing is sent.

Disqualification

3. The notice of hearing must be provided to the Hearing Officer or to the members of the hearing panel at least three (3) University days before the hearing so that the officer or members can decide whether they need to disqualify themselves.
4. Hearing Officers or panel members must disqualify themselves if they believe that they cannot decide the matter fairly and impartially or if there is a reasonable basis why others may perceive the officers or members as being unable to decide the matter fairly and impartially.
5. The name of the Hearing Officer or a list of the names of the members of the hearing panel must be provided to the Respondent at least three (3) University days before the hearing so that the Respondent can decide whether to challenge the Hearing Officer or any member of the hearing panel on grounds of lack of fairness or impartiality. The list of names of the members of the hearing panel must identify the Conduct Board Chair (“the Chair”) and must also state the member’s status (faculty, staff, or student). The e-mail address of the Hearing Officer or the Chair must also be provided to the Respondent.
6. The Respondent may make a challenge by sending an e-mail to the Conduct Officer and to the Hearing Officer or the Chair in which the Respondent states the factual basis for challenging the impartiality or fairness of the officer or member. The e-mail must be sent no later than two (2) University days before the hearing. The failure to make a timely challenge to the officer or member waives the challenge unless the Respondent shows, as determined by the Vice Chancellor responsible for student conduct or their designee, that there are extraordinary circumstances that excuse the Respondent’s failure.
7. If the Respondent challenges the Hearing Officer, the officer must withdraw from the proceeding if the officer believes that the officer cannot decide the matter fairly and impartially or if there is a reasonable basis why others may perceive the officer as being unable to decide the matter fairly and impartially.
8. If the Respondent challenges a member of the hearing panel, the Chair must promptly forward the Respondent’s e-mail to the members of the panel. The member who is the subject of the challenge must withdraw from the proceeding if the member believes that the member cannot decide the matter fairly and impartially or if there is a reasonable basis why others may perceive the member as being unable to decide the matter fairly and impartially. If the member does not withdraw from the proceeding, the other members of the hearing panel may disqualify the member if they conclude by a majority vote that the standard for disqualification has been met.
9. If the Hearing Officer withdraws from the proceeding, the hearing must be conducted by a different Hearing Officer and the name of that officer must be promptly provided to the Respondent. If a Conduct Board member withdraws or is disqualified from the proceeding, the member must be replaced by a new

Conduct Board member and the name of the new Conduct Board member must be promptly provided to the Respondent.

Pre-hearing Conference

10. Prior to a hearing a pre-hearing conference may be held to answer procedural questions and settle those matters which may be agreeably concluded.

Recording & Conducting the Hearing

11. The electronic or printed items that the Conduct Officer plans to use at the hearing may be made available to the Hearing Officer or Conduct Board for review before the hearing. The Respondent, however, must be given the opportunity to review the items before they are made available to the Hearing Officer or Conduct Board no fewer than five (5) University days in advance of the hearing. Any items that are made available to the Hearing Officer or Conduct Board must be presented as evidence at the hearing. If the Respondent intends to present evidence, including witnesses, that information must be provided to the Conduct Officer no fewer than two (2) University days in advance of the hearing. Any evidence not disclosed within the deadlines set forth in this paragraph will only be considered at the sole discretion of the Hearing Officer or Chair of the Conduct Board. Regents By-Law 5.4(f) provides that the “decision of the [conduct] board must be based solely upon evidence introduced at the hearing.”
12. The Conduct Board shall make a confidential verbatim record of each hearing. Such verbatim record shall be made by such method of recording or recording device as the University deems suitable. The recording shall be the property of the University. The Vice Chancellor responsible for student conduct or their designee has the authority to decide which recording means will be used.
13. At the beginning of the hearing, the Hearing Officer or Chair should state for the record:
 - a. the date, time, and place; and
 - b. their name and role as the Chair or Hearing Officer.
14. If the hearing is before a hearing panel, the Chair should:
 - a. have the other members of the Conduct Board identify themselves, and
 - b. state whether there is a quorum. If there is not a quorum, then the hearing must be rescheduled unless all parties waive on the recording any objection to the lack of a quorum.

15. The Hearing Officer or Chair should then identify the other persons present, ask the Conduct Officer to read the alleged violation(s), and ask the Respondent if the Respondent admits to the alleged violation(s).
16. The Hearing Officer or Chair must conduct the hearing in a manner that facilitates the presentation of relevant evidence by both the Conduct Officer and the Respondent. Both the Conduct Officer and the Respondent have the right to call witnesses and present their respective cases. The Hearing Officer or Chair has the discretion to allow the use of a question-and-answer format or allow a witness to make an oral statement about what the witness knows about the matter. The Hearing Officer or the members of the hearing panel may then ask questions to clarify what the witness said or to elicit more detailed information.
17. The Hearing Officer or Chair has the discretion to allow the parties to question the witnesses directly or to require the parties to submit suggested questions for the Hearing Officer or Chair to ask. In exercising this discretion, the Hearing Officer or Chair should consider all the relevant circumstances, including whether there is animosity between the Respondent and the witness, whether the charges involve violence, threats, or harassment of the witness by the Respondent, and whether direct questioning would be more efficient or would better enable the Respondent to present their information.
18. The Hearing Officer or Chair has the discretion to:
 - a. allow the parties to make opening statements, closing statements, or both, with reasonable time limits;
 - b. allow witnesses to testify by videoconferencing technology;
 - c. require that the witnesses who have not yet testified wait somewhere other than the hearing room until they are called to testify; and
 - d. schedule separate hearings if charges have been brought against multiple respondents or multiple charges have been brought against a single respondent.
19. The Respondent has the right to be present for the hearing. If the Respondent is a student organization, then one of its officers has the right to be present for the hearing. The hearing is closed to the public.
20. The Conduct Officer has the burden of demonstrating the alleged violation(s) by the greater weight of the evidence. The greater weight of the evidence means evidence sufficient to make the alleged violation(s) more likely true than not true. If the evidence is evenly balanced, or if it weighs in favor of the Respondent, then the Respondent is not responsible for the alleged violation(s).
21. The Conduct Officer will present evidence first, followed by the Respondent. Courtroom rules of evidence do not apply. Evidence may be presented if:

- a. it is relevant to the charges, the University response, or the credibility of the witnesses; and
 - b. it is sufficiently reliable that a reasonable person would take it into account in making an important decision. Evidence may be excluded if it merely repeats evidence that has already been presented. The Hearing Officer or Chair will be solely responsible for the determination of the admissibility of evidence.
22. The Respondent's advisor may not speak on behalf of the Respondent during the hearing and may not directly participate in any aspect of the hearing. The Respondent, however, may consult with the Respondent's advisor during the hearing. The Hearing Officer or Chair may limit the length and frequency of consultations so that they do not unreasonably delay the hearing or unreasonably interfere with the presentation of evidence.

Hearing Stages

23. If the Respondent is present and contests the charge(s), a hearing must be conducted in two (2) stages. At the end of each stage a Conduct Board must go into closed session to deliberate and make its decisions by majority vote. If the Respondent is contesting only the appropriate response, the hearing will move immediately to the second stage.
- a. The first stage is to decide whether the Respondent is responsible for the violation. If the Respondent is a student organization, the Hearing Officer or Conduct Board must also conclude that it is more likely than not that the student organization engaged in, facilitated, or authorized the wrongful conduct, either expressly or impliedly.
 - i) If the Hearing Officer or Conduct Board decides that the Respondent is not responsible, the hearing is over.
 - b. The second stage is to decide the appropriate response(s). The hearing will move to the second stage only if the Hearing Officer or Conduct Board determines that the Respondent is responsible or if the Respondent admits the charges. The second stage shall be conducted immediately after the Conduct Board decides the Respondent is responsible. Only evidence that is relevant to the issue of the appropriate response(s) may be presented during the second stage.
24. At the conclusion of the hearing, the Conduct Board must go into closed session to deliberate and make its decision. The decision must be made by a majority vote.

25. If the Respondent fails to appear at the hearing, the Hearing Officer or Conduct Board shall proceed with the hearing if the Hearing Officer or a quorum of the hearing panel members are present.

Notice of Decision

26. No later than seven (7) University days after the hearing, the Respondent must be notified by letter of the decision(s) and response(s), if any. The letter must inform the Respondent of the right to appeal and include a copy of subsection G. The letter must also inform the Respondent of the name and e-mail address of the person to whom the documents required to appeal must be sent. The person must be the Vice Chancellor responsible for student conduct or their designee.
27. The letter must be sent to the Respondent's e-mail address of record. If the Respondent is a student organization, then the letter must be sent to one of the officers at the officer's e-mail address of record and to the organization's faculty advisor of record, if any, or if the organization is a fraternity or sorority, the person listed as the chapter's advisor, if any, in the records maintained by the Office of Fraternity & Sorority Life.
28. In the case of a crime of violence, the University shall provide to the victim the final results of any institutional disciplinary proceeding against the alleged perpetrator. Crimes of violence include:
- a. arson;
 - b. assault offenses;
 - c. burglary;
 - d. criminal homicide – manslaughter by negligence;
 - e. criminal homicide-murder and nonnegligent manslaughter;
 - f. destruction, damage or vandalism of property;
 - g. kidnapping; and
 - h. robbery.

Effective Date of Response & Request to Suspend Response

29. The response to a violation takes effect on the day when the letter of decision is sent. The Respondent may request that the response be suspended while the appeal is pending by e-mailing or hand delivering a letter to the Vice Chancellor responsible for student conduct or their designee no later than five University days after the letter of decision was sent. In the letter, the Respondent should state that they are appealing the decision, explain how the Respondent will be harmed if the response is not suspended, and also explain why suspending the

response will not adversely affect the University or other persons. The Respondent should also attach a copy of the letter of decision.

30. The Vice Chancellor or their designee should promptly review the letter and decide whether to grant or deny the request. In making the decision, the Vice Chancellor or their designee should consider whether the harm that the Respondent may suffer if the response is not suspended outweighs the harm that the University and other persons may suffer if the response is suspended. Before making the decision, the Vice Chancellor or their designee may request that the Conduct Officer explain why they believe that the request should be granted or denied.
31. If the request is granted but the Respondent waives their right of appeal, the response will be immediately reinstated. Waiver of the right of appeal is discussed below in subsection H.

H. Appeals

1. The Respondent may appeal the decision of the Hearing Officer or University Conduct Board to the Appeals Officer unless the Respondent requests the appeal be heard by an Appeals Board. An appeal by the Respondent is limited to the following grounds:
 - a. the evidence presented at the hearing was insufficient to allow a reasonable person to conclude that the charges were more likely true than not;
 - b. the response was clearly excessive in light of all the circumstances; or
 - c. the Hearing Officer or University Conduct Board failed to follow the procedures and as a result of the failure, there is a substantial likelihood that the decision is wrong.
2. Evidence that was not presented at the hearing may not be considered on appeal. Newly discovered evidence may be grounds for a rehearing. Newly discovered evidence is discussed below in subsection J.
3. In order to appeal, a Respondent must send an e-mail to the person identified in the letter of decision and attach a letter that explains in detail the reasons why the decision should be overturned within ten (10) University days of the date of the letter of decision. A Respondent who does not comply with this section waives the right of appeal.
4. Upon receipt of an appeal the Appeals Officer or Chair of the Appeals Board will correspond with the parties regarding the Respondent's appeal. The Conduct Officer may send an e-mail to both the Respondent and to the Appeals Officer or Chair and attach a letter that explains in detail the reasons why the decision

should or should not be affirmed. The e-mail must be sent by the date specified by the Appeals Officer or Chair in their correspondence.

5. The Appeals Officer or Chair has the discretion to request the Respondent and the Conduct Officer to make an oral presentation. The presentation may be made to the Appeals Officer or the Appeals Board in person, by telephone, or by videoconferencing technology. The Appeals Officer or the Chair should inform the parties beforehand of any time limitations on their presentations and also inform them that the Appeals Officer or any member of the Appeals Board may ask the parties questions during or after their presentations, and that the Respondent's advisor, if any, may not make a presentation. If there is a presentation, the University will record the presentation and any subsequent questions.
6. The Appeals Officer or Appeals Board must decide the appeal within twenty (20) University days after the receipt of the notice of appeal. Upon notice to the parties, the Appeals Officer or Chair may extend the deadline for the date of the decision letter by up to twenty (20) University days. The decision may affirm the decision being appealed, overturn the decision being appealed and specify that the charges be dismissed or that a new hearing be held, or modify any University response that was clearly excessive. The decision of the Appeals Officer or Appeals Board is final.
7. The Respondent and the Conduct Officer must be notified of the decision by an e-mail sent to the Conduct Officer and the Respondent at their e-mail addresses of record. If the Respondent is a student organization, then the email must be sent to one of the officers at the officer's e-mail address of record and to the organization's advisor of record, if any, or if the organization is a fraternity or sorority, the person listed as the chapter's advisor, if any, in the records maintained by the Office of Fraternity & Sorority Life. The letter must inform the Conduct Officer and Respondent that the decision is final.

I. Effect on Graduation or Transcript Request

The University may withhold a degree or transcript until conduct proceedings (including appeals) have ended. The University should confer the degree or release the transcript after all investigations and proceedings have ended unless the response to the violation affects the student's eligibility for the degree (for example, the student is expelled or must complete an educational program prior to receiving the degree).

J. New Evidence

1. The Respondent or Conduct Officer may seek a rehearing if the Respondent or Conduct Officer discovers new evidence after the hearing. To obtain a rehearing, the Respondent or Conduct Officer must meet three requirements:
 - a. the evidence is in fact new;

- b. the evidence could not have been discovered with reasonable diligence before the hearing; and
 - c. there is a reasonable basis to believe that the new evidence would have changed the decision(s) and/or response(s).
- 2. The Respondent or Conduct Officer must explain in a letter to the Vice Chancellor responsible for student conduct or their designee why the three (3) requirements are met. The letter must be emailed to the Vice Chancellor or their designee no later than sixty (60) University days after the letter of decision was sent to the Respondent.
- 3. If the Vice Chancellor or their designee determines that the requirements have not been met, then the request must be denied.
- 4. If the Vice Chancellor or their designee determines that the requirements have been met, then a new hearing must be held before a Hearing Officer or Conduct Board. If suspension or expulsion was sought in the original hearing, however, the new hearing must be held before a Conduct Board.
- 5. The new hearing may be held before the same Hearing Officer or Conduct Board that originally heard the matter or before a different Hearing Officer or Conduct Board. The decision in the new hearing must be based on the recording of the original hearing and the new evidence presented at the new hearing.
- 6. After the expiration of the sixty-day (60) period, a student who was expelled may seek a rehearing by sending a letter by certified mail to the Vice Chancellor or their designee. In that letter, the student must explain why the three (3) requirements listed above are satisfied and also explain why it would be manifestly unjust not to grant the student a new hearing. The letter must be sent no later than one year after the letter of decision was sent to the student.
- 7. If the Chancellor or their designee determines that the requirements have not been met, then the request must be denied. The decision of the Chancellor or their designee is final. If the Chancellor determines that the requirements have been satisfied, then a new hearing must be held before a Conduct Board.

SECTION V

Temporary Suspensions

A. Grounds

- 1. The Vice Chancellor responsible for student conduct or their designee may temporarily suspend a student if there is credible information that the student's conduct or presence on campus presents a clear threat to the physical safety of individuals, or is so disruptive that temporary suspension is necessary to preserve the rights of other students to pursue an education. A student may be temporarily suspended for the reasons stated in this paragraph even though the student's

conduct may not violate the Student Code of Conduct or Appendix A to the Code (Response to Allegations of Student Sexual Misconduct).

2. In determining whether to suspend a student temporarily, the Vice Chancellor or their designee should consider whether measures other than suspension would be adequate to address the threat to physical safety or the right of individuals to pursue an education. Those measures include, among others:
 - a. requiring the student to leave University Housing or to move to a different room or residence hall;
 - b. preventing the student from attending class;
 - c. limiting the areas on campus in which the student may be present; and
 - d. prohibiting the student from having contact with one or more specified individuals.
3. If one or more of those measures would be adequate, then the Vice Chancellor or their designee should require that they be implemented instead of suspending the student temporarily. A student may request at any time to meet with the Vice Chancellor or their designee to contest the implementation or continued implementation of the measures.
4. If a student is temporarily suspended, the Vice Chancellor or their designee must provide the student with a Notice of Temporary Suspension. The notice must be sent to the student's e-mail address of record and must:
 - a. state the factual basis for the student's temporary suspension and explain why the student's conduct or presence on campus presents a clear threat, significant risk, or is so disruptive that temporary suspension is necessary; merely reciting the language of the Code is insufficient;
 - b. state that the student has a right to a meeting with the Vice Chancellor or their designee within three (3) University days after the temporary suspension becomes effective to present information to show that the requirements for a temporary suspension have not been satisfied and that the temporary suspension should therefore be lifted;
 - c. state the time, date, and place of the meeting with the Vice Chancellor or their designee and state that the student may be accompanied by an adult advisor of their choosing, including an attorney, but that the student is responsible for any fees that the advisor may charge;
 - d. state that after the expiration of the three (3) -day period, a student may seek to have the temporary suspension lifted by making a Request for Reinstatement; and
 - e. include a copy of Section V of the Code.
5. After the expiration of the three (3) -day period, a student who has been temporarily suspended may seek reinstatement by making a Request for Reinstatement ("the Request") on the ground that:

- a. the requirements for a temporary suspension were not met when the student was temporarily suspended and are not currently met, or
 - b. circumstances have changed such that the requirements for a temporary suspension are no longer met.
- 6. The Request must be in writing, state the reasons for request, and include the evidence that supports the Request. The Request must be sent to the Vice Chancellor responsible for student conduct or their designee by e-mail or certified mail or may be hand-delivered to the Vice Chancellor's office.
- 7. The Vice Chancellor or their designee must make a decision on the Request as soon as reasonably practicable. Before making a decision, the Vice Chancellor or their designee has the discretion to seek additional information, to ask a Conduct Officer to review and comment on the Request, or to schedule a meeting with the student and their advisor.
- 8. If the temporary suspension was based on alleged conduct that constitutes a violation of the Code and formal proceedings have not been instituted against a student who has been temporarily suspended, proceedings must be instituted within five (5) University days of the effective date of the temporary suspension. The conduct process must be resolved within twenty (20) University days of the effective date of the temporary suspension. The Vice Chancellor or their designee may extend the time limit for the hearing for up to an additional fifteen (15) University days if the parties agree to an extension or if either party establishes that extraordinary circumstances exist that warrant an extension. The Vice Chancellor or their designee may extend the time limit for the hearing for a longer period if the student consents.
- 9. The fact that a student was temporarily suspended should not be taken into account by the Hearing Officer or Conduct Board in determining whether the student violated the Code.

SECTION VI

Miscellaneous Procedural Matters

A. Inter-Institutional Authority

- 1. If University students or student organizations engage in conduct that violates the Standards on any University campus or in a course offered by another University campus, the University campuses may enter into an agreement whereby:
 - a. the University campuses agree which campus will conduct an investigation in whole or in part, institute formal proceedings, and conduct those proceedings; and
 - b. if the proceedings result in the issuance of a University response, which campus will enforce the University response.

B. University Conduct Board Membership and Quorum

1. The Vice Chancellor responsible for student conduct of each University institution will specify the number, qualifications, term, and selection process for members of the University Conduct Board.
2. The Vice Chancellor responsible for student conduct at each University institution must determine whether the institution will have an Appeals Officer, an Appeals Board, or both. If the Vice Chancellor determines that the institution will have an Appeals Board, then the Vice Chancellor for each institution will specify the number, qualifications, term, and selection process for the members of the Board.
3. The Vice Chancellor responsible for student conduct must specify the number of members that a Conduct Board or Appeals Board must have and, if the number is more than three (3), the number that will constitute a quorum.

C. Interpretations of the Code

1. Words in this Code should be given their ordinary meaning unless the context indicates that a different meaning was intended.
2. Any question of interpretation or application of the Code shall be referred to the Vice Chancellor responsible for student conduct or their designee.

D. Amendments

1. The Board of Regents may amend this Code at any time, in whole or in part. There may be times when unexpected issues arise that require prompt action or that involve errors or omissions in the Code. Examples include a change in federal, state, or local law, the adoption of a new Campus or University policy, the repeal of an existing Campus or University policy, the discovery of a drafting error, or the failure to anticipate a particular situation or type of conduct.
2. If an unexpected issue arises, the Code may be amended pursuant to the following procedure:
 - a. First, the Provost of the University of Nebraska must approve the amendment.
 - b. Second, the General Counsel of the University of Nebraska must approve the amendment.
 - c. Third, the amendment must be reported to the Board of Regents at the next regularly scheduled meeting of the Board.
3. The Provost and the General Counsel may approve an amendment only if each of them separately determines that:

- a. the content of the amendment is appropriate and reasonably necessary, and
- b. the subject matter of the amendment either requires prompt action or involves minor changes that correct errors or omissions in a manner consistent with the purpose and scope of the Code. An amendment takes effect when both the Provost and the General Counsel have approved the amendment. The Board has the authority to rescind any such amendment when the amendment is reported to the Board.

E. Effective Date

The provisions of this Code apply to cases in which formal charges are brought after the date on which this Code was approved by the Board of Regents. Amendments to this Code apply to cases in which formal charges are brought after the date that the amendment takes effect.

F. Periodic Review

The University of Nebraska Student Code Conduct will be reviewed at least every four (4) years.

Appendix C – Y1CBP Full Report

[2022]

Y1CBP

Full Report

[University of Nebraska
Omaha]

Provided By: MERC

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2022 Y1CBP Full Report – University of Nebraska-Omaha
December 2022

If you have any questions or concerns regarding the information reported within, please contact us at:

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The mission of the Methodology and Evaluation Research Core Facility (MERC) is to provide state-of-the-art methodological support and services that promote and sustain excellence in the social and behavioral sciences through active collaborations with existing centers, initiatives, and units. The facility includes service units that support innovative approaches to sample design, data collection, analysis, and evaluation in a collaborative environment of transdisciplinary research. MERC is a service center at the University of Nebraska-Lincoln.

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The preparation of this report was sponsored by the Nebraska Department of Roads, Office of Highway Safety. Any opinions, findings, conclusions, or recommendations expressed in this publication are those of the authors and do not necessarily reflect the views of the Nebraska Department of Roads, Office of Highway Safety.

The University of Nebraska does not discriminate based upon any protected status.

OVERVIEW

This report is an analysis of data from the 2018-2022 administrations of the Year 1 College Behavior Profile (Y1CBP) to entering first-year students at the University of Nebraska Omaha (UNO). The Y1CBP is a web-based survey designed as an alcohol prevention tool for delivery to the general student population, and reflects their use and perceptions prior to their time on campus. As a result, Y1CBP data are not valid as a measure of campus-wide drinking. These data are not a substitute for a valid campus-level survey of students for obtaining general alcohol/marijuana use indicators such as the Nebraska Assessment of College Health Behaviors (NACHB), or American College Health Association (ACHA) survey.

The Y1CBP provides personalized feedback to students based on the input of their own use of alcohol/marijuana and self-reports of harms, as well as their campus norms. At UNO, these campus norms are based on the previous administrations of the Y1CBP and include both behavioral and attitudinal information. As a population-level prevention tool, the Y1CBP contains a feedback track for those students who do not use alcohol/marijuana. Instead of personalized feedback of using alcohol/marijuana, it provides reinforcement for the abstinence choice. Other aspects of educational information and social norms messages are the same.

The results in this report are valid for examining the characteristics related to alcohol/marijuana use of the entering first-year class. This includes the extent to which entering students have misperceptions about student alcohol/marijuana-related behaviors and attitudes at your school. This can be used to help design social norm messages and prevention programming for new students. You can use these data to assess whether the entering first-year students reflect the general alcohol/marijuana use patterns of high school students in your service area or deviate from these in meaningful ways. You can also use Y1CBP data over time to detect changes in the alcohol/marijuana use patterns of your entering students that might suggest need for further prevention and intervention.

METHODS

On a web-based hosted platform by the University of Nebraska – Lincoln, Y1CBP is completed. Student response data were analyzed using SPSS V.29. In 2022, the Y1CBP was completed by 1091 entering first-year students, with an average age of 17.92 (659 Women and 432 Men, 977 NE residents and 114 non-residents, 132 fraternity or sorority members and 959 non-members).

All drinking behaviors are computed from the daily drinking diary in the Y1CBP. The diary asks students to report their typical drinking week in the past month by recording the number of drinks by alcohol type and the number of hours drinking each day. The standard definition for binge drinking is having five or more drinks for men and four or more drinks for women in a single setting. A student is classified as a binger if they report having five (men) or four (women) drinks in one setting. Abstainers are determined within the Y1CBP as students who report never drinking or not drinking within the past year. These students receive abstainer feedback.

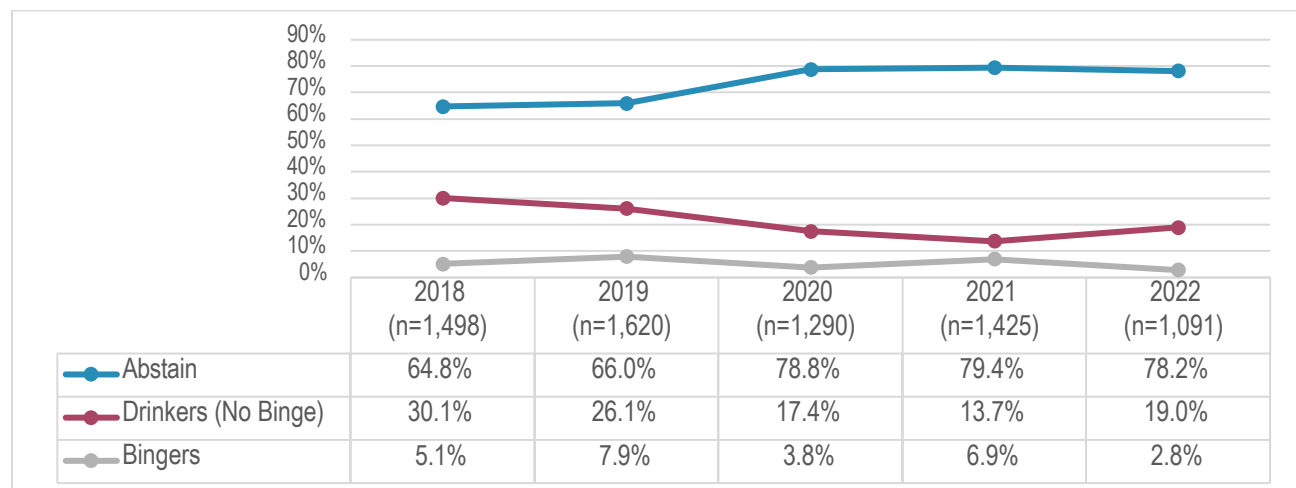
Drinks per week are calculated from the total number of drinks reported for the week in the one-week diary. The average drinks per occasion are computed by dividing the total number of drinks reported for the week by the number of days on which drinking is indicated. The number of days drinking per month is computed by taking the number of days on which drinking is reported in the one-week diary and multiplying by 4.2.

STUDENT SELF-REPORTED DRINKING

Drinking Patterns

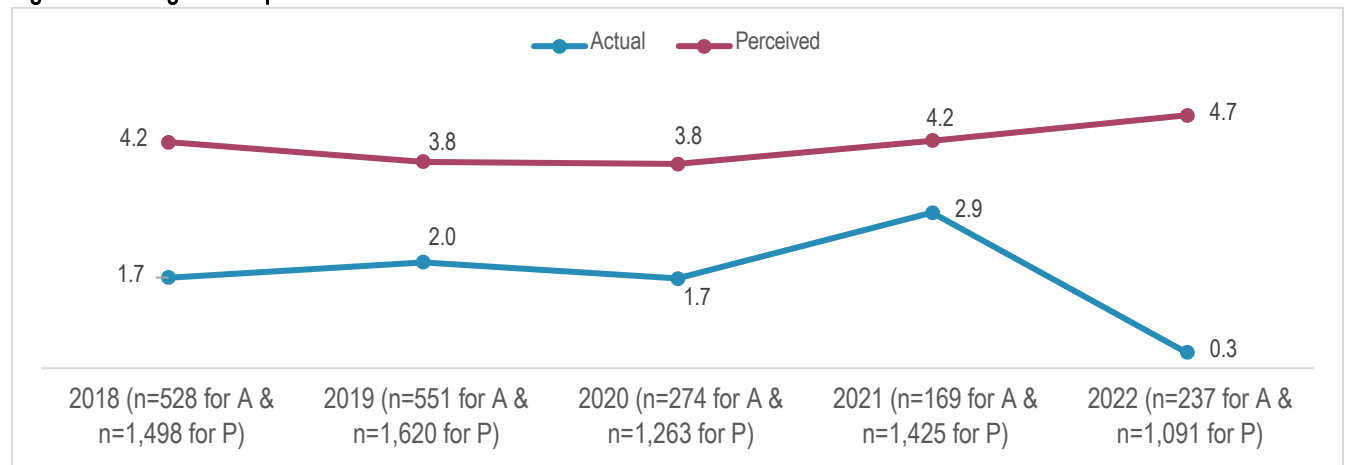
Drinking patterns are shown in Figure 1. Overall, 78.2% of UNO students reported abstaining from alcohol in 2022, which was lowest of any year so far. Meanwhile, 2.8% of UNO students reported binge drinking, which is less than half of what was reported in 2021. This compares to 17.5% of Nebraska high school seniors who reported binge drinking on the 2021 Youth Risk Behavior Survey (YRBS). It appears that entering UNO students binge drank much less than the nearest Nebraska peer group.

Figure 1. Student Drinking Categories



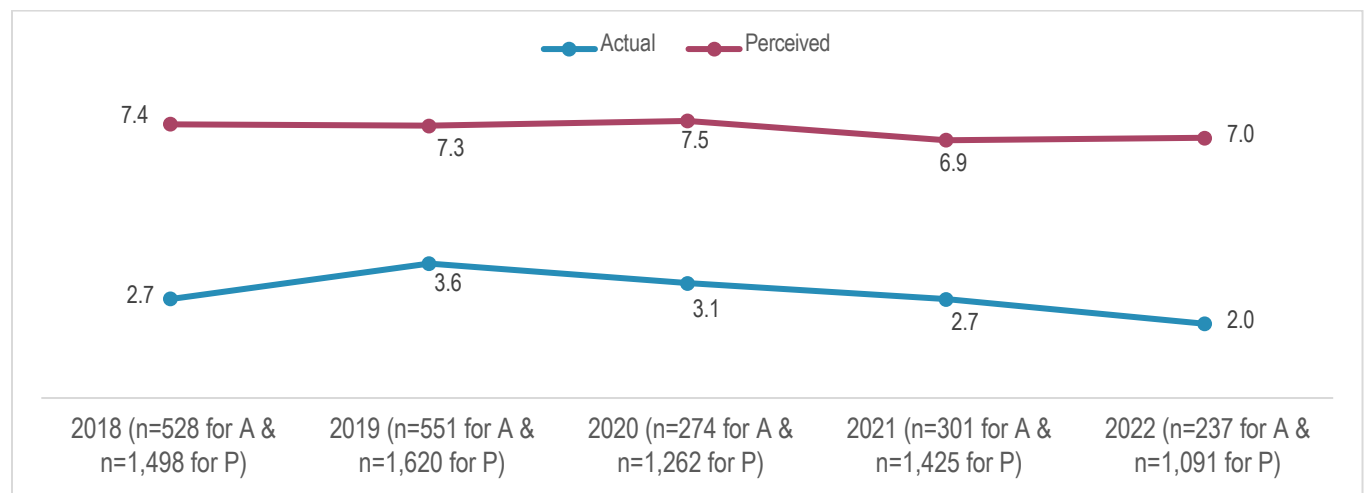
Students' actual and perceived average drinks per occasion, drinks per week, and times drinking per month are shown in Figures 2 through 3. In 2022, UNO students (n=237 drinkers) reported drinking about 0.3 drinks per drinking occasion, as presented in Figure 2. This was the lowest in the past five years. In comparison, UNO students thought that their peers consumed more than 16 times that amount (4.7 drinks per occasion), which continues the upward trend of recent years.

Figure 2. Average Drinks per Occasion



Meanwhile, UNO entering students reported drinking 2.0 drinks per week in 2022, as presented in Figure 3, which is lower than the previous years. In comparison, UNO students perceived that their fellow students drank 7.0 drinks per week. Overall, students thought that their peers drank three times more per week than they actually did.

Figure 3. Drinks per Week

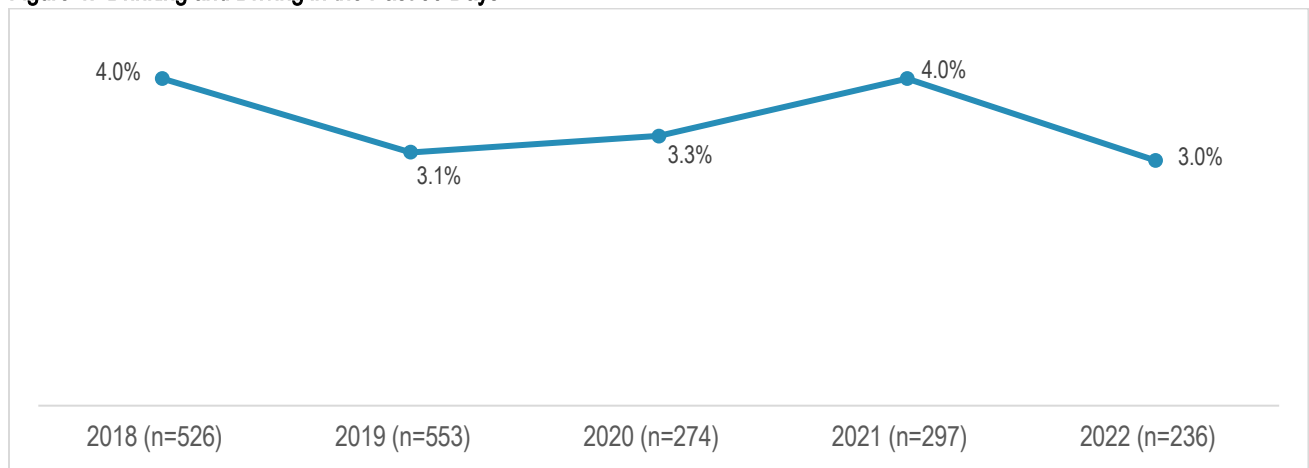


Lastly, UNO students reported drinking an average of 3.1 times per month. Incoming students estimated that their peers have drank 12.4 times per month. Overall, UNO students thought that their peers drank more times per month than they actually did.

Drinking Related Harms

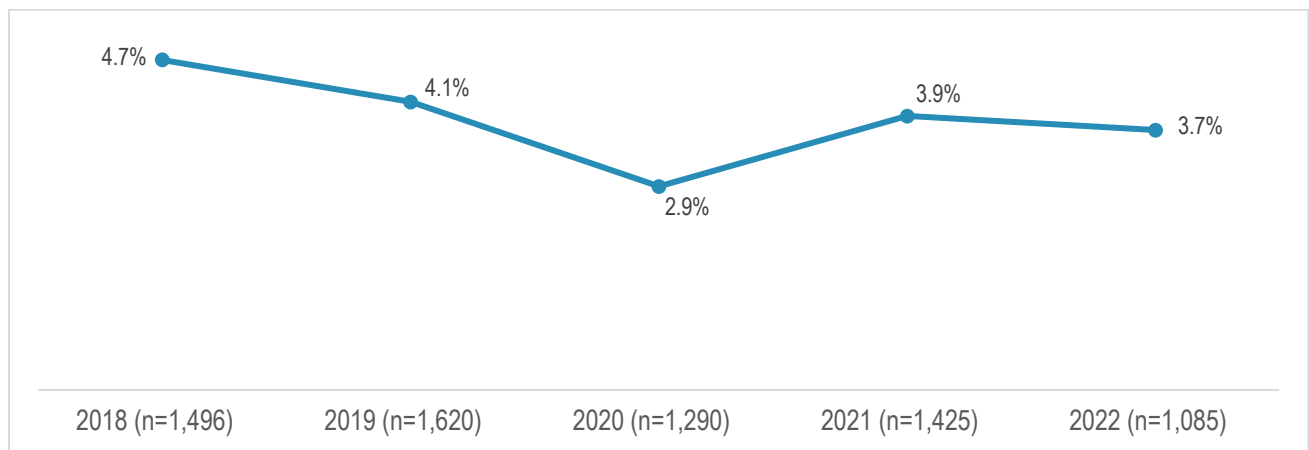
In 2022, 3.0% of UNO students reported drinking and driving in the past 30 days, as shown in Figure 4. The 2022 UNO rate was more than two times less compared to the 7.7% rate reported by Nebraska high school seniors on the 2021 YRBS.

Figure 4. Drinking and Driving in the Past 30 Days



In 2022, 3.7% of UNO students reported riding with a drunk driver in the past 30 days (Figure 5). This rate is lower than the 13.9% rate reported by high school seniors on the 2021 YRBS.

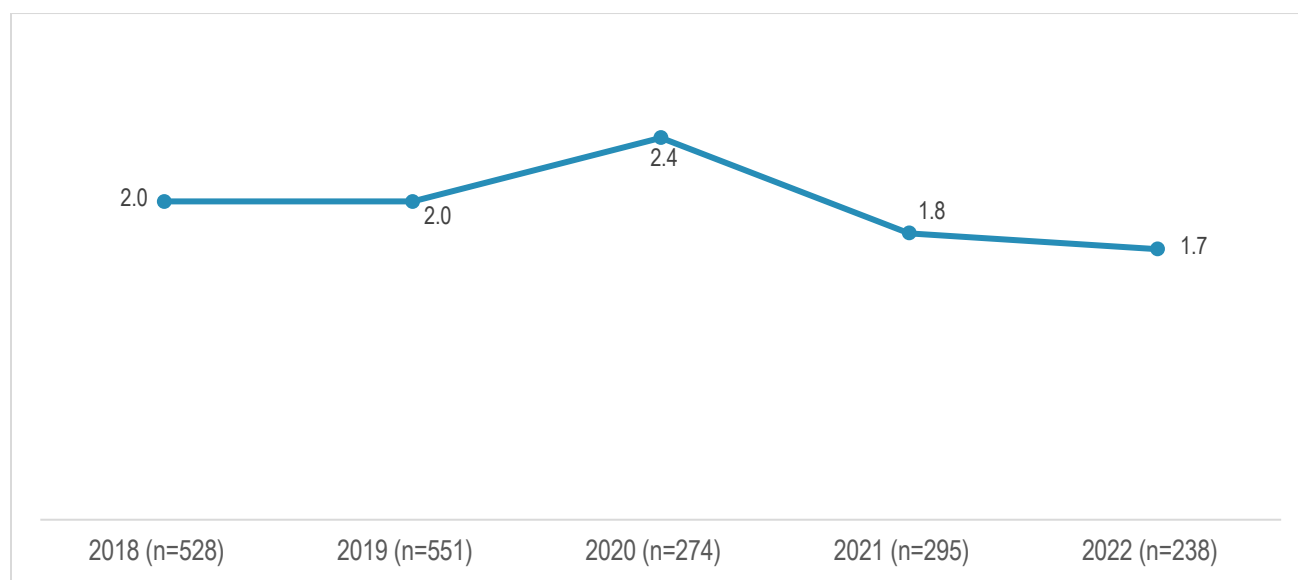
Figure 5. Riding with a Drunk Driver in the Past 30 days



Total Experienced Harms

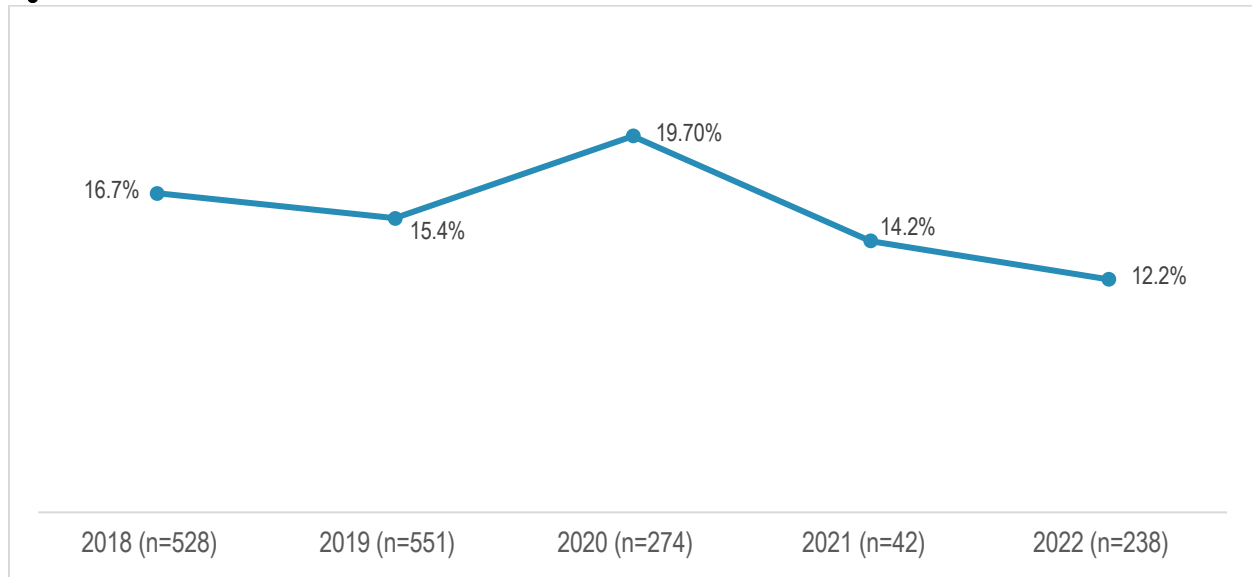
The Rutgers Alcohol Problem Index (RAPI) is a 23-item self-administered screening tool for assessing drinking-related harms/problems in students; the Y1CBP adapted 16 items from the RAPI. In 2022, UNO entering students who used alcohol averaged 1.7 reported problems on the RAPI, as presented in Figure 6. The level was similar to 2021 and a decrease from earlier years.

Figure 6. Rutgers Alcohol Problem Index (RAPI)



Meanwhile, 12.2% of entering UNO drinkers reported five or more problems, which is considered an important cut-off for negative drinking outcomes. This number was lower than the previous years, as shown in Figure 7.

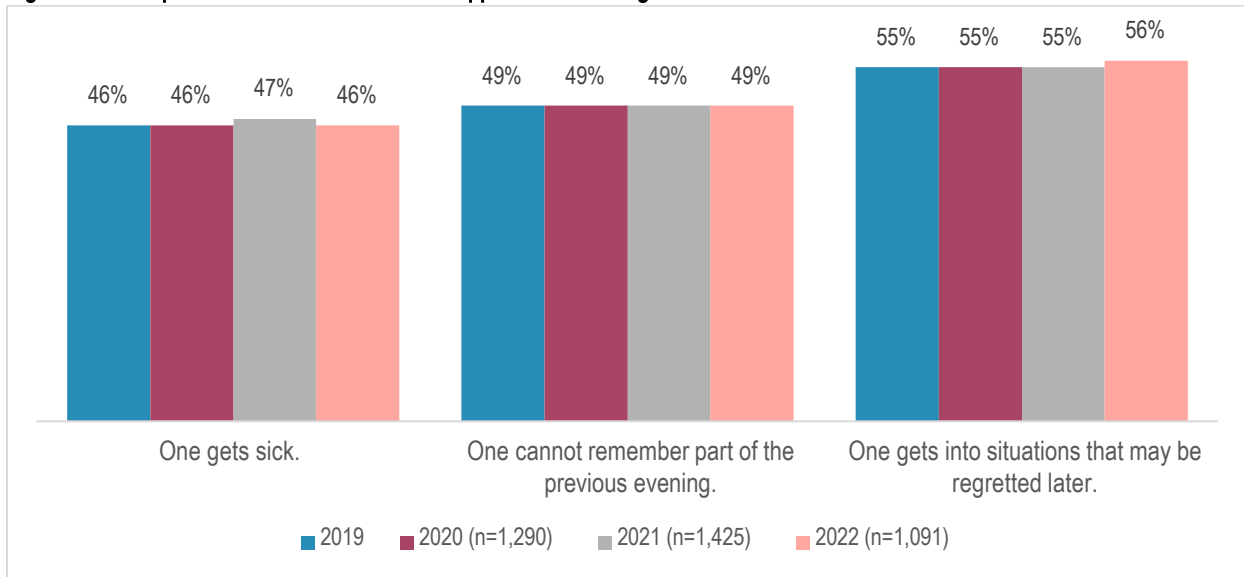
Figure 7. Five or More Problems



Student Perceptions

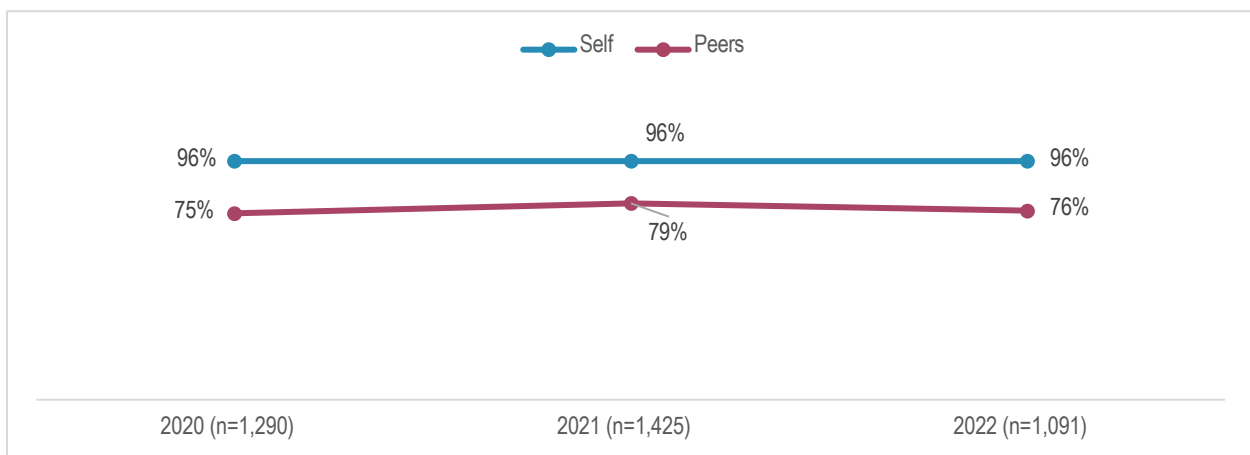
Student perceptions are shown in Figures 8 through 11. Entering students thought about half of their peers disapproved of drinking so much that one gets sick (46%), one cannot remember part of the previous evening (49%), and one gets into situations that may be regretted later (56%) (Figure 8). This was slightly lower in 2022 than in 2021.

Figure 8. Perceptions – Reason for Peers' Disapproval of Drinking So Much



Entering UNO students perceived greater support for drinking and driving than that actually exist among their peers. Students thought that about three quarters (76%) of peers disapproved of drinking and driving when nearly all (96%) disapproved (Figure 9). This pattern is mostly consistent with the past three years. It is clear that entering students overestimate the support for dangerous drinking among their peers. These discrepancies suggest a need to address normative perceptions in prevention materials.

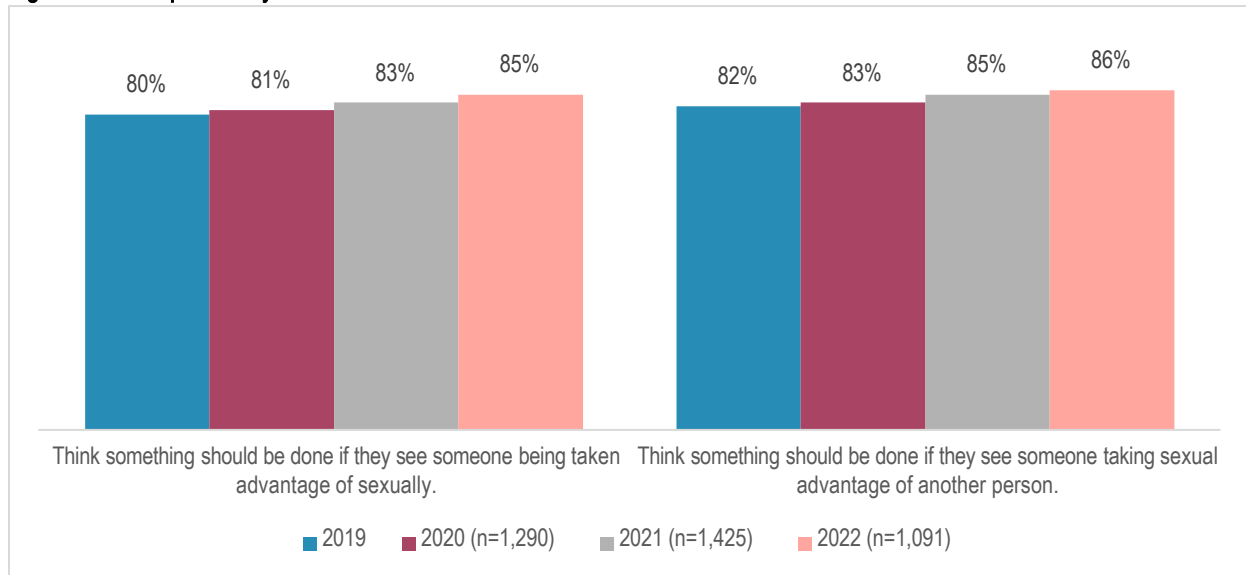
Figure 9. Actual and Perceived Disapproval of Drink and Drive



Respondents were asked what percentage of UNO students think something should be done when witnessing certain sexual situations (Figure 10). Entering students believed almost 9 out of 10 peers thought something should be done if someone was

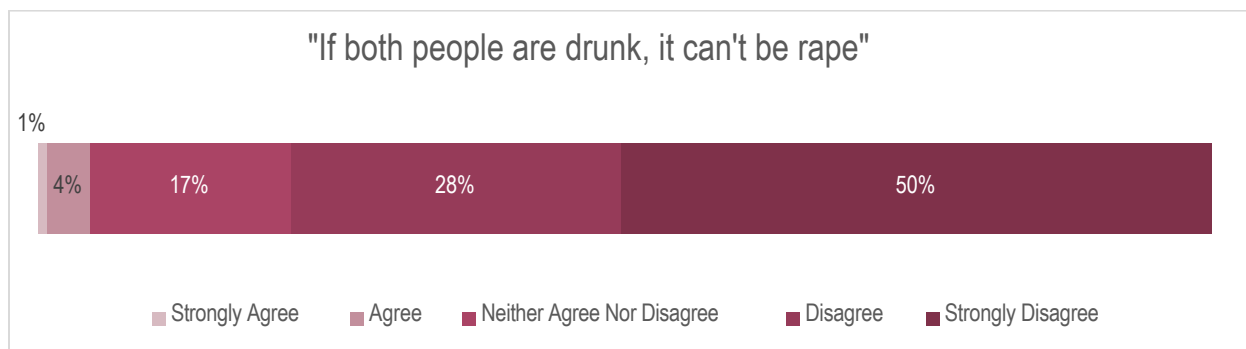
taking sexual advantage of another person (86%) or being taken advantage of sexually (85%). The percentages represent a gradual increase over previous years.

Figure 10. Perceptions - Bystander Intervention



When students (n=1,091) were asked to respond with their level of agreement with the statement, “If both people are drunk, it can’t be rape,” only 5% agreed or strongly agreed, as shown in Figure 11.

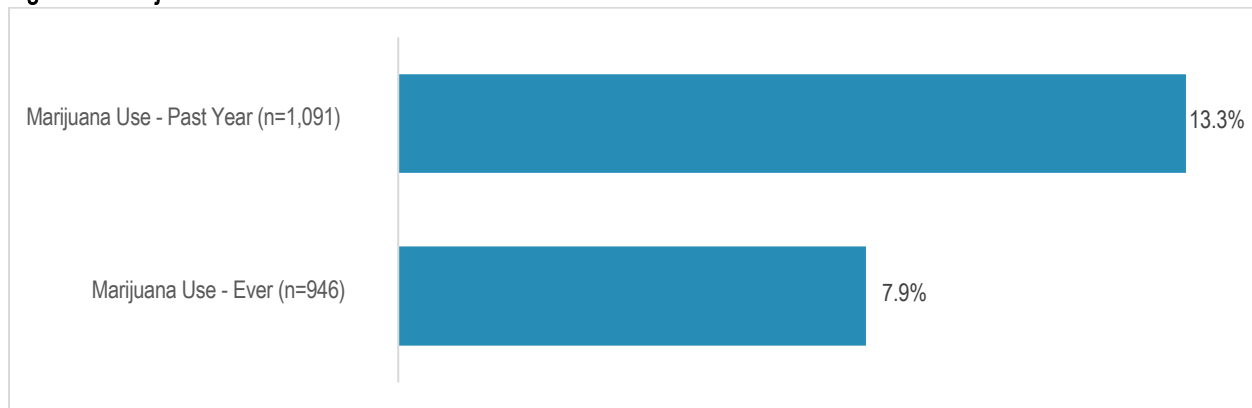
Figure 11. Agreement on the statement "If both people are drunk, it can't be rape."



STUDENT SELF-REPORTED USE OF MARIJUANA

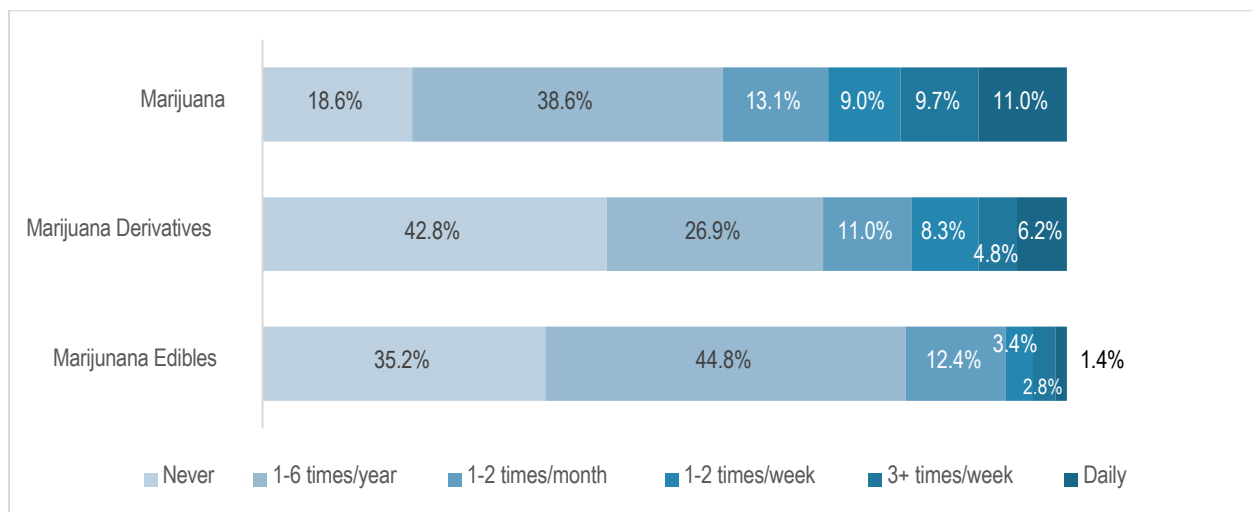
Approximately one in eight entering UNO students reported using marijuana in the past year; among those who did not use marijuana in the past year, about 8% reported having ever used it (Figure 12).

Figure 12. Marijuana Use – Past Year vs. Ever



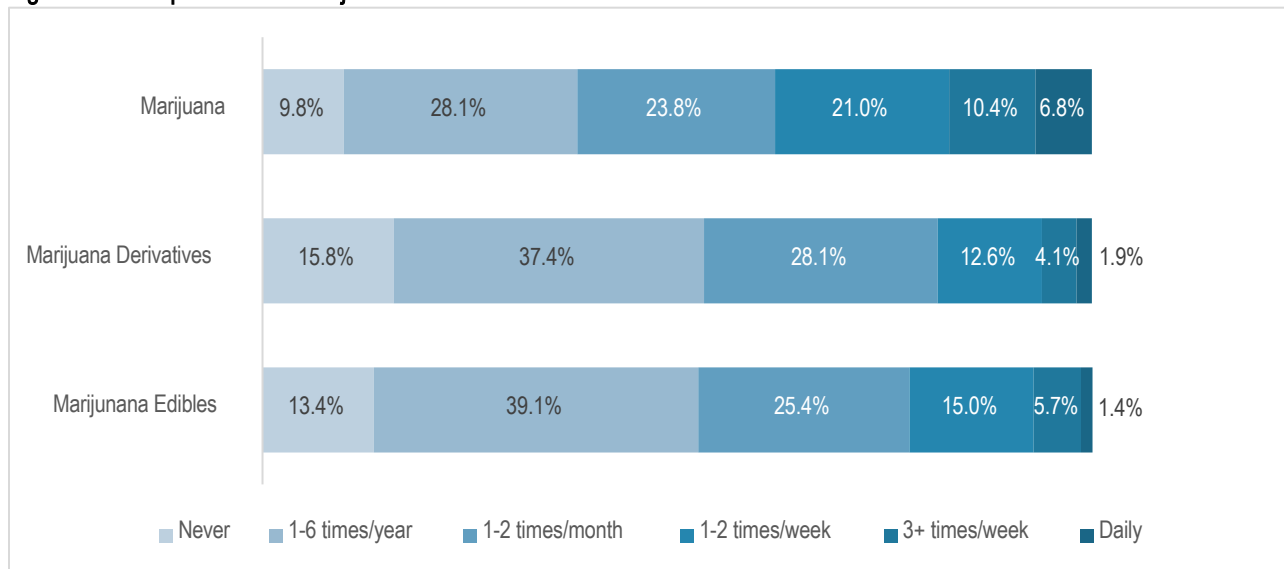
Among those who responded to marijuana use (n=145); 81% report using marijuana, 57% report using marijuana derivatives, and 65% used marijuana edibles (Figure 13).

Figure 13. Marijuana Use Frequency



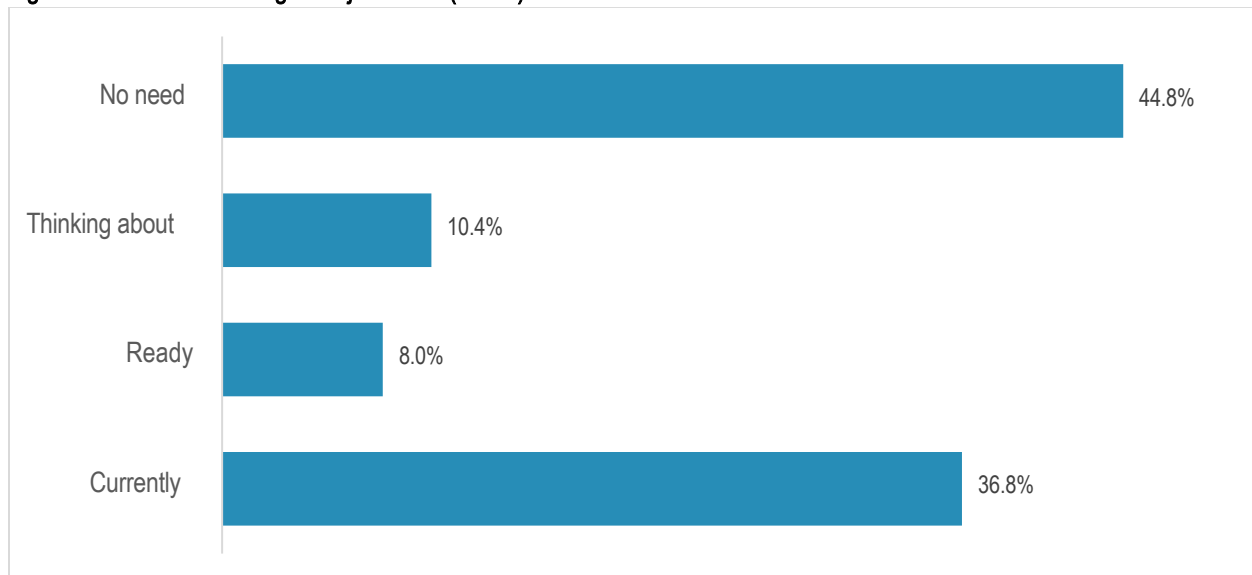
Meanwhile, UNO entering students (n=1091) believed that about 92% of their peers use marijuana. Students also believed 87% of their peers to use marijuana derivatives and 90% to use marijuana edibles (Figure 14).

Figure 14. Perception- Peers' Marijuana Use



Among marijuana users, 55% reported they are either ready, thinking about, or currently trying to change their pattern of marijuana use. The remainder do not feel a need to change their marijuana use (Figure 5).

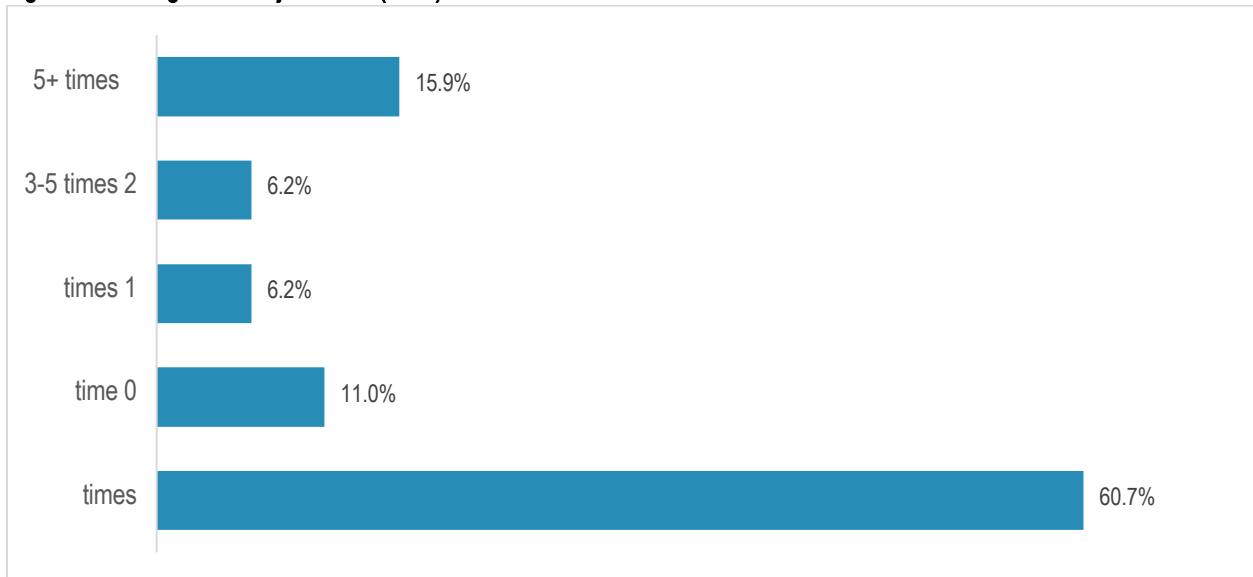
Figure 15. Intention to change Marijuana use (n=125)



Marijuana Related Harms

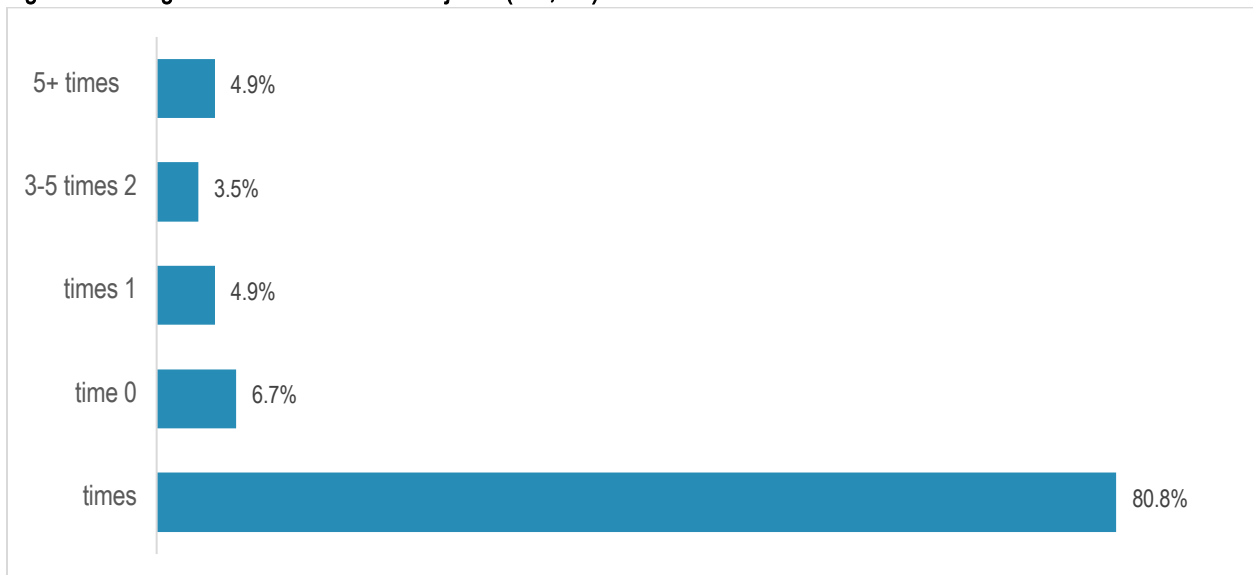
Among students who used marijuana (n=145), about 11% report driving once after using marijuana, while 6% report driving twice after using marijuana, as presented in Figure 16.

Figure 16. Driving after Marijuana use (n=18)



A majority of students reported (80.8%) that they did not ride as passengers with a driver who had used marijuana. About 20% of respondents reported riding as passenger with a driver who had used marijuana (Figure 17).

Figure 17. Riding with a driver who used Marijuana (n=1,091)



SUMMARY

Overall, first-year entering students reported the lowest level of abstinence as compared to the previous four years. Students generally are drinking more often but have fewer drinks when drinking. Only about 2.8% of incoming students reported binge drinking. In terms of drinking-related harms, UNO students reported low levels of drinking and driving and riding with a drunk driver. About 3.0% of entering students reported drinking and driving within the past 30 days, which was lower than the reported 7.7% rate reported by Nebraska high school seniors in the 2021 YRBS. And 3.7% of first-year students rode with a drunk driver in the past 30 days, which is much lower than the 13.9% reported by high school seniors on the 2021 YRBS.

Despite some of these positive results, UNO entering students reported experiencing problems because their drinking. One out of six (12.2%) first-year students reported five or more RAPI problems. This suggests a need to provide programming and counseling for students who are having problems and not relying only on interventions designed to reduce consumption as these alone may not be enough. Few students reported driving under the influence of marijuana, and the majority of students reported not riding passenger with a driver who had used marijuana.

Entering students at UNO expressed greater misperception about average drinks per occasion than in the past years and less misperception about times drink per month than 2021. They were especially likely to misperceive the norms about support for drinking and driving, and marijuana use frequency. These findings suggest that social norms marketing to entering students may be a desirable strategy and that the social norms messages in the Y1CBP are an important feedback tool for addressing these misperceptions.

[2023]

Y1CBP

Full Report

[University of Nebraska
Omaha]

Provided By: MERC

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2023 Y1CBP Full Report – University of Nebraska - Omaha
November 2023

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Table of Contents

Overview	3
Methods	4
Student Self-Reported Drinking	5
Drinking Patterns.....	5
Drinking Related Harms	7
Total Experienced Harms	8
Student Perceptions	9
Student Self-Reported Use of Marijuana	11
Marijuana Related Harms	14
Summary	15
Appendix A: 2023 Y1CBP Summary Tables	17
Appendix B: 2023 Y1CBP Summary Tables by groups.....	25

Overview

This report is an analysis of data from the 2018-2023 administrations of the Year 1 College Behavior Profile (Y1CBP) to entering first-year students at University of Nebraska Omaha (UNO). The Y1CBP is a web-based program designed as an alcohol prevention tool for delivery to the general student population. At UNO, it is administered to entering first-year students, and reflects their use and perceptions prior to their time on campus. As a result, Y1CBP data are not valid as a measure of campus-wide drinking. These data are not a substitute for a valid campus-level survey of students for obtaining general alcohol/marijuana use indicators such as the Nebraska Assessment of College Health Behaviors (NACHB), the American College Health Association (ACHA) Survey or Core Institute Survey.

The Y1CBP provides personalized feedback to students based on the input of their own use of alcohol/marijuana and self-reports of harms, as well as their campus norms. At UNO, these campus norms are based on the previous administrations of the Y1CBP and include both behavioral and attitudinal information. As a population-level prevention tool, the Y1CBP contains a feedback track for those students who do not use alcohol/marijuana. Instead of personalized feedback of using alcohol/marijuana, it provides reinforcement for the abstinence choice. Other aspects of educational information and social norms messages are the same.

The results in this report are valid for examining the characteristics related to alcohol/marijuana use of the entering first-year class. This includes the extent to which entering students have misperceptions about student alcohol/marijuana-related behaviors and attitudes at your school. This can be used to help design social norm messages and prevention programming for new students. You can use these data to assess whether the entering first-year students reflect the general alcohol/marijuana use patterns of high school students in your service area or deviate from these in meaningful ways. You can also use Y1CBP data over time to detect changes in the alcohol/marijuana use patterns of your entering students that might suggest need for further prevention and intervention.

Methods

The Y1CBP is completed on a web-based platform hosted by the University of Nebraska – Lincoln. Student response data were analyzed using SPSS V.29. In 2023, the Y1CBP was completed by 1,259 entering first-year students, with an average age of 18.02 (756 women and 503 men; 116 Greek-affiliated students, 1,143 non-Greek students; 1,143 NE residents, 116 nonresidents).

All drinking behaviors are computed from the daily drinking diary in the Y1CBP. The diary asks students to report their typical drinking for the past month on a one-week calendar by recording the number of drinks and the number of hours drinking each day of the week. The standard definition for binge drinking is having five or more drinks for men and four or more drinks for women in a single setting. A student is classified as a frequent binger if they report having five (men) or four (women) drinks on more than one day. Abstainers are determined within the Y1CBP as students who report never drinking or not drinking within the past year. These students receive abstainer feedback.

Drinks per week are calculated from the total number of drinks reported for the week in the one-week diary. The number of days drinking per month is computed by taking the number of days on which drinking is reported in the one-week diary and multiplying by 4.2. Average drinks per occasion are computed by dividing the total number of drinks reported for the week by the number of days on which drinking is indicated.

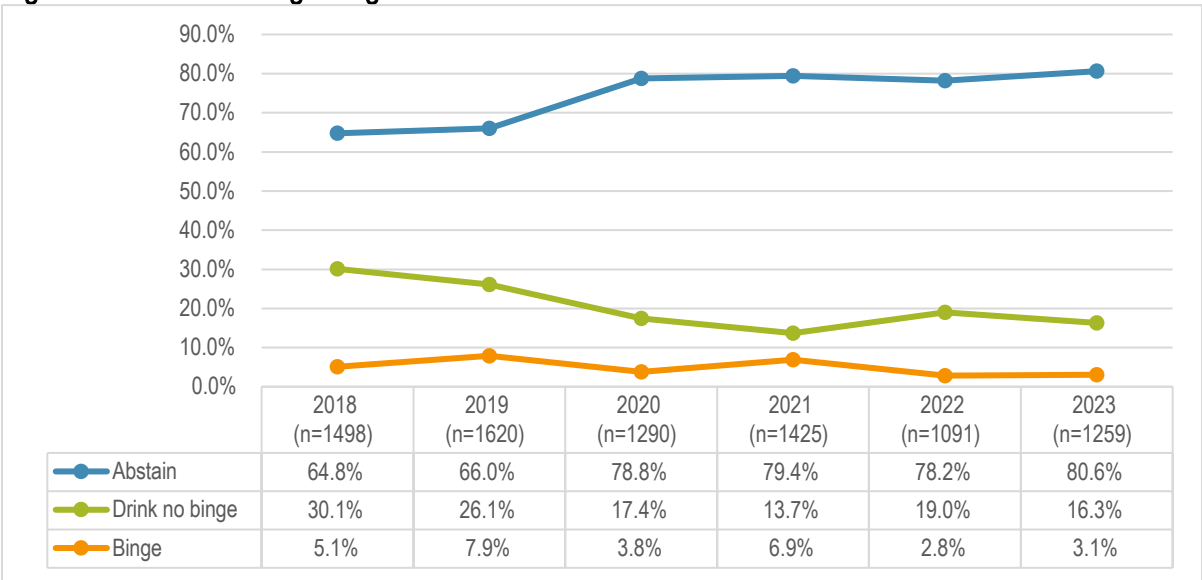
Group differences by student sex, Greek status, and Nebraska residency are shown when those differences are statistically significant. This means that the likelihood that the differences between groups is due to chance is low. Full data by those groups can be found in Appendix B. Where possible, Y1CBP data is also compared to the Nebraska Youth Risk Behavior Survey (YRBS), a national public health surveillance survey of high school students. The YRBS is collected every other year and focuses on students in grades 9-12. The most recent YRBS data available is from 2021.

Student Self-Reported Drinking

Drinking Patterns

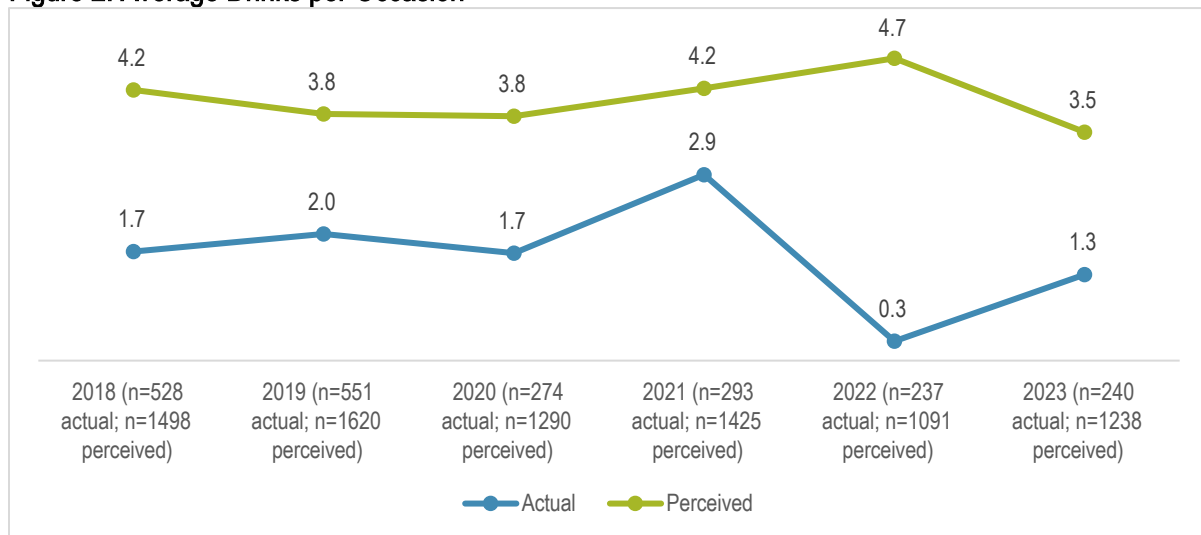
Drinking patterns over the past six years are shown in Figure 1. In 2023, 80.6% of incoming UNO students (n=1,259) were alcohol abstinence, an increase from 2018's abstinence rate of 64.8%. Binge drinking was reported by 3.1% of students, a very slight increase from the year before but well below the 7.9% in 2019. The 2023 binge rate was much lower than the 17.5% binge rate of Nebraska high school seniors recorded in the 2021 Youth Risk Behavior Survey (YRBS). In 2023, students who intended to join a fraternity or sorority (Greek) were less likely to have abstained from alcohol in the past year as opposed to non-Greeks (71% vs. 82%).

Figure 1. Student Drinking Categories



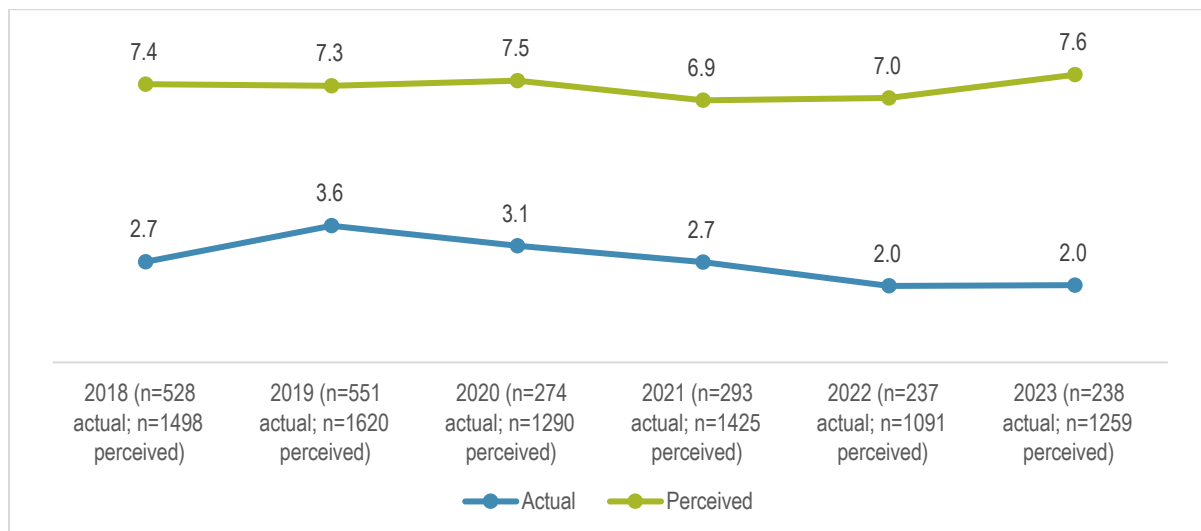
Students' average drinks per occasion over the past six years are shown in Figure 2. In 2023, UNO students drank 1.3 drinks per occasion (n=240 drinkers), a 1.0 drink increase from 2022. However, this number is lower than in 2021 where 2.9 drinks per occasion were reported. In 2023, students believed that their peers consumed 3.5 drinks per occasion compared to the 1.3 actual drinks consumed. Overall, the 2023 perceived drinks per occasion is the lowest number in the past six years.

Figure 2. Average Drinks per Occasion



Incoming UNO students who consumed alcohol had on average 2.0 drinks per week (n=238 drinkers) in 2023 as shown in Figure 3, identical to the report in 2022. In contrast, students thought that their peers drank 7.6 drinks per week, the highest number in the last six years. This was an increase from students in 2022 where they believed other students drank 7.0 drinks per week. Overall, students think that their peers drank more times per week than they actually did.

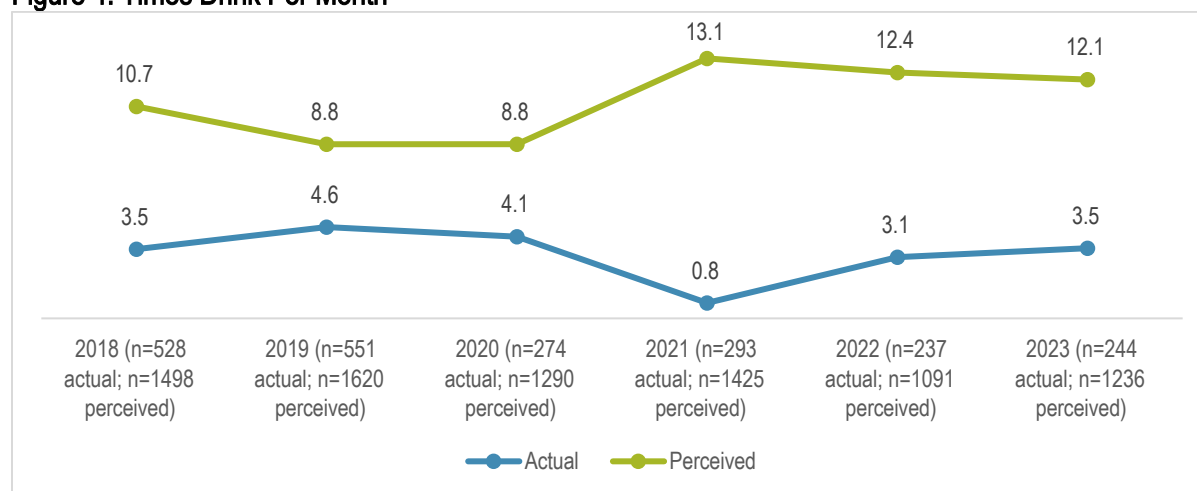
Figure 3. Drinks Per Week



Finally, entering students in 2023 drank 3.5 times per month on average (n=244 drinkers) seen below in Figure 4. This was a slight increase from the 3.1 times per month students

reported in 2022. In 2023, students believed their peers drank an average of 12.1 times per month, a slight decrease from 12.4 in 2022. Overall, UNO students believe their peers drink more than 3 times as often per month than they truly did.

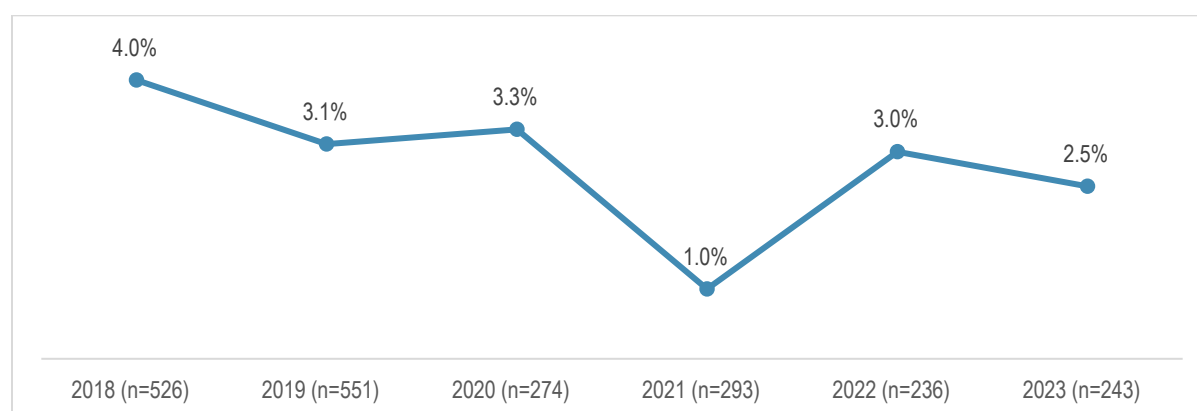
Figure 4. Times Drink Per Month



Drinking Related Harms

In 2023, 2.5% of students entering UNO (n=243 drinkers) drove after drinking alcohol in the past 30 days (Figure 5). This is a decrease from 3.0% in 2022 but still greater than 2021's 1.0%. The rate for 2023 was much lower than the 7.7% reported by Nebraska high school seniors on the 2021 YRBS.

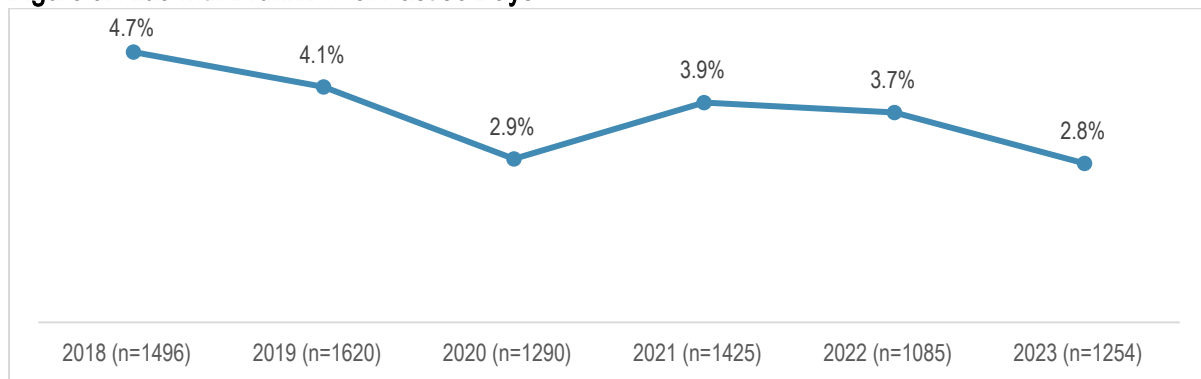
Figure 5. Drink and Drive Past 30 Days



Only 2.8% of incoming UNO students (n=1254) rode with a drunk driver in the past 30 days in 2023, as shown in Figure 6. This is a decrease from 3.7% in 2022. According to the 2021

YRBS, the rate of high school seniors who rode with a drunk driver was 13.9%, almost five times higher than UNO students in 2023.

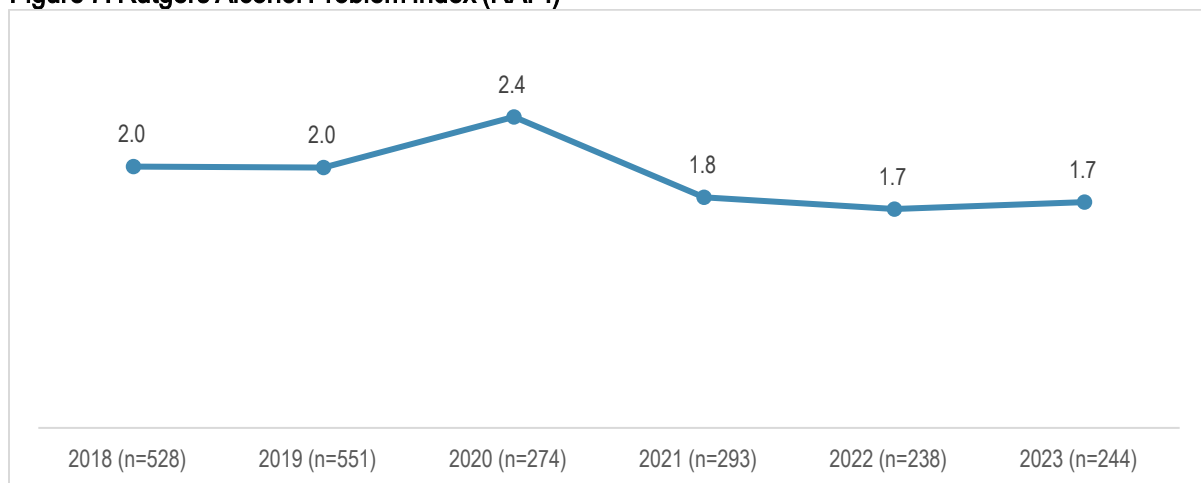
Figure 6. Ride with Drunk Driver Past 30 Days



Total Experienced Harms

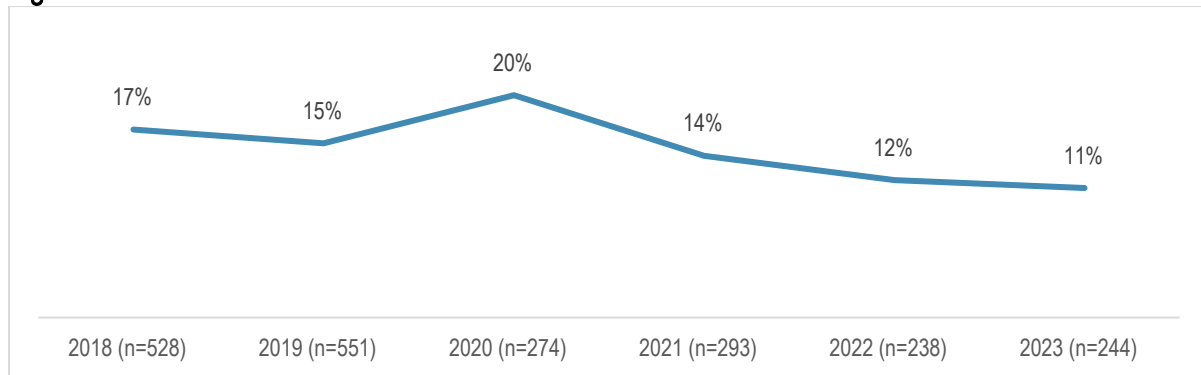
The Rutgers Alcohol Problem Index (RAPI) is a 23-item self-administered screening tool for assessing drinking-related harms/problems in students. The Y1CBP includes 16 items from the RAPI for an adapted index. Figure 7 shows alcohol using students entering UNO averaged 1.7 problems on the RAPI (n=244 drinkers). This is generally consistent with the reported 1.7 problems on the RAPI from students in 2022 and 1.8 problems on the RAPI in 2021.

Figure 7. Rutgers Alcohol Problem Index (RAPI)



One in ten (11%) students who drink (n=244) reported five or more RAPI problems, which is considered a threshold for problematic drinking outcomes (Figure 8). This follows a consistent decline since the high in 2020 where one-fifth of students reported five or more problems.

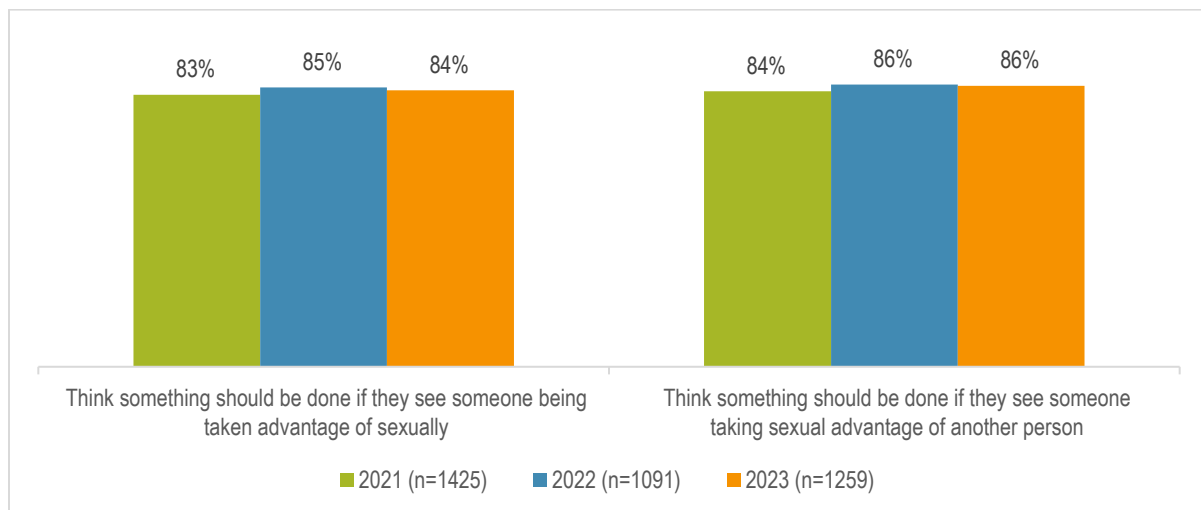
Figure 8. Five or More RAPI Problems



Student Perceptions

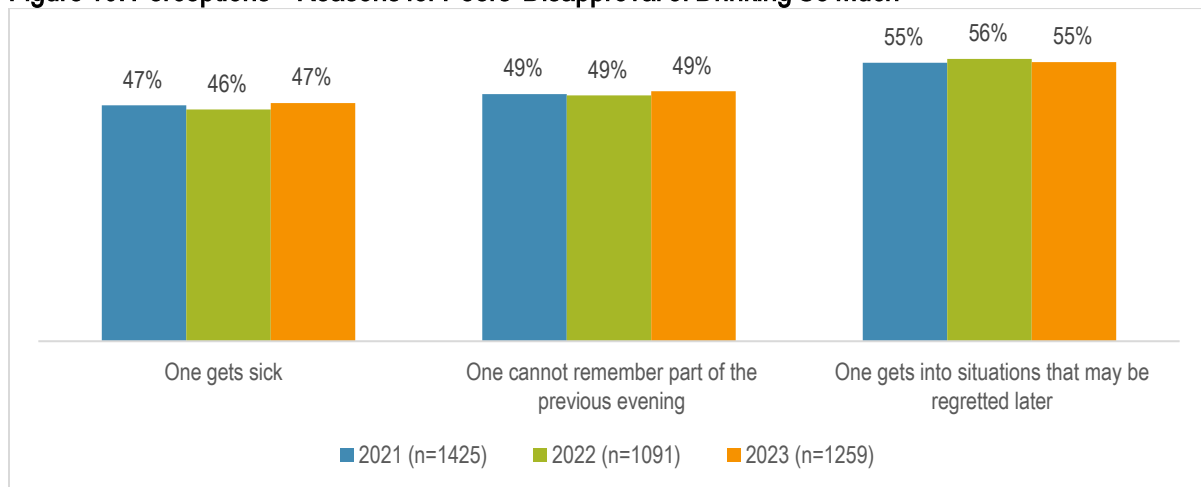
Student perceptions are shown in Figures 9 through 11. Five out of six (84%) entering students at UNO (n=1259) believed that something should be done if another person was being taken advantage of sexually while 86% thought something should be done if they see someone taking sexual advantage of someone. These rates are similar to those in both 2022 and 2021 as displayed in Figure 9.

Figure 9. Perceptions – Bystander Intervention



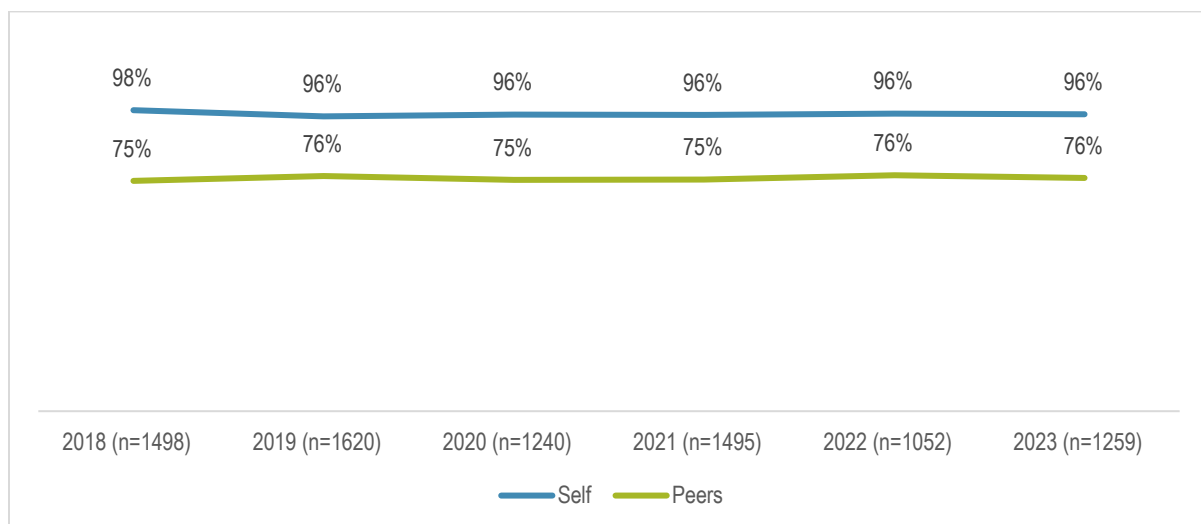
Nearly half of students disapproved of drinking as to get sick (47%) or drinking so much that one cannot remember the night before (49%), and 55% of students disapproved of drinking because they did not want to be in situations they would regret later. All the rates are roughly the same for the past three years (Figure 10).

Figure 10. Perceptions – Reasons for Peers' Disapproval of Drinking So Much



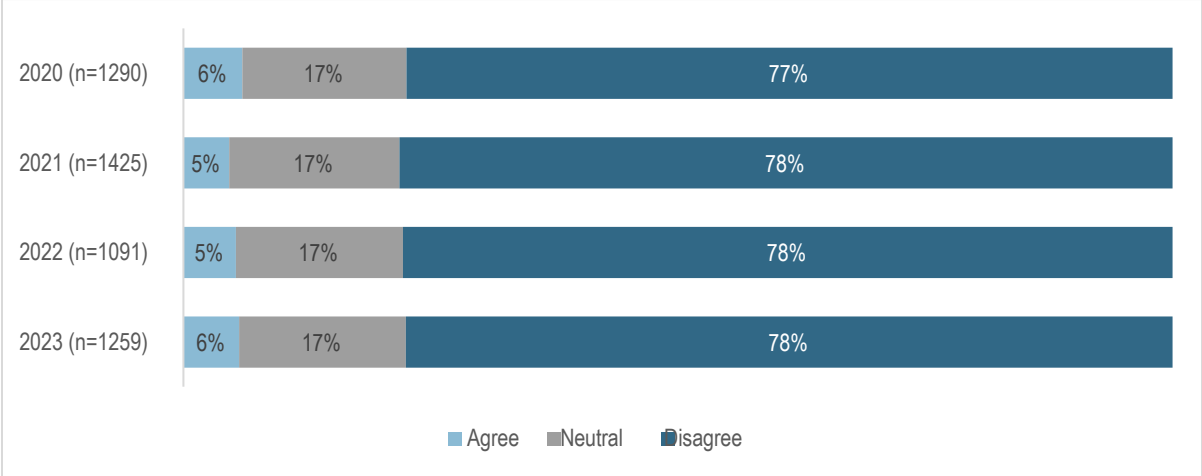
When looking at attitudes towards drinking and driving, UNO students in 2023 believed approximately three out four peers disapproved of drinking and driving as seen in Figure 11. However, 96% of students disapproved of drinking and driving, a rate that has been consistent since 2019.

Figure 11. Actual and Perceived Disapproval of Drink and Drive



Lastly, when entering UNO students were asked to give an agreement or disagreement with the statement “If both people are drunk, it can’t be rape,” 78% said they disagreed in 2023. This follows a similar trend since 2020.

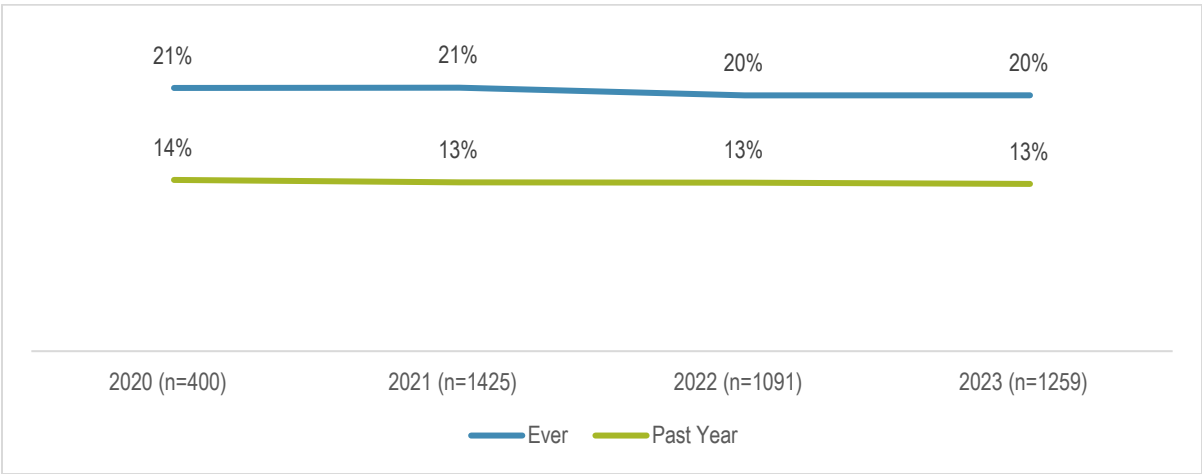
Figure 12. Agreement on the Statement “If both people are drunk, it can’t be rape.”



Student Self-Reported Use of Marijuana

In 2023, 13% of incoming UNO students (n=1259) used marijuana in the past year with 20% having ever used it. These rates have been consistent since 2020 as seen in Figure 13. According to the 2021 YRBS, 24.7% Nebraska high school seniors have ever used marijuana, nearly 5% higher than the 2023 UNO students. In 2023, more females (22.4%) than males (16.9%) had ever used marijuana and were more likely to have used in the past year (14.9% vs. 10.5%).

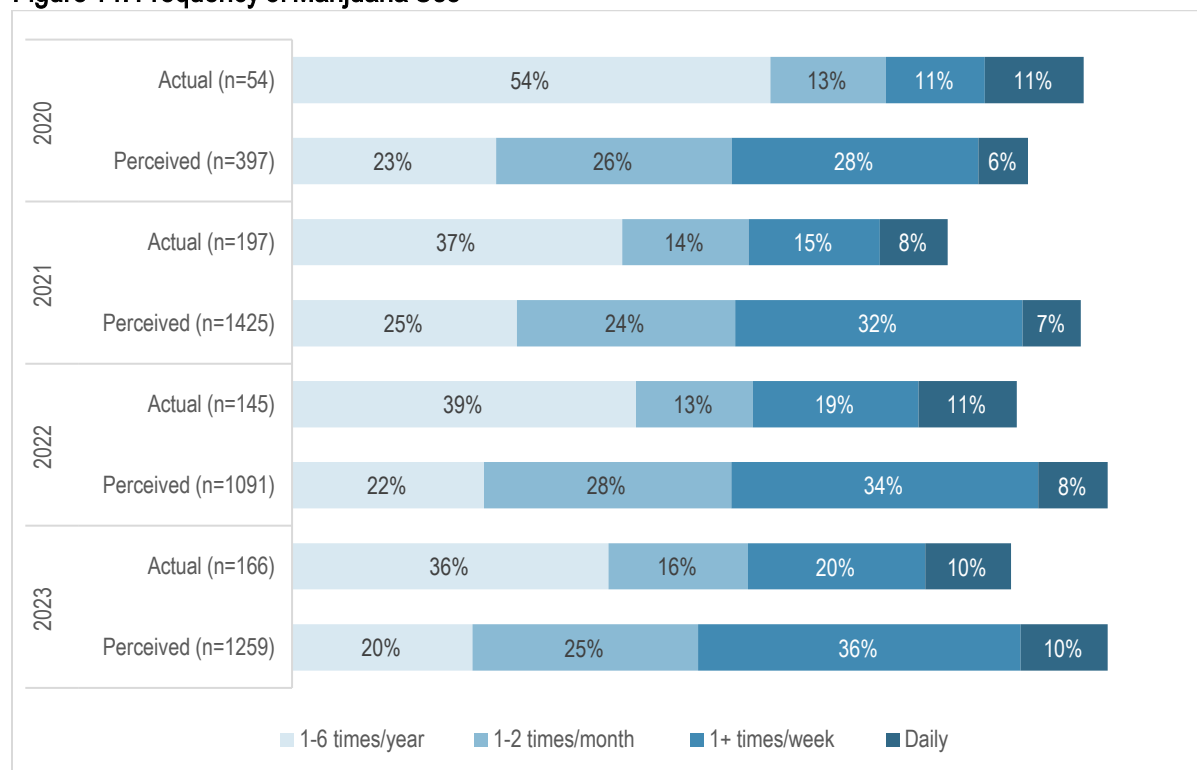
Figure 13. Marijuana Use – Past Year vs. Ever



Students who said they used marijuana in the past year were asked additional questions about frequency of use. Thirty percent of these students used marijuana (undefined) at least one or more times a week in 2023 (n=166) which follows a yearly increase since 2020. Students

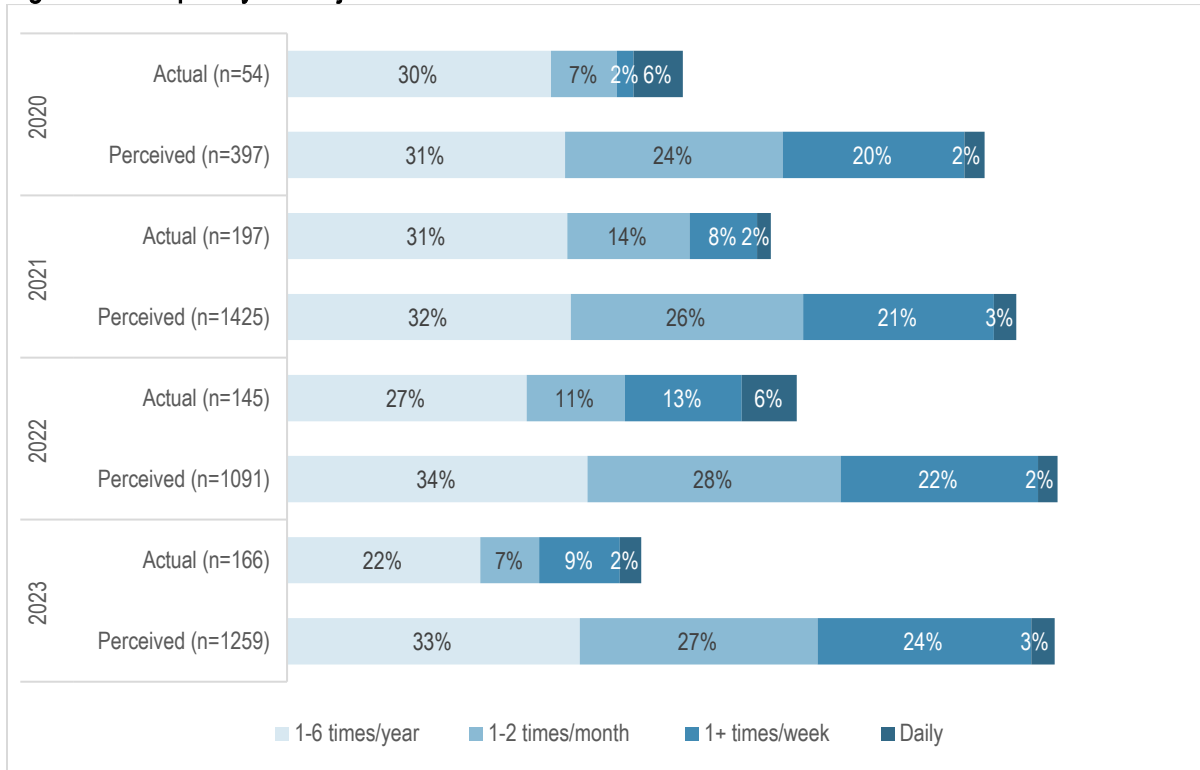
(n=1259) perceived 46% of their peers used marijuana once or more times a week (Figure 14). Similar to the rate of actual use, the perceived rate has increased from 28% in 2020.

Figure 14. Frequency of Marijuana Use



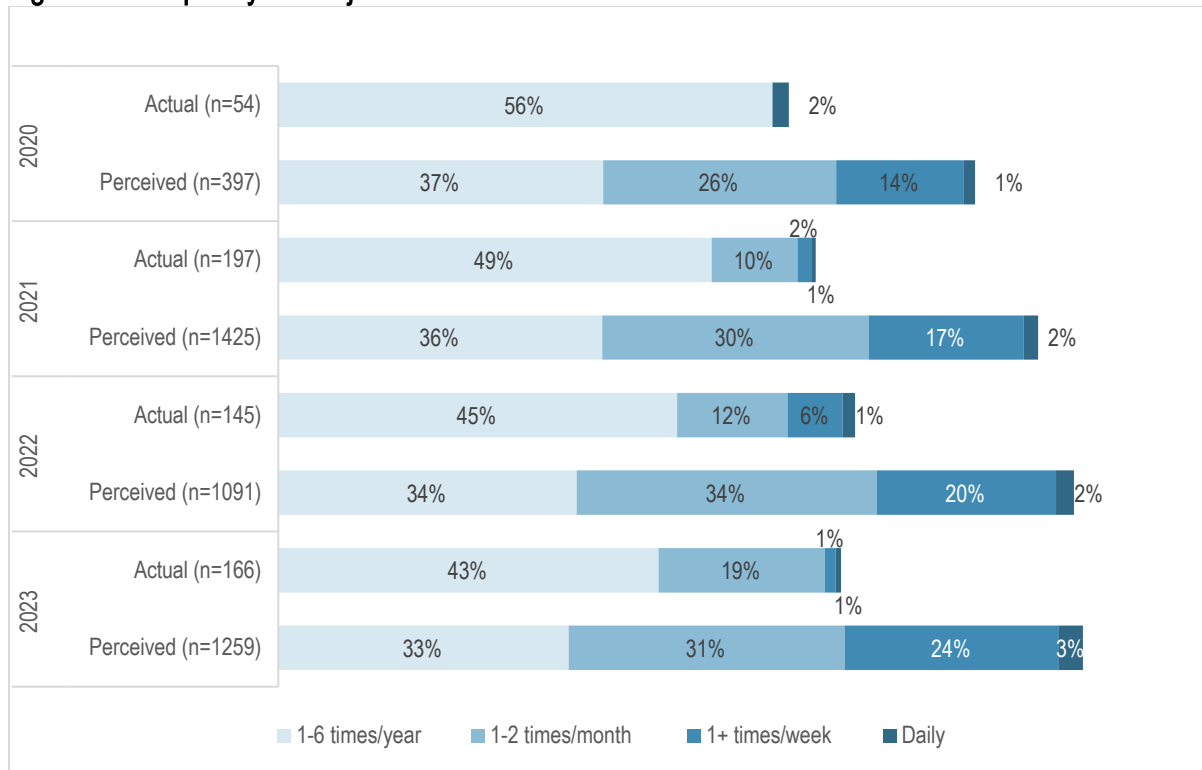
When looking at frequency of marijuana derivatives use, 11% of all marijuana users (n=166) used marijuana derivatives one or more times a week in 2023. This is a decrease from the 19% reported in 2022 (Figure 15). Students thought more than a quarter of their peers (27%) used derivatives one or more times in 2023 (n=1259). In contrast to actual use, the perceived use of marijuana derivative use per week and per day among peers has increased every year since 2020.

Figure 15. Frequency of Marijuana Derivatives Use



According to marijuana using UNO students (n=166), only 2% used marijuana edibles once or more times a week. Actual use decreased from 7% from 2022's edible use as seen in Figure 16. Incoming students thought 27% of their peers used marijuana edibles one or more times a week in 2023 (n=1259), up from 22% in 2022.

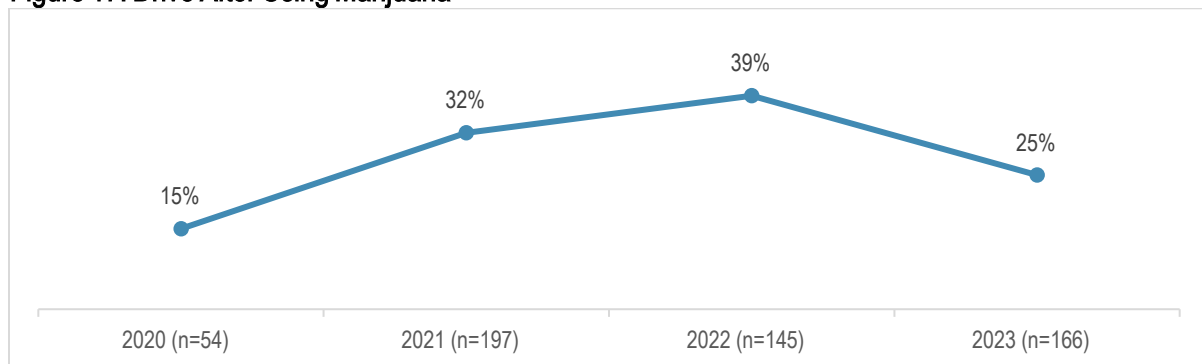
Figure 16. Frequency of Marijuana Edibles Use



As shown in Figure 17, 25% of marijuana users (n=166) drove after using marijuana in the past year. This is a notable decline from 2022 where 39% reported this behavior. The rate of students who drove after using marijuana in 2023 is the lowest since 2020.

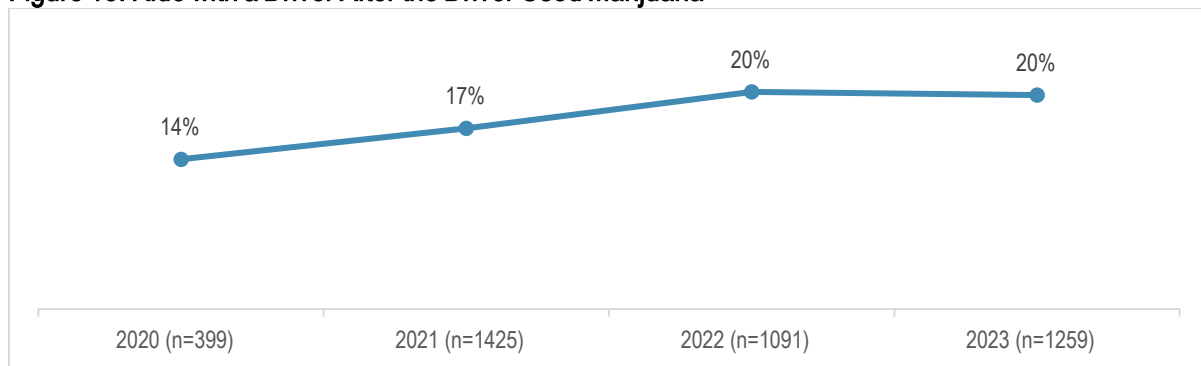
Marijuana Related Harms

Figure 17. Drive After Using Marijuana



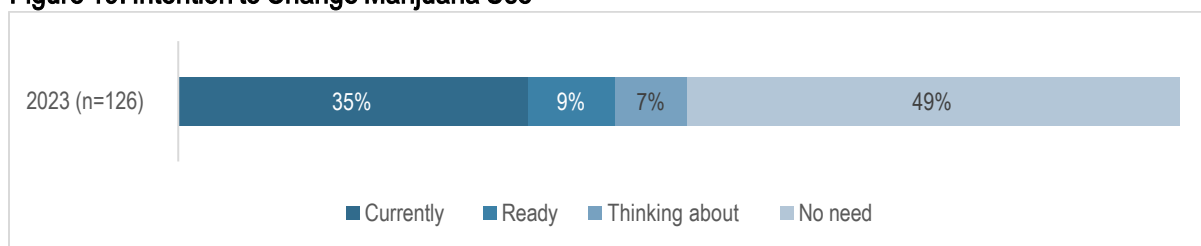
In 2023, one out of every five incoming UNO students rode with a driver after the driver used marijuana (n=1259), the same as in 2022 (Figure 18).

Figure 18. Ride with a Driver After the Driver Used Marijuana



Lastly, 49% of marijuana user reported they had no need to change their use of marijuana (n=126). As seen in Figure 19, 35% were currently changing their use, 9% were ready to change their use, and 7% were thinking about changing their use.

Figure 19. Intention to Change Marijuana Use



Summary

Alcohol use among entering first-year students at UNO was generally consistent to what was reported in 2022. Four out of five students abstained from alcohol, similar to last year (78%). Binge drinking remained relatively the same (3.1%), only a slight increase from 2.8% in 2022 as last year but was much lower than reported by Nebraska high-school seniors in the 2021 YRBS (17.5%). Incoming students at UNO averaged under one and a half drinks per occasion and approximately two drinks per week and drank about three and a half times per month.

The percentage of 2023 incoming students that rode with a driver who drank and drove (2.8%) was the lowest rate in the last six years. It was much more common for students to drive after using marijuana (25%), or ride with a driver who used marijuana (20%). However, the 25%

of marijuana using students who drive after use is a substantial decrease from the rate of 39% in 2022.

Despite declines in driving under the influence of alcohol, UNO entering students reported problems on the Rutgers Alcohol Problem Index (RAPI) because of their drinking behaviors, but without increases. In 2023, the average number of RAPI problems was 1.7, very similar to 2022. Meanwhile, the percentage of students that experienced five or more problems this year (11%) was the lowest percent of students in the past six years.

Overall, 2023 entering students' misperceptions regarding the frequency of alcohol and marijuana consumption, as well as peer disapproval of alcohol-related behavior, were in line with previous years. Across the board, students perceived higher rates of drinking per occasion, consumption of drinks per week, and times drinking per month than actual values. The misperceptions regarding the frequency of marijuana consumption were much greater. These differences imply a need for continuing efforts to address normative perceptions in prevention materials and the importance of Y1CBP as a norms intervention for helping to correct these misperceptions. Social norms marketing/messages in the Y1CBP need to continue to be an important feedback tool to address these.

Appendix D – Housing & Residence Life Community Policies

TABLE OF CONTENTS

II.	THE MISSION OF HOUSING & RESIDENCE LIFE	3
OUR MISSION		3
OUR VISION		5
HOW WE DO IT		5
III.	THE HOUSING & RESIDENCE LIFE COMMUNITY	4
LIVING IN COMMUNITY		4
IV.	YOUR ROOM & ROOMMATES	6
THE PEOPLE IN YOUR SPACE		6
THE ITEMS IN YOUR SPACE		8
THE MAINTENANCE OF YOUR SPACE		9
IV.	SAFETY & SECURITY	16
SAFETY		15
SECURITY		17
V.	CONDUCT & POLICY VIOLATIONS	20
ALCOHOL POLICY		21
DRUG POLICY		22
OTHER VIOLATIONS		23
VI.	YOUR CONTRACT LEASE	26

Updated: June 1, 2022

I. THE MISSION OF HOUSING & RESIDENCE LIFE

Welcome to living on campus with Housing & Residence Life! We are excited to have you as a part of our vibrant community. We encourage you to make the most of this year by taking advantage of the many opportunities for engagement and connection that are part of life in housing and on campus.

The Housing & Residence Life staff is committed to doing all that we can to support your success as a student.

OUR MISSION

Housing & Residence Life at the University of Nebraska Omaha creates a positive residential experience and supports the evolving needs of our students.

OUR VISION

Provide a safe and inclusive community where students are able to achieve success in obtaining their educational goals (curricular and co-curricular).

HOW WE DO IT

1. Assist students in forming supportive connections to other students, faculty, and staff.
2. Promote learning through our programs and services with an emphasis on academic support, inclusion, student involvement, wellness, and achievement.
3. Engage students in decision-making process regarding policies and procedures that impact their experience.
4. Celebrate the accomplishments of the housing community.
5. Assess our programs and services to ensure that we are responding appropriately to students' needs.
6. Ensure that our staff is professional, friendly, efficient, and student centered when responding to student needs and concerns.
7. Maintain our facilities in order to provide high quality, affordable amenities and accommodations to our students.

II. THE HOUSING & RESIDENCE LIFE COMMUNITY

LIVING IN COMMUNITY

Defining Community

At its core, the foundation of any community is the fellowship, comradery, and the sense of belonging you feel by interacting with those around you. As a resident, you will form relationships and connections with those who live with or near you in the residence halls. We hope you feel at home in our on-campus community.

As with any community, there are expectations and policies that must be followed to maintain a positive living-learning environment and enable all residents to live together cooperatively. Housing & Residence Life allows residents a great deal of freedom and responsibility. This requires that residents possess the life skills needed to live in an independent setting. Residents are expected to exhibit mature and responsible behavior.

The University of Nebraska at Omaha and Housing & Residence Life fully support and value an inclusive community. We strive to maintain a climate of equity, inclusion, and respect, where we protect the rights of all in order to ensure that every member feels empowered, valued, and respected for their contributions to the [mission of the university](#) and our department. The University of Nebraska at Omaha is committed to providing all residents equitable access to services, benefits, and opportunities. Housing & Residence Life is committed to working to meet the housing needs of all residents by providing a nurturing community that values diversity and promotes the dignity of all community members.

Responsibilities to Community Policies

Whether or not you read them completely, you are responsible for these policies and the consequences of any policy you may violate. When there are large groups of people living together, there is a need for community standards so everyone has the same opportunities and everyone is treated with respect. Housing & Residence Life reserves the right to alter your housing assignment or cancel your contract lease if you fail to comply with the established policies and procedures. You may also be held responsible for any failure to comply with the Student Code of Conduct while living in the residence halls. The UNO Student Code of Conduct can be found [online](#). If you have questions or need clarification on any policies or procedures, please contact unoconduct@unomaha.edu 402.554.6605.

Communication

You are responsible for checking your UNO email and your assigned mailbox daily. Housing & Residence Life's first and official avenue of communication is through your UNO email. Any notices to residents shall be deemed received by the resident on the date delivered to the resident's inbox.

Housing & Residence Life may contact you via phone, campus mail, flyer, or your UNO e-mail account about a variety of issues, such as important announcements, maintenance requests, plans for holiday breaks, safety

issues, etc. Please help us provide you with quality service by responding in a timely manner.

Compliance

Residents are expected to comply with all requests from Housing & Residence Life staff. This same expectation applies to Public Safety. Housing & Residence Life Staff and Public Safety have been hired to ensure a safe and inclusive environment for all residents.

Quiet Hours

Quiet hours begin weeknights (Sunday through Thursday) at 10:00 P.M. and on weekends (Friday and Saturday) at 12:00 AM. Quiet hours end at 9:00 AM daily.

Residents are expected to use discretion with noise concerns, both in and around the suite; therefore, excessive noise is prohibited at all times. Please keep in mind that the residence halls are foremost an academic community; therefore, courtesy hours are always in effect, and residents are asked to be considerate of others' rights to study and sleep. You and your guests are responsible for respecting the rights of others at all times. Residents who violate quiet hours may be held responsible through the Office of Student Conduct and Community Standards.

High volume sounds from televisions, radios, sound systems, and electrical instruments are not permitted. If sound systems are played out of windows or off of balconies or patios and are a problem in any area around the building, residents risk removal of the equipment from the complex and may be held accountable for the expense of having it boxed and shipped off campus. Due to the nature of these musical instruments, drums and amplified guitars are not permitted to be played in on-campus housing.

If a resident has a problem with noise, the first step is to talk to the resident(s) creating the noise. If the noise continues after a resident has discussed the situation with the other resident, the RA on duty should be contacted:

- Maverick Village RA on Duty: (402) 203-6117
- University Village RA on Duty: (402) 305-3878
- Scott Campus 24-Hour Line: (402) 778-6211

During Prep Week and Finals Week each semester, 24/7 quiet hours will be enforced.

III. YOUR ROOM & ROOMMATES

THE PEOPLE IN YOUR SPACE

Roommate Agreement

Housing & Residence Life residents enjoy a great deal of freedom, and residents are expected to exhibit mature and responsible behavior. One tool that we utilize to ensure a quality living environment is to have residents of each suite complete a mandatory roommate agreement with their Resident Assistant (RA). This document outlines agreed-upon expectations within the suite on lifestyle matters, such as guest visitation, quiet hours, and cleanliness. You will be provided a template of an agreement form to be used as a basis for discussion with your roommates and your RA present. All members of the suite must take part in this important discussion and sign off on the form, which will be held on file with Housing & Residence Life staff. The agreement can be renegotiated at any time with the assistance of the RA. If roommate conflicts arise, a resident should contact their RA to determine appropriate steps for conflict resolution. It is expected that roommates work together to positively mediate situations. Moving into a new bedroom or suite can be an option but is never guaranteed. Moving rooms/suites may also depend on whether a resident has taken positive, actionable steps to mediate the situation. Moving is also based on availability. Room transfer fees may apply in some circumstances. Speak with housing staff for more details and policies specific to your living space.

Room Assignments

Residents are expected to reside in the room to which they were assigned. You may not "trade" /switch rooms with another resident or move into or store items in an empty space without the prior approval of housing staff.

General Assignment Policies

Housing & Residence Life reserves the right to reassign residents to different suites when deemed appropriate and necessary. With the exception of Housing & Residence Life's Gender Inclusive Housing Communities, all residents of the suite must be of the same gender identity.

By Federal Law and university policy, suite assignments or changes cannot be made on the basis of race, color, religion, disability, national or ethnic origin, or sexual orientation.

Guests/Host Responsibility

You are responsible for informing your guests of contract lease policies and for their behavior and actions,

including being charged for any damage they may cause to university or others' personal property. Guests are defined as family members, friends, or other persons affiliated with the resident in any way who does not live in the suite.

All guests should be escorted to and from the suite. Guests cannot be left unattended. Hosts are responsible for being present with the guest to and from the suite as well as any other areas in the building at all times. Guests may not be given a key to the apartment nor should apartment doors be left unlocked so guests can access the space without their host. Residents are not permitted to host guests who have active "Ban and Bar" orders or other trespass restrictions in effect. At no time will there be more than 10 individuals (including residents) permitted in any apartment.

Residents may have overnight guests in their room subject to the following limitations:

- Guests are only allowed with the consent of the other roommates if the roommates have agreed to this in the roommate agreement.
- Visitation/overnight guests of one resident may not infringe on the rights of other residents.
- You are permitted to host overnight guests three (Scott Campus) or four (Dodge Campus) nights in one month and may not disturb roommates or other residents. As your suite is a shared space, you should consult your roommates as you invite overnight guests.
- The privilege of having guests may be revoked or restricted if abused (i.e., any sort of disruption or policy violations that occurs and involves the guests).

The Housing & Residence Life staff reserves the right to restrict guest privileges in a suite pending investigation if university policies are violated or if complaints are received from the members of the suite, floor, or building.

Residents will be held responsible for their guests, including any policy violations. Guests who violate any Housing & Residence Life policies may be issued a trespass letter and/or banned from being on Housing & Residence Life property.

In the event of a serious or emergency situation on- or off-campus which the University judges to pose a serious threat to public health or safety on campus, Housing & Residence Life may restrict students from hosting guests in on-campus housing. This may include but is not limited to incidents such as meteorological events, acts of violence or terrorism, or health emergencies. Housing & Residence Life will communicate these restrictions to students in a timely manner once the decision to restrict guests has been made.

If Your Roommate Moves Out

Housing & Residence Life will seek to fill the open vacancy in the suite should a roommate move-out. It is expected that the remaining roommates will make the new roommate feel welcome. This includes cleaning any

common areas and making room for the new resident to put their items in the common spaces, including cabinet and refrigerator spaces. Should the vacancy not be filled immediately, Housing & Residence Life reserves the right to move you into another suite for the purpose of consolidating occupied spaces if needed. It is our policy that no resident be in a suite by themselves. Housing and Residence Life tries to give at least a 24-hour notice when a new roommate will be moving into your suite; however, this is not always possible. All notifications will be sent to your UNO email address.

Moving Between Bedrooms or Suites

Provided space is available, residents may switch bedrooms/suites with the permission of housing staff. Please note, there is a room freeze during a resident's first two weeks living on-campus. During this freeze, room changes outside of emergency purposes will not be permitted. This is done to confirm student occupancy, as well as provide an appropriate length of time for residents to settle into their space and get to know their roommates. If a move is approved after speaking with housing staff. Residents will be assessed the improper checkout fee for all unapproved moves.

THE ITEMS IN YOUR SPACE

Resident Rooms

The provided furnishings must remain in the suite. Beds must remain on their frames, and desks and other furniture must be left completely assembled. Waterbeds or self-assembled lofts are not permitted. No other beds or mattresses are allowed. Residents are not allowed to store or use housing furniture outside on their patio or balcony, including in outside storage closets.

You are not permitted to paint, wallpaper, use stickers or decals (including command strips/hooks), or otherwise modify finished surfaces in any permanent manner. In order to decorate your space, Housing & Residence Life does permit the use of push pins and small nails (10 gauge or higher). You should refrain from using larger nails and screws because those items cause permanent damage to painted or finished surfaces. Residents are not permitted to wall mount televisions or similar devices, as doing so may cause damages to the space. If you have questions about specific products that you may want to use within your suite, please check with the maintenance department before installation of such items.

Personal Furniture

Each suite comes fully furnished (bedrooms and living area). Residents will not be permitted to remove any existing furniture from the suite. We do not provide storage for any items. Furniture should not be disassembled for any reason. This can result in damage to the furniture and charges to the resident. Residents are permitted to bring in personal furniture as they wish but should be mindful of the space limitations in the apartments. Waterbeds, self-assembled lofts, and other beds/mattresses are not allowed due to space constraints.

Decorations

Cut greenery, trees, branches, or other such fire hazards are not permitted. Artificial trees are allowed. All items placed on doors must be above the doorknob to comply with Fire Code Standards. Nothing may be hung from the ceiling, sprinkler heads, or on the ceiling lights/fan. No banners or decorations can be hanging across hallways or entrances and exit points in the building. All decorations in the common area must be agreed upon by all roommates. Live decorations, such as pumpkins or plants, should be properly maintained and disposed of, or Housing & Residence Life staff may remove the item(s) at your expense.

Bicycles

All bicycles should be registered. The registration policies for each campus are as follows:

- *Dodge Campus:* All bicycles should be registered with HRL and display a free bicycle permit provided by housing staff. Permits should be displayed above the rear wheel, underneath the seat. You may register your bicycle by [completing this online form](#). Please have the serial number of your bicycle. You will receive a permit in your campus mailbox within 48-72 hours of submitting the form.
- *Scott Campus:* Residents are encouraged to register their bicycle with Public Safety [online](#).

Bicycles are to be locked and stored on designated bicycle racks throughout the property. Housing & Residence Life is not responsible for any damage, loss, or theft of a bicycle. We recommend using a U-lock to prevent theft. If any bicycles are found in suites or on patios/balconies, the resident will be asked to move them. If the bicycle is not moved within requested timeframe, the bicycle may be removed by a staff member and the resident will be referred to the student conduct process. Upon check-out, please be sure to remove your bicycle. Unclaimed bicycles will be subject to the Personal Property Left Behind policy in the following section.

Personal Property Left Behind

Any personal property remaining in the room/suite after the resident vacates the premises shall be considered abandoned. Housing & Residence Life staff will bill the resident an improper check out fee and any costs associated with removal and disposal of belongings left behind. HRL will remove items immediately and dispose of those items after 10 days.

THE MAINTENANCE OF YOUR SPACE

Suite Condition, Repairs, & Alterations

Residents are expected to maintain suites in a good, clean, safe, and sanitary condition, apart from reasonable wear and tear. Except in the event of an emergency, requests for repairs or services must be submitted online. In case of malfunction of utilities or damage by water, fire, or similar cause, notify Housing & Residence Life staff immediately. Notify Housing & Residence Life staff promptly of water leaks, electrical problems, broken glass, broken locks or latches, malfunctions in heating, air conditioning, or other equipment, and any condition which

poses a material hazard to health or safety. Once the notice is received, Housing & Residence Life staff will act with reasonable diligence in making repairs. Housing & Residence Life staff will provide normal maintenance and repairs within the suite without additional charge to residents. The cost of significant repairs made necessary by abuse or misuse of the suite and equipment by residents and/or their guest(s) will be borne by the resident(s). Residents are not permitted to make any alterations or improvements to the suite or environment.

Room Condition Upon Check-In

Dodge Campus: Residents do not need to complete any sort of room inventory form upon arrival, as charges for damages only occurs if the damage is over-and-above normal wear-and-tear. However, when you move-in, you should check your room for damages, cleanliness concerns, or other issues. Report these concerns to our staff within 24 hours of your move-in. Dodge Campus residents can submit work orders online at <https://unohousing.freshdesk.com>. Any damages present in an apartment space at the time a resident moves out that were not reported and submitted as work order upon move in will be assumed to be the responsibility of that resident, and that resident will be charged accordingly. If the damage exceeds the \$200 deposit, the **charges will be added to the resident's MavLINK account** and the resident will be notified via email.

Scott Campus: All Scott Campus residents are required to fill out a room condition form (<http://scottcampus.com/move-in-condition-form/>) within 24 hours after they check into their suite/bedroom. Room condition forms are designed to help identify damage or issues in the room so they can be resolved and ensure the new resident not be found responsible for existing damages. Failure to turn in a room condition form means the resident will be liable for any damages found in the room following their check-out of the space. If damages are found in the room after checkout, the room inventory/room condition form will be used to assign damage charges. If the damage exceeds the \$200 deposit, an invoice will be sent to the resident **and the charges will be added to the resident's MavLINK account**.

Facility Misuse

You and your roommates are responsible for your room/suite and its contents and will be charged for any damage beyond normal wear and tear. The condition of the common areas, hallways, and laundry rooms is also the responsibility of the residents. Residents who damage or misuse any hall facility/furniture/appliance will be held responsible for the cost of repairs and may be subject to disciplinary action. Residents do not select the vendor(s) to fix damage in their suite. Vendors are selected by Housing & Residence Life staff. We will work to obtain various quotes to secure the best price and quality of work. Vendors are selected based on the policies in place for the University of Nebraska at Omaha/Scott Residential Management.

Cleanliness

You must maintain your room and suite in a clean, orderly, and sanitary condition at all times. Cleaning is one of the most common frustrations among roommates, so it is important to follow some standard cleaning procedures, including:

- Keep the floor tidy by utilizing a vacuum for carpeted areas, and a broom/Swiffer for tile and laminate flooring.
- Regularly clean dishes with dish soap and warm water or utilize the dishwasher (with specific dishwasher soap) to clean your dishes.
- Wipe down/dust and sanitize the surfaces in your suite and your bedroom, including the tabletops, counters, dressers, etc.
- Wipe down and sanitize the toilet, sink, and shower/tub in your shared bathroom. Utilize appropriate household cleaners to do so.
- Refrigerate perishable food as soon as possible.
- Dispose of all garbage by placing it in a trash bag and taking full bags to the appropriate dumpster within a day.

Unclean conditions may create an unhealthy and frustrating environment for your roommates and neighbors. In addition, lack of cleaning could cause permanent damage to appliances and fixtures. Residents will be billed for any actual costs incurred if it becomes necessary for staff to have the suite cleaned and restored to safe and sanitary conditions. Improper use of recycling bins may result in referral to the student conduct process.

Kitchen Appliances & Lavatories

Kitchen areas are to be maintained in a safe and sanitary condition. If unsafe or unsanitary conditions are noted by Housing & Residence Life staff, residents will be asked to correct the situation. If it is necessary for Housing & Residence Life staff to clean the kitchen area to restore the suite to safe and sanitary conditions, the cost of such cleaning will be billed to the residents of that suite.

Bathrooms, sinks, toilets, bathtubs/showers, and all water and plumbing equipment shall be used only for the purpose for which they were constructed. Sweepings, kitchen grease, rags, ashes, or other foreign substances shall not be thrown into any plumbing apparatus. Any damage and the cost of repairing plumbing resulting from misuse shall be billed to the residents of that suite. Do not put menstruation products down the toilet.

Bathrooms are to be kept in a safe and sanitary condition. If unsanitary conditions are noted by Housing & Residence Life staff, residents will be asked to correct the situation. If it is necessary for Housing & Residence Life staff to clean the bathroom to restore it to sanitary condition, the cost of such cleaning will be billed to the residents of that suite. The level of cleanliness needs to be agreed upon by all residents of the suite.

Patios and Balconies

For the safety of all, no sitting on, hanging from, or climbing on railings; no throwing items from or jumping off balconies. Residents or their guests found responsible for creating or participating in these types of unsafe behaviors may be referred to as the student conduct process. We ask for your assistance in maintaining a clean

and presentable appearance throughout Housing & Residence Life, including patios and balconies. Due to fire safety regulations, the policies for patios/balconies are different for each property. Here are the specific policies for use of balconies/patios for each property:

Maverick Village & Scott Village

Please keep patios and balconies uncluttered. On patio and balcony areas, you may use only outdoor patio furnishings. You may not store, dry, hang, or drape items (*e.g.*, clothing, towels, linens, rugs, signs, flags, etc.) or have unsightly personal property on your patio or balcony. Hammocks are not permitted to be attached to the building or to the patio/balcony. Outdoor lights are permitted but must be plugged into an outside outlet. (Note: if any damage is done by hanging lights or other items, residents may be charged.)

University Village

Due to fire safety regulations, you are not permitted to store/display items on your patio. This includes, but is not limited to, indoor/outdoor furnishings, hammocks, indoor/outdoor lights, etc. You also may not store, dry, hang, or drape items (*e.g.*, clothing, towels, linens, rugs, signs, flags, etc.) on your patio or balcony. Residents who do have items displayed/stored on their patio/balcony will be asked to remove those items.

Scott Court, Scott Crossing, Scott Hall

These properties do not have patios/balconies.

Trash and Recycling

Residents are responsible for removal and proper disposal of trash from their suite. Please place all trash in tightly closed plastic bags and deposit them in an area dumpster located on property. Both trash and recycling dumpsters are available for your use; however, please do not mix trash and recycling. Trash may never be left in hallways or on a balcony/patio. Residents should never dispose of hazardous materials of any nature whatsoever in any trash receptacles, dumpsters, or similar containers.

Suite Lighting

Contact maintenance to replace burned-out light fixtures. Use of colored light bulbs in any outside exterior fixture is prohibited. Interior outlets cannot be used to support this type of lighting since opening and closing of doors can cause cords to become frayed. Residents are not permitted to remove or take lightbulbs.

Room Temperature

Residents can set the temperature of their apartment anywhere between our preset limit of 68-76 degrees. Tampering with thermostats to change these settings/enable or disable features is a violation of policy and will result in a referral to Conduct. Roommates should make an attempt to agree on the temperature of the suite. They should compromise to agree on a temperature that is reasonable and as comfortable as possible for most

of the residents of the suite. This can be discussed when completing the Roommate Agreement with the RA. If no compromise is made, Housing & Residence Life staff will intervene. Failure to abide by the Roommate Agreement may result in further mediations with housing staff.

Windows and Doors

For safety reasons, windows and doorways may not be obstructed. Screens may not be removed by the residents. Window coverings are provided in each suite for shade and privacy and are not to be removed. No reflective film or other materials are to be applied to windows or patio doors. Please do not leave windows open during inclement weather. Residents will be held liable for damage to the unit, including paint, walls, cabinets, floors, furniture, and appliances resulting from failure to exercise reasonable care.

Non-Emergency Room Entry, Inspection, & Maintenance

Housing & Residence Life maintenance staff will give a minimum of 24-hour notice before entering a suite to perform routine maintenance. However, maintenance staff will enter suites with less than 24-hour notice when a repair order has been filed or cleaning is necessary. We will not notify residents when we need to enter and clean suites during the transition times (May-July). This is a yearly occurrence for contract lease turnover and an extremely time sensitive process. We hire cleaning and painting companies who work in conjunction with Housing & Residence Life staff to clean and prepare suites.

Your right to privacy applies to your on-campus room. Entry to residents' rooms is limited to emergency, policy violations, cleaning, or repair circumstances as deemed necessary by Housing & Residence Life staff or as may be legally required. In order to maintain a safe environment for residents, Housing & Residence Life staff reserve the right to have authorized personnel with identification enter and inspect suites/rooms at reasonable times as deemed necessary. Housing & Residence Life staff may enter a suite/room after first knocking on the suite/room door and announcing a request to enter. Reasonable time will be given for occupants to respond before entry into the suite/room occurs. If residents are not in the suite/room and have not been given prior notice, a room entry report may be left to notify residents of such entrance. Staff may enter a suite/room for reasons including, but not limited to, the following:

- When there is a strong reason to believe that any term or condition of the contract lease is being violated.
- At invitation or agreement by the resident.
- To respond to a complaint of a disturbance, which includes hearing unreasonably loud or continuing sound from a suite/room with the occupants failing to respond.
- To complete repairs to previously reported damaged items.
- Whenever someone moves out of a suite/room for checkout purposes.
- To respond to health and safety issues and for any emergency reasons (e.g. spray for insects, fire,

broken pipes, etc.);

- Deliver correspondence to the resident.
- Health and Safety Checks/Quarterly Inspections.

Health and Safety Checks/Quarterly Inspections

All residents are expected to keep their living space conditions clean, orderly, and sanitary at all times. Housing & Residence Life staff will conduct periodic inspections with the purpose of taking preventive and corrective action for unsanitary living conditions and safety hazards in suites. Residents will be given a minimum of 24-hour notice in advance of inspections. If a room fails to meet cleanliness standards, the resident(s) will be given 24 hours to correct the issue. If the issue is not taken care of by the residents within 24 hours following the inspection, a custodian may be asked to clean the room, and the residents will be charged a cleaning fee. Likewise, if staff notice any safety hazards in the room, residents will be asked to remove items or correct the issue. Residents will have 24 hours to make the necessary changes, and if the issue is not corrected, Housing & Residence Life staff will take steps to correct the issue and the resident will be charged. These inspections will happen quarterly (about three to four times throughout the year). If, during these inspections, Housing & Residence Life Staff see any items in violation of the Housing & Residence Life Policies (such as alcohol, disconnected smoke alarms, etc.), the resident will be referred to the student conduct system action.

IV. SAFETY & SECURITY

Group living can pose some threat to the security of possessions. Help protect yourself by making a list of proper serial numbers and by locking your door when you leave your room. You may wish to [register your property](#) with UNO Public Safety. Do not prop open doors which lead to the outside of the building. UNO does not provide personal property insurance. Your family's household insurance may cover your property while you live on campus. Discuss this with your family's insurance carrier or an independent insurance carrier. We recommend that you get some type of renter's insurance.

Your personal safety and the protection of your possessions require a joint effort between you and the university. Behavior that jeopardizes the safety of residents or staff is prohibited. In order to make living in the residence halls at UNO a safe and pleasant experience, here are some reminders:

- Residence halls are only as safe and secure as residents help keep them. To protect the safety of all residents, jeopardizing complex security (e.g., propping open outside doors) in any way is prohibited.
- Any unsafe situations you cannot correct, such as lights out in a stairwell, safety hazards, etc., should be reported to a Housing & Residence Life staff member as soon as possible.
- Familiarize yourself with the emergency procedures and follow posted procedures for evacuation during fire alarms or tornados.
- Contact your RA, front desk, or Public Safety if you need emergency assistance.

SAFETY

Fire Safety Equipment/Evacuation

Housing & Residence Life buildings are equipped with safety equipment including smoke detectors and sprinklers in each room. Maverick Village, Scott Court, Scott Crossing, and Scott Village suites are equipped with carbon monoxide detectors. Because University Village and Scott Hall are heated differently, there is not a need for carbon monoxide detectors in those suites. As a member of the Housing & Residence Life community, you are held responsible for keeping the fire safety equipment in good working order. Therefore, you may not render any fire safety equipment in your room/suite (or anywhere on campus) inoperable, and you should report any malfunctions or inoperable smoke detectors or sprinklers to Housing & Residence Life as soon as possible. Any person who misuses fire safety equipment will be subject to severe disciplinary action, fines, and/or arrest.

Objects are not to be hung on or within six inches of the sprinkler heads or on the ceiling or ceiling light/fan. Any sprinkler head discharge will lead to immediate dispatch of the Omaha Fire Department, evacuation of the affected areas, and a prompt and thorough investigation. Residents who violate this policy are responsible for any damage done to Housing & Residence Life property and the personal property of any other

residents/guests.

Please notify the RA on duty if you set off a building fire alarm for any reason.

Fire Hazard Warning

You may not store any items in the furnace closet area of your suite or block air intake vents outside the furnace closet area. Failure to comply can result in a fire that endangers not only your life but the lives of others in the building. Anyone who fails to adhere to this policy will be held responsible for any resulting damages. No storage of flammable materials in the buildings is allowed. Fire regulations state that hallways may not be used for storage of any personal property at any time. Never prop open any door for any reason. Never block your utility door in the kitchen area. We do not allow any type of space heater in the bedrooms or suites.

Candles, Appliances & Extension Cords

You may not light candles or burn/use incense anywhere in the suite. Candle warmers (with the wicks cut) and Scentsy-like products are permitted, so long as they are attended to by the resident. If the power goes out, use flashlights only. You can bring small electric grills (i.e., George Foreman), popcorn poppers, toasters, blenders, coffee pots, etc. for use in the kitchen. Kitchen appliances with an open flame will not be permitted. Housing & Residence Life staff will use their discretion if they see a kitchen appliance that might be considered a fire hazard. Grills designed for outdoor use, including gas and electricity, are not permitted within or outside of the suite. Grilling facilities are available in the courtyard area of some of the properties. Lighter fluid should not be stored in any suite. All extension cords must be U.L. approved. Multiple outlet "octopus" plugs are not allowed; however, surge protectors are allowed. Prohibited items may be removed by Housing & Residence Life Staff.

Firearms/Weapons

Items such as, but not limited to, firearms, ammunition, martial arts weapons, knives (longer than 3"), explosives, paint ball guns, bows/arrows, Tasers, fireworks, slingshots, and other weapons are not allowed, regardless of permit status. This policy includes sporting equipment which could be used as a weapon or firearm.

Hall Sports

Residents are not permitted to play sports (including, but not limited to, those which involve balls, rackets, bats, Frisbees, bicycles, skateboards, etc.) in the suite buildings. This policy exists to reduce the possibility of injuries to individuals and damage to the buildings. There are appropriate spaces outside for residents to engage in athletic activities. Violations may result in confiscation of equipment, as well as disciplinary sanctions and/or restitution for damages.

Tobacco/Smoking Policy

The UNO Campus is a smoke and tobacco-free university. Therefore, all Housing and Residence Life buildings -

inside and outside, including patios and balconies - are smoke and tobacco-free. This includes the use of cigarettes, cigars, hookahs, chewing tobacco, e-cigs, pipes, nicotine liquid, and similar products or instruments. Additionally, Nebraska law prohibits the use of cigarettes or cigars, electronic nicotine delivery systems or alternative nicotine products, or tobacco in any form whatever by anyone under the age of 21 years. Those who are found in violation of this policy will be held responsible for any costs associated with damages, cleaning, and/or removing allergens from smoke; you will also go through the conduct process and may receive additional sanctions (i.e. fines, educational sanctions, university service, etc.). HRL staff will confiscate and dispose of any nicotine and/or tobacco products found in the possession of students under 21 years old within housing.

Medical Emergencies

If a situation appears to demand medical attention, university personnel may summon emergency medical assistance for the health and safety of the resident. The cost of such assistance will be the responsibility of the resident/parent/guardian/guarantor. Additionally, if a resident becomes aware that another individual needs medical attention, they should contact the appropriate services and/or contact a staff member.

SECURITY

Room/Suite Keys

Each resident will be issued a key and keycard to their assigned room/suite. For security reasons, it is a violation of policy to duplicate this key/keycard or loan it to anyone else. If you lose your room key/keycard, you are required to report this loss immediately to the front desk or RA on Duty. If you lose your key/keycard, you will be expected to pay for the replacement of all locks affected. You will be billed for the cost of key/keycard replacements.

Locking Doors

Residents are strongly encouraged to lock their suite door when they are not present in the suite. This is for the safety of not only the individual and their belongings, but for the safety of roommates and their property as well. It is encouraged that residents lock their bedroom door when they are not present as well.

Lockout Policy

Dodge Campus

If you are locked out of your room, a temporary loaner key/keycard may be checked out from your village front desk. If the lockout occurs after hours, call the RA on Duty.

All loaner keys must be returned within 24 hours of check out. You will receive notice via email and phone if the key is not returned in that time. If you fail to return the key in a timely manner, your suite may be re-cored by Housing & Residence Life at a cost of \$250.00 to you. These re-cores are completed as a safety and security

measure to protect you and your roommates.

You cannot check out keys for friends or roommates, and they are not able to check yours out. You are responsible for any key replacement regardless of the circumstance, such as theft, lost key, dropped down a drain, etc.

Scott Campus

If you are locked out of your room, call the RA on Duty who will come and unlock your door for you. Residents are allowed one lock-out free of charge per semester. There is a \$10.00 fee per lockout for all subsequent lockout calls.

MavCARD

Residents will have their MavCARD (Campus ID Card) programmed during check-in for access rights to their property's proxy card readers. This will give you access to your assigned property. Doors with proxy card readers are locked at all times. Residents may not prop these doors open. You may not allow anyone else to use your MavCARD to access a building. Please carry your MavCARD at all times. Failure to show your MavCARD to a staff member upon request is a violation of university and housing policy. Attempting to give or giving false information to a staff member is a violation of the [*UNO Student Code of Conduct*](#). Loaning your MavCARD to another person for use is also a violation of university policy and doing so may result in disciplinary action. If you misplace your MavCARD, please notify HRL so that you can be issued a temporary card and HRL can turn off access to your missing card until it is found/replaced. In order to get a new MavCARD, you will need to go to the [*MavCARD Services Office*](#) in the Milo Bail Student Center.

Accidents/Theft/Property Loss

Residents are required to immediately report any fires, accidents, injuries, and/or property damage occurring in the suite. This enables staff to promptly assist you, and in some cases, minimize the extent of the damages. Please contact Public Safety or your village front desk to make any reports. Please note, Housing & Residence Life is not responsible for any accidents or losses that occur within the residence halls. We encourage all residents to purchase renter's insurance. UNO assumes no responsibility for residents' personal belongings. Coverage through homeowner's insurance or from an independent insurance agent is strongly recommended. Keeping your bedroom and suite door closed and locked at all times is highly encouraged. If applicable, keep your balcony door locked at all times. All thefts should be reported to Public Safety.

Cameras

Closed-circuit security cameras operate throughout Housing & Residence Life property covering common spaces

outside (e.g., walkways, entrances, etc.) and inside (e.g., hallways, laundry rooms, community spaces, etc.) each building. Residents are advised that the recording of other residents and/or guests in apartment spaces where individuals have a reasonable expectation of privacy may constitute a violation of the Student Code of Conduct.

V. CONDUCT & POLICY VIOLATIONS

Housing & Residence Life is committed to fostering an educational, living-learning environment within on-campus residence halls. Even when residents deviate from these community policies, we believe those can be rich, teachable moments. Staff members will address inappropriate behavior when necessary. We view resident conduct as another part of the educational process. Residents who choose to violate the HRL Community Policies or UNO's *Student Code of Conduct* will be referred for disciplinary action. Residents will have the right to due process and have the opportunity to defend any accusations of behavior that violates the HRL Community Policies or the Student Code of Conduct. The conduct process is thoroughly explained [here](#). If found in violation, possible sanctions may include:

- Verbal warning.
- University probation or warning.
- Housing probation.
- Educational requirement.
- University service hours.
- Suite reassignment.
- Contract lease termination (full cancellation fees will apply).
- Suspension from the university.
- Expulsion from the university.
- Restitution for damage to university property or the personal property of residents/guests.

A resident can be removed from housing and/or have a conduct hold placed on their UNO account if they do not complete their sanctions in a timely manner. Documentation regarding all incidents will be kept in the student's file, maintained by the Office of Student Conduct and Community Standards. If you have questions concerning any of your rights or responsibilities as a residence hall student or the conduct of other residents, we strongly encourage you to contact your Resident Assistant or RLC.

ALCOHOL POLICY

State law and university regulations state that the possession or consumption of alcohol in any Housing & Residence Life property/parking facility is prohibited, regardless of the resident's age. It is a violation of housing policy to be in a room where alcohol is present, whether you are drinking or not. Alcohol-related conduct (including intoxication) that infringes upon the rights of the others to a quiet, orderly living environment, or that poses danger to yourself, or others is not acceptable under any circumstance and constitutes a violation of housing policy. Possession or display of containers that held or were intended to hold alcoholic beverages is not permitted (empty alcohol containers are in violation of the alcohol policy). Public Safety officers and residence hall staff reserve the right to dispose of alcohol and/or drinking paraphernalia. For more specific information **about the University's alcohol policies for students, as well as situations in which students may be held** responsible for alcohol possession, consumption, or intoxication that occurs off-campus, you are encouraged to review the UNO Student Code of Conduct.

Possible responses/sanctions to a violation of the alcohol policy include:

- Conduct meeting with a member of the conduct team.
- Educational Requirement, typically participation in BASICS (\$100 fee - funds are used for wellness initiatives).
- University Disciplinary Probation.
- Behavioral Requirement, which could include items such as university service, bulletin boards; implementing an event/program related to violation, etc.
- Possible relocation or removal from housing. Residents will still be held liable for their contract lease even if they are removed for conduct reasons.
- Parental notification - Housing & Residence Life staff reserves the right to contact parents/guardians/guarantors about any resident who is in violation of this policy or is transported to detox or the hospital for alcohol use health concerns.
- Referral to the Office of Student Conduct and Community Standards to discuss your student status.
- UNO Public Safety (UNO DPS)/Omaha Police Department (OPD) may be notified, and appropriate legal charges may be filed by UNO DPS or OPD, (e.g., Minor in Possession (MIP), procuring for a minor, Minor in Consumption (MIC), etc.).

DRUG POLICY

State law and university regulation prohibit possessing, using, and distributing illegal drugs, drug paraphernalia, and/or controlled substances (including, but not limited to, marijuana, narcotics, or prescription drugs intended for use by another individual) in any residential complex or anywhere on university property. In addition, it is a violation of housing policy to be in a room where illicit drugs are present. Your guests are likewise subject to this policy, and residents will be held accountable for the actions of their guest(s). For more specific information **about the University's drug policies for students, as well as situations in which students may be held** responsible for illegal drug possession, use, or distribution that occurs off-campus, you are encouraged to review the UNO Student Code of Conduct.

Possible responses/sanctions to a violation of the drug policy include:

- Conduct meeting with a member of the conduct team.
- Educational Requirement: Mandatory participation in BASICS (\$100 fee - funds are used for wellness initiatives).
- University Disciplinary Probation.
- Behavioral Requirement, which could include items such as university service, bulletin boards, implementing an event/program related to violation, etc.
- Possible relocation or removal from housing. Residents will still be held liable for their contract lease even if they are removed for conduct reasons.
- Parental notification. Housing & Residence Life staff reserves the right to contact parents/guardians/guarantors about any resident who is in violation of this policy or is transported to detox or the hospital for drug use health concerns.
- Referral to the Office of Student Conduct and Community Standards to discuss your student status.
- UNO Public Safety (UNO DPS)/Omaha Police Department (OPD) may be notified, and appropriate legal charges may be filed by UNO DPS or OPD (e.g., possession of a controlled substance, etc.).

Questions? If you have questions concerning any of your rights or responsibilities as a residence hall student or the conduct of other residents, we strongly encourage you to contact the Office of Conduct and Community Standards at unoconduct@unomaha.edu.

OTHER VIOLATIONS

As with any community, certain regulations have been developed to protect your rights and the rights of other community members. Many policies are a matter of courtesy. Some policies, however, are for the protection of the community members. Inappropriate behavior or unlawful activities may result in immediate termination of your housing contract lease (should such action occur, full cancellation penalties will apply), your relocation to another suite, and/or referral to the Office of Student Conduct and Community Standards or the appropriate law enforcement agency. Such policy violations include, but are not limited to, the following:

- Tampering with fire equipment (i.e., fire extinguishers, alarms, exit signs, smoke detectors, sprinkler system) or with Carbon Monoxide detectors, or arson.
- Causing physical harm to another individual.
- Threatening and/or intimidating behaviors that cause reasonable fear of injury to the health or safety of any other individual or property.
- Sexual misconduct.
- Harassment.
- Discriminatory behavior.
- Possession of explosives, firearms, fireworks, or other weapons.
- Jumping, throwing, or dropping objects out windows or off balconies.
- Trespassing in other residents' rooms.
- Possessing stolen property.
- Tampering with mail or mailboxes.
- Disrupting the suite, floor, or building community.

Pets

The only pets permitted in Housing & Residence Life are non-dangerous fish which live completely underwater or assistance animals that have been approved by the [Accessibility Services Center](#). Aquariums must be 10 gallons or less. No other pets, including but not limited to cats, dogs, gerbils, snakes, birds, crabs, turtles, spiders, ferrets, etc., can live in or visit a resident suite. If a pet is found in your suite, you may be charged a cleaning fee, referred to the student conduct process, and asked to remove the pet in a timely manner. If you refuse to remove the pet in a timely manner, Housing & Residence Life will call a local agency to remove the animal and any charges associated will be your responsibility. Violations of the Assistance Animal policy prescribed by UNO's Accessibility Services Center may be referred to the student conduct process.

Satellite Dishes

Satellite dishes are not permitted.

Self-Propelled Devices

Due to fire concerns relating to batteries, the use and possession of hover boards, self-propelled or [electric](#) scooters, or similar devices are prohibited from all Housing & Residence Life buildings and property. Drones are not allowed to be flown inside of the buildings or on campus property, unless [approved by UNO](#).

Street/Traffic Signs, Lights, Cones, Etc.

Any street and/or traffic signs, lights, cones, etc. are not permitted in Housing & Residence Life. If these items are found, Public Safety and/or the Omaha Police Department may be notified.

Musical Instruments

Musical instruments, including but not limited to pianos, keyboards, drums, guitars, horns, stringed instruments, woodwind instruments, and reed instruments may not be played in the residence halls without approval from the Residence Life Coordinator/Resident Manager. Their sound often travels and may disturb other residents. Residents may also not use amplifiers or sub-woofers in the residence halls.

Gambling

Gambling involving any exchange of money or anything of value is not permitted.

Unsafe Activities

Any activity deemed by Housing & Residence Life staff to be a threat to the health and safety of tenants is strictly prohibited. Prohibited activities include but are not limited to: sitting on balcony railings, jumping or throwing anything off the balcony or into the suite, as well as practical jokes and pranks. Such activities may damage property, injure other residents, increase the noise level, and disturb non-involved residents. Residents who engage in such behavior will be held responsible for damages and clean-up, and disciplinary action will be taken.

Advertising

Any advertising or flyers must be approved by Housing & Residence Life before being placed on any bulletin boards, suite doors, etc. Please contact unohousing@unomaha.edu.

Sales/Solicitation

Canvassing or solicitation of funds, sales, votes, memberships, literature, signatures, or subscriptions is not permitted in Housing & Residence Life. All groups must seek permission from the director or their designee for approval of solicitations. Please report any solicitors to the front desk.

Computer/Computer Network

All residents will be expected to sign, and abide by, the "Acceptable Use" policy of Housing & Residence Life's internet provider (Dodge Campus: Apogee/MyResNet; Scott Campus: Scott Campus Network). Failure to comply with these policies may result in losing internet privileges provided by Housing & Residence Life.

VI. YOUR CONTRACT LEASE

YOUR CONTRACT LEASE TERMS

Contract Lease Specifics

Please refer to your contract lease for specific questions, including contract lease length, changes/corrections, cancellations, etc. You may also reach out to unohousing@unomaha.edu with specific questions.

Only students admitted to UNO and enrolled full time in classes will be offered a housing contract lease to live in housing. Space is limited; therefore, spaces must be reserved for students who are enrolled full-time in classes. Full-time enrollment means 12 credit hours/semester for undergraduate student and 9 credit hours/semester for graduate students.

Students who fall below full-time status or do not enroll in classes during their contract lease term may be required to move out of housing and will be subject to the contract lease cancellation fees. Requests to continue living on campus while below full-time status can be made to the [Director of Housing & Residence Life](#).

No Shows

Any resident not occupying their room by 5 P.M. on the first day of classes shall be considered a "no show" and will have their room cancelled unless they have filed an official notification of delay of arrival (written notice submitted via email and accepted by Housing & Residence Life) by 5 P.M. on the first day of classes. Residents who are identified as "no shows" will still be responsible for 50% of their remaining contract lease.

Check-out Procedures

All residents must follow their village-specific checkout procedures to avoid incurring any additional charges. Please consult the housing website or email unohousing@unomaha.edu with questions.

Landlord Tenant Act

In accordance with Nebraska Revised Statute 76-1408 (1) Reissue 1996, 2002 Cum. Supp., as amended, the resident is entering into this contract for a residence at an institution, which is incidental to the provision of educational services, and therefore, this contract lease is not subject to the Nebraska Uniform Residential Landlord and Tenant Act.

Policy Exemptions

If you'd like to request an exception to any of these Community Policies, please contact Housing & Residence Life at unohousing@unomaha.edu to discuss your specific needs.

Appendix E – On-Campus Resident Notification Email

Housing & Residence Life no longer sends an annual email regarding the alcohol policy specifically. The housing contracts signed by all residents who live in on-campus housing include the following language directing students to review and abide by campus policies:

"The student is responsible for reading and abiding by all policies set forth by the University of Nebraska at Omaha, Housing and Residence Life, the Residence Life Community Policies (<https://www.unomaha.edu/student-life/housing-and-residential-life/policies-and-procedures.php>) – including the alcohol and drug policies – the UNO Student Code of Conduct (<https://www.unomaha.edu/student-life/student-conduct-and-community-standards/policies/code-of-conduct.php>), the Statement of Student Rights and Responsibilities, and any subsequent written notices."

Appendix F – Omaha Greeks Policies

University of Nebraska at Omaha Mission

As both a Metropolitan University of distinction and a Carnegie Doctoral Research institution, the University of Nebraska at Omaha (UNO) transforms and improves the quality of life locally, nationally, and globally.

Omaha Greeks Policy Document

This document is to serve as a resource for organizations that are part of the Omaha Greeks community and its members. The Omaha Greeks staff reserves the right to change any of these policies at any time, to better protect the students and university.

Omaha Greeks Mission

The mission of the Omaha Greeks Community at the University of Nebraska at Omaha is to deliver quality leadership development opportunities through service, scholarship, and social growth. This will be achieved as we consistently live out the Ritual that binds us to our respective chapters, our university, and one another by promoting friendship, community, and understanding beyond the college experience.

Standards for Omaha Greeks

Below are the minimum requirements that each Greek organization must meet in order to be a fully recognized chapter. These standards aim to protect both the individual, the organization, and the institution while ensuring that accountability exists for all. Failure to meet these baseline requirements will result in immediate action by the Omaha Greeks staff that could result in consequences such as, but not limited to; probation, educational/membership interventions, and/or suspension.

- Chapter must maintain a minimum of four members that are currently enrolled as undergraduates at a university that is part of the charter, recognized by the respective national organization.
 - If the organization does not have at least one undergraduate student at the University of Nebraska at Omaha (UNO), the organization will have limited access to UNO resources until there is a UNO student in the organization.
- Chapter must provide the Chapter Registration/Activation packet each semester using the designated electronic format. The information must include the chapter's internal list of officers, at least one general advisor, constitution and bylaws, and a copy of Inter/National Risk Management Policies
- Chapter must abide by the following:
 - All local, state, and federal laws

- UNO Student Code of Conduct
- Respective Council Constitution, Bylaws and Recruitment Bylaws
- Omaha Greek Alcohol and Drug Guidelines
- Respective National/International Alcohol and Drug policies
- Chapter president must be in good standing with their respective chapter. If chapter president is a student at an institution other than UNO, chapter must designate a UNO student to serve as point of contact and responsible party for chapter within Omaha Greeks staff
- Chapter must be in good academic standing.
 - Good academic standing is defined as a chapter's semester grade point average (GPA) that is at, or above, the respective male/female GPA for undergraduates for a given semester
- Maintain accurate roster of chapter membership at all times, by means predetermined by Omaha Greeks staff, ensuring that all members have reviewed the hazing policy and agreed to grant academic access to respective chapter leadership for chapter grade reports
- Chapter is represented at monthly president's meetings by chapter president or specified substitute (proxy) and each president must meet with a member of the Omaha Greeks staff at least one additional time each month
- At least, Chapter president or proxy must attend the Omaha Greeks Leaders' Training each fall and spring semester
- All members of the chapter must participate in yearly membership education hosted by Omaha Greeks staff
- Chapter must be a national member of IFC, NPHC, NPC, or one of the Multi-Cultural National Councils, and must actively participate in UNO equivalent. Exceptions may be given to groups whose status changes nationally after charter is given for UNO chapter.
- Chapter must follow the event registration policy for social and non-social events

Omaha Greeks Member Addition Policy

- All new members must complete the new member addition form, acknowledging the Hazing Policy and release of academic information to chapter leadership. This must be completed within 72 hours of their acceptance to membership.
- Recruitment activities shall not begin without the knowledge and approval of the Omaha Greeks staff.
- All chapters must submit proper request for offering any Bid of Membership, to the Omaha Greeks staff, using the predetermined method. Bid of Membership can only be extended for the semester in which it is offered. Any Bid of Membership not fulfilled within the semester it was offered is no longer valid. No Bid of Membership will be approved by the Omaha Greeks staff when there is less than eight weeks left in a given semester, unless the chapter or colony identifies that the potential new member will be

initiated by the end of that semester by submitting a separate new member program with relevant documentation.

- The following information must be provided to the Omaha Greeks staff, using the predetermined method, prior to beginning the membership intake or recruitment process:
 - Any national or regional paperwork that needs to be signed by the Omaha Greeks staff. A copy of this paperwork will be left on file with the using the predetermined method.
 - All new members must complete the new member addition form, acknowledging the Hazing Policy and release of academic information to chapter leadership. This must be completed within 72 hours of their acceptance to membership.
 - Calendar of Events should include a timetable of any intake/recruitment activities, including but not limited to the following:
 - Informational Meetings
 - Selection Date(s)
 - Dates and times of New Member Education programs and/or activities if they occur prior to initiation
 - Initiation Date
 - Presentation of New Members (if applicable)
 - Any additional dates required by the Office of Fraternity and Sorority Life.
 - In the event that any dates and times need to be changed on the calendars of events, chapter members are expected to notify the Office of Fraternity and Sorority Life, through a personally delivered hard copy notification no less than five (5) business days prior to the new event time or calendar due dates set by the governing council.
 - The Omaha Greeks staff requires that all chapters check in the beginning, middle, and 2 weeks before the end of the intake process. The Office also requires that the NPHC advisor meets with the aspirants after the interviews as well as after the new member presentation.
 - Chapters must complete and submit the Omaha Greeks intake checklist and formalize campus presentations plan for approval by Omaha Greeks staff. In the event that intake activities begin without the knowledge and approval of a Omaha Greeks staff member and/or the chapter has not adhered to the Intake/Recruitment Guidelines, intake activities will cease immediately, and the chapter may be referred for disciplinary action.

Omaha Greeks Event Policy

It is the UNO policy that all events (including meetings) must be submitted to and approved by the Omaha Greeks staff before space can be reserved. An event is defined as any time that a chapter gathers under the premise of the name of the chapter. If a reasonable person would view the event as a “chapter” event, then it should be submitted for approval. All chapter events must be submitted, and approved by all parties, on Presence at least 30 days prior to the date of the event. Events that do not meet these requirements will be denied without extenuating circumstances. The circumstances will be considered by the Omaha Greeks staff. These policies are subject to revision at the recommendation of the University, should extenuating circumstances call for such changes.

Omaha Greeks Alcohol & Drug Guidelines

In any activity or event sponsored or endorsed by the chapter/organization, including those that occur on or off organizational/chapter premises:

- The chapter/organization, members and guests must comply with all federal, state, provincial and local laws. No person under the legal drinking age may possess, consume, provide or be provided alcoholic beverages. No person may possess, use, provide, distribute, sell, and/or manufacture illegal drugs or other controlled substances while on chapter/organizational premises or at any activity or event sponsored or endorsed by the chapter/organization.
- Alcoholic beverages must either be:
 - Provided and sold on a per-drink basis by a licensed and insured third-party vendor (e.g., restaurant, bar, caterer, etc.); or
 - Third-party vendor events must have the following:
 - Venue contract
 - Copy of venue’s liquor license
 - Copy of security contract
 - Copy of liquor liability insurance certificate
 - Obvious identification and designation of attendees of legal drinking age
 - Procedures outlined if minors are observed to be drinking or if someone is overly intoxicated
 - Guest list of attendees submitted no later than 24 hours prior to event
 - List of sober monitors

- Brought by individual members and guests through a bring your own beverage (“BYOB”) system. The presence of alcohol products above 15% alcohol by volume (“ABV”) is prohibited on any chapter/organization premises or at any event, except when served by a licensed and insured third-party vendor.
 - BYOB Standards
 - The alcohol that each person may bring and consume to a BYOB event is NO MORE THAN SIX STANDARD DRINKS (consisting of beer, cider, wine, wine coolers, etc.) for each person of legal drinking age who will be consuming alcohol at this event.
 - There shall be no beverages served from a bulk or common source of alcohol, such as a keg, punch bowl or pitcher, at any special event following BYOB Procedures
 - The chapter is responsible for checking IDs at the door to physically identify (i.e. non-removable wristband, non-transferable stamp or marking, etc.) those of legal drinking age.
- Common sources of alcohol, including bulk quantities, which are not being served by a licensed and insured third party vendor, are prohibited (i.e., amounts of alcohol greater than what a reasonable person should consume over the duration of an event).
- Alcoholic beverages must not be purchased with chapter/organizational funds or funds pooled by members or guests (e.g., admission fees, cover fees, collecting funds through digital apps, etc.).
- A chapter/organization must not co-host or co-sponsor, or in any way participate in, an activity or event with another group or entity that purchases or provides alcohol.
- A chapter/organization must not co-host or co-sponsor an event with a bar, event promoter, or alcohol distributor; however, a chapter/organization may rent a bar, restaurant, or other licensed and insured third-party vendor to host a chapter/organization event.
- Attendance by non-members at any event where alcohol is present must be by invitation only, and the chapter/organization must utilize a guest list system, where the list of attendees is collected and submitted to the Omaha Greeks staff no sooner than 24 hours prior to the event. Attendance at events with alcohol is limited to a 3:1 maximum guest-to-member ratio and must not exceed local fire or building code capacity of the chapter/organizational premises or host venue.
- Any event or activity related to the new member joining process (e.g., recruitment, intake, rush, etc.) must be substance free. No alcohol or drugs may be present if the event or activity is related to new member activities, meetings, or initiation into an organization, including but not limited to “bid night,” “big/little” events or activities, “family” events or activities, and any ritual or ceremony.

- The chapter/organization, members or guests must not permit, encourage, coerce, glorify or participate in any activities involving the rapid consumption of alcohol, such as drinking games.
- At any event where the consumption of alcohol is allowed, each sponsoring organization must provide a minimum of two sober monitors for up to 50 total attendees. One additional sober monitor for each sponsoring organization must be provided for every additional 25 attendees.
 - The sober monitor shall refrain from the consumption of alcohol until the time that the monitor has completed serving in this capacity.
 - Half (50%) of the sober monitors from each sponsoring organization must be in an officer/executive position or have been a member for over one academic year.
 - At least one sober monitor from each sponsoring organization must be at or above the minimum legal drinking age.
 - The Sober Monitor's duties shall be:
 - to be present at all times during which alcoholic beverages are served or consumed;
 - to ensure that all Alcohol Policies are observed by all persons in attendance at the event;
 - to ensure that inebriated persons do not consume alcoholic beverages;
 - to maintain or ensure control of alcoholic beverages at all times to prevent unauthorized consumption and ensure alcoholic beverages are properly secure at the conclusion of the event; and
 - to ensure that individuals below the minimum legal drinking age do not consume alcoholic beverages.
- An appropriate selection and quantity of non-alcoholic beverages and food must be available.

Omaha Greeks Hazing Policy

In keeping with its commitment to a positive academic environment, the UNO community is unconditionally opposed to any situation created intentionally to produce mental or physical discomfort, embarrassment, harassment or ridicule. Respect and cooperation among peers within registered student organizations is a guaranteed right that all students possess, regardless of gender, race, creed, religion, color or sexual orientation. Hazing is a Code of Student Conduct violation and a crime in the state of Nebraska.

Chapter officers are responsible for enforcing the Inter-Fraternity Council/ Panhellenic Council/ National Pan-Hellenic Council/ Multicultural Greek Council and University of Nebraska Omaha

recommendations concerning new member education, and the chapter officers certify that the following will be adhered to in this Chapter's new member education program, ritual, social event, program and initiation ceremonies. These regulations apply both to individual members and the chapter as a whole and that failure to comply with these rules and this statement will result in punitive action by the chapter's respective council, the Omaha Greeks staff, the Director of Conduct and Community Standards, and/or Vice Chancellor of Student Success against the chapter officers, members and/or chapter involved, and could result in suspension of the chapter from the UNO campus.

Hazing Students, which means:

- Any action taken, or situation created that intentionally or recklessly endangers the physical or mental health or safety of a student when that activity is performed:
 - In the course of a student organization member considering the student for membership, continued membership, or affiliation with the organization,
 - in response, either in whole or in part, to an expression of interest by the student in becoming a member of the organization.
- Hazing is a violation regardless of whether it occurs on or off campus.
- Permission or approval of the student being hazed is not a defense to hazing.
- Examples of hazing activity include, but are not limited to, paddling, beating or branding a student, depriving a student of sleep for a prolonged period, sexually penetrating a student or touching a student in a lewd manner, subjecting the student to prolonged exposure to the elements, depriving the student of food or water, leaving the student in a remote location without a means of return, subjecting the student to conduct designed to shock the student, or having the student engage in criminal conduct, engage in humiliating conduct, perform prolonged. Calisthenics, consume items that are not normally consumed by people, consume items in quantities that are not normally consumed by people, or consume alcohol.

Omaha Greeks Conduct Process

- Violation of any of the policies/requirements in this document will be subject to action taken by any or all of the following:
 - the respective governing council for the chapter,
 - the Omaha Greeks staff,
 - the Director of Conduct and Community Standards,
 - the Title IX Coordinator
 - the Dean of Students

- Organizations alleged to be in violation of these policies/requirements will be notified, by letter, of the violation and placed on immediate suspension of activities until a preliminary meeting with the appropriate staff member has been established.
- Once a preliminary meeting has occurred, the group will be notified of next steps and the status of their organization going forward.
 - Aspects of this preliminary meeting:
 - Review of alleged violations
 - Possible sanctions from results of investigation
 - Establishment of next steps and potential timeline
 - Next steps could include, but are not limited to:
 - Administrative Resolution
 - Council Mediation
 - Conduct Investigation
- Sanctions for violations can include but are not limited to:
 - Suspension or expulsion of chapter
 - Loss of privilege to host on or off campus events
 - Restriction of promotional opportunities
 -
- Processing of any reports filed will be at the discretion of the Director of Conduct and Community Standards and Omaha Greeks staff to determine appropriate actions and next steps, except for cases related to sexual misconduct. Reports of alleged violations may be filed using any of the following:
 - [Behavior Review Team \(BRT\)](#)
 - [Bias/Hate Incident Report](#)
 - [Sexual Misconduct Incident Report](#)
 - [Omaha Greeks Report](#)

Omaha Greeks Expansion Policy

The process for expansion as a fraternity or sorority to the Omaha Greeks community is outlined below. Final approval for any expansion lies with the Omaha Greeks professional staff. Any expansion that begins without expressed, written consent from a member of the Omaha Greeks professional staff will result in disciplinary actions.

I. Procedures for Expansion

Fraternity or sorority expansion at UNO can only occur in one of three ways:

- a. Through a formal expansion plan approved by a Greek governing council and the designated Omaha Greeks staff.
- b. Through receiving a formal petition for recognition by an interest group of current UNO students.
- c. Through reviewing a formal petition for recognition by a group coming off a

disciplinary loss of university recognition.

A. Procedures for formal expansion plan by a governing council

- a. Council will determine need for expansion.
- b. Council executive board must first gain approval from the general body and Omaha Greeks staff to begin expansion.
- c. The Omaha Greeks staff will send letters of inquiry to those organizations that have expressed prior interest in establishing a chapter at UNO. Consideration should be given to fraternities or sororities who previously had a chapter on UNO's campus.
- d. Interested organizations must submit the information requested in Section II to the Omaha Greeks for review by the staff and respective governing council.
- e. Following a review of the submitted materials, a decision will be made which organizations, if any, should be invited to make an on-campus presentation to the stakeholders, members of the Omaha Greeks community, and the appropriate council.
- f. Following the various presentations, evaluations will be collected for review from the Omaha Greeks staff and council leadership. A decision will be made to determine what organization, if any, will be invited to establish a colony on campus.
- g. If given an invitation, the appropriate governing council will provide a checklist of expectations to the chosen group.
- h. UNO will recognize no more than one fraternity and sorority per governing council as an interest group/chartering group at any one time. Therefore, the council will not be allowed to expand further until the interest group has become a chartered chapter, has disbanded, or fulfilled their national standards to reorganize a latent charter.

B. Procedures for petitioning groups

- a. Prior to initiating contact with potential new student members, the Greek letter organization must gain approval from the Omaha Greeks staff.
- b. Submit information requested in Section II to the Office of Student Involvement for review by the Omaha Greeks professional staff.
- c. Schedule a meeting with the Omaha Greeks staff to discuss expectations, policies and procedures, etc.
- d. The (Inter) National Fraternity/Sorority, along with the interest group, will be invited to make an on-campus presentations to stakeholders, members of the Omaha Greeks community, and the appropriate council.
- e. Following the various presentations, evaluations will be collected for review from the Omaha Greeks staff and council leadership. A decision will be made to determine if organization will be invited to establish a colony on campus.
- f. If invitation is given, the appropriate governing council will provide a checklist of expectations to the chosen group.
- g. UNO will recognize no more than one fraternity and sorority per governing

council as an interest group/chartering group at any one time. Therefore, the council will not be allowed to expand further until the interest group has become a chartered chapter, has disbanded, or fulfilled their national standards to reorganize a latent charter.

C. Procedures for a group coming off disciplinary loss of University recognition

- a. Meet with the Omaha Greeks staff to discuss possible reorganization.
- b. Submit information requested in Section II to the Omaha Greeks staff for review. The criteria may include but is not limited to; a new overall chapter advisor, no involvement from the members who were involved in the incident that lead to loss of recognition, and pay any money owed to UNO or council.
- The (Inter) National Fraternity/Sorority will be invited to make an on-campus presentation stakeholders and members of the Omaha Greeks community and the appropriate council.
- Following the various presentations, evaluations will be collected for review from the Omaha Greeks staff and council leadership and a decision will be made to determine what organization, if any will be invited to establish a colony on campus.
- The appropriate governing council will provide a checklist of expectations to the chosen group.
- UNO will recognize no more than one fraternity and sorority per Governing Council as an interest group/chartering group at any one time. Therefore, the council will not be allowed to expand further until the interest group has become a chartered chapter or has disbanded, unless group returning has received explicit permission from Omaha Greeks professional staff.

II. Materials to be included in the petition for an interest/reorganizing group

- A. Letter of Interest from the (Inter) National Greek-Letter Fraternity/Sorority Headquarters.
- B. Logistical Information
 - a. Name of fraternity or sorority
 - b. Founding Date
 - c. History at UNO
 - d. Current number of undergraduate chapters
 - e. Current number of undergraduate members
 - f. Average chapter size
 - g. Number of chapters closed in the last five years and reasons for closing
 - h. Membership Costs: new member, initiation fees, insurance, regular dues
 - i. Proof of liability insurance (minimum \$1 million)

- C. Program policies
 - a. Policy on risk management
 - b. Position on hazing
 - c. Length/focus of new member program
 - d. Minimum standards for potential new members
 - e. Scholarship program
 - f. Community service program
 - g. Constitution and by-laws
 - h. Recruitment and membership intake program (including timeline of events and initiation date)
- D. Chapter chartering
 - a. List and status of interest groups established in last five years
 - b. Procedures for chartering or reorganizing
 - c. Ongoing support for interest group
 - i. Graduate chapter support
 - ii. Recruitment support
 - iii. Additional resources
 - d. Criteria for chartering or reorganizing
- E. Organizational structure
 - a. List of all Nebraska undergraduate chapters and locations
 - b. Description or diagram of the governance structure
 - c. List of any other umbrella organization(s) the fraternity or sorority may be affiliated
 - d. Established Chapter Volunteer Support
 - i. Local
 - ii. District
 - iii. Regional
- F. Resources
 - a. (Inter)National Headquarters/Regional
 - i. Foundation scholarships/loans
 - ii. Letter of endorsement from governing board
 - iii. Leadership schools or conventions
 - iv. Publications
 - b. Omaha Area
 - i. Nearest graduate/alumni chapter
 - ii. Number of alumni in nearest graduate/alumni chapter
 - iii. Contact information of graduate/alumni chapter president

III. Chartering Procedure

- A. Organizations selected to expand or reorganize must meet the following criteria:

- a. Recruit at least 4 full-time, UNO undergraduate students.
 - b. Representatives must attend all governing council meetings and all members are strongly encouraged to participate in every facet of the Omaha Greek community.
 - c. The chapter advisor should attend all meetings of the group and scheduled meetings for advisors by the Omaha Greeks staff.
 - d. The group must abide by all governing council, organization and university policies, regulations, and guidelines.
 - e. The group must remain an interest group for at least one fall or spring academic semester, and has three additional semesters to fulfill membership obligations (2 years maximum). If an interest group has not achieved at least 4 members at that time and become a chartered organization with their (Inter) National organization, the organization must cease recruitment and organization efforts.
 - f. Organizations not fulfilling obligations can petition the Omaha Greeks staff for reestablishment after 2 years from their last effort.
- B. All fraternities and sororities will be expected to maintain the minimum expectations of an active chapter on campus.

IV. Chapter Recognition

- A. Membership in a governing council is required of any fraternity or sorority to be considered part of the Omaha Greeks community.
- B. As soon as the colony/interest group has been recognized by its (Inter) National organization as an officially chartered chapter, it may petition the appropriate governing council for membership.
- C. A final vote will be taken by the appropriate governing council to determine if chapter should become a fully recognized chapter at UNO.

Chapter Officers Responsibilities

General Expectations

Chapter officers are expected to communicate with the Omaha Greeks staff on a regular basis. Please be prompt in responding to emails, Engage invitations, and messages. If any policy is not going to be fulfilled, communication is key in avoiding cancellation of events, and/or additional chapter penalties. UNO email addresses should be used for all communication. Below is a general list of positions that each organization should have to be an efficient organization, although the titles of position may vary by organization.

President

- Organizes and directs the efforts of the chapter
- Attends monthly group meetings*
- Attends monthly individual meetings**
- Monitors roster additions and removals
- Communicates directly with Omaha Greeks staff and
- Serves as a liaison between Omaha Greeks staff and their chapter

*Chapter and council presidents must attend monthly group meetings where they are encouraged to work with presidents of different councils to improve the Omaha Greek community. Omaha Greeks staff facilitate these meetings with agenda items and open discussion. Full participation by each president is expected throughout the hour-long meeting.

**Chapter presidents must attend one individual meeting per month with the Omaha Greeks staff. This is the best time to ask questions, discuss internal conflicts, and work through chapter events with your advisor. Please come prepared to these meetings.

Chapter presidents receive a weekly newsletter via email from the Omaha Greeks staff about the upcoming events and Omaha Greeks news. It is their responsibility to disseminate this information to chapter members.

Vice President

- Assists the president with chapter activity
- Leads various committees within the chapter
- Plans/organizes events
- Attends meetings that the president is unable to attend

Treasurer

- Keeps the financial records of the chapter.
- Works directly with Omaha Greeks staff to pay for chapter materials (e.g., t-shirts)
- Provides chapter dues to their respective council

Secretary

- Keeps record of all members, meetings, and activities for the chapter

- Communicates with Omaha Greeks staff about relevant chapter activity

Recruitment Chair

- Organizes and executes recruitment.
- Works directly with FSL staff during recruitment periods
- Helps a respective council plan any recruitment events

New Member Educator

- Familiarizes new chapter members with the chapter
- Educates new members about chapter responsibilities (e.g. chapter roster approvals on Engage)
- and providing assistance to new members throughout the roster addition process

Scholarship Chair

- Provides academic support to chapter members
- Checks grade accuracy for Omaha Greeks grade reports
- Communicates with Omaha Greeks staff about chapter academic concerns

Social Chair

- Plans and organizes social events for the chapter
- Submits the chapter calendar to the Omaha Greeks staff
- Submits chapter events to Engage
- Monitors the event approval process on Engage

Alumni/nae Chair

- Creates a coherence amongst the Omaha Greeks community and alumni
- Informs Omaha Greeks staff about alumni events and relations
- Notifies alumni of upcoming events and chapter business

IFC / NPC / NPHC / MGC Representative

- Attends all council meetings
- Relays information between council and chapters
- Informs Omaha Greeks staff of chapter activities and communicating with chapter about Omaha Greeks events and policies

Chapter Advisor

- Oversees the chapter and chapter activities
- Attends meetings the Omaha Greeks staff directs them to
- Works with the Omaha Greeks staff to facilitate positive chapter outcomes
- Communicates with Omaha Greeks staff about chapter academic concerns

Omaha Greeks Staff

- Serve as a resource for all chapters, members, leadership, and councils
- Provide representation for Omaha Greeks to the university, the Omaha community, and other stakeholders
- Ensure chapters and its members are upholding the policies of Omaha Greeks, the University of Nebraska at Omaha, the chapters respective council, as well as policies of the inter/national organization
- Develop opportunities for chapter members and leadership to exist in a thriving community
- Evaluate and assess progress and needs of the Omaha Greeks community to provide opportunities for chapters to define and achieve success

Appendix G – Omaha Athletics Policy Statement

Omaha Athletics
Policy Statement on
(Reviewed and Revised July 2024)

Overview

The following policy statement was adopted by Omaha Athletics and administered by the Division of Intercollegiate Athletics. Omaha Athletics reserves the right to make changes to this policy as needed. The Athletic Director and the Drug Advisory Committee will have the ultimate and final say in the development and interpretation of this policy and in all alcohol and other drug-related incidents. This policy is not to be construed as a contract between the university and the student-athletes with Omaha Athletics. However, signed consent and notification forms shall be considered confirmation of the student-athlete's agreement to the terms and conditions contained in this policy and shall be a legal contractual obligation of the student-athlete.

Omaha Athletics is committed to the health, safety and welfare of the student-athletes who participate in its programs and represent the college in competitive athletics. Substance abuse/misuse is one of the most critical issues facing athletics and society today. The use of illegal drugs, misuse of legal drugs and dietary supplements, use of performance-enhancing substances, use of alcohol and inappropriate use of tobacco are inconsistent with the standards expected of student-athletes with Omaha Athletics. Substance use and abuse in sport can pose risks to the student-athlete's health and negatively affect his or her academic and athletic performance. It can also compromise the integrity of athletic competition and the ideals of Omaha Athletics.

Purpose and Mission

Omaha Athletics believes that random drug testing and testing based on reasonable suspicion are appropriate to ensure that the overall purpose and mission of the Alcohol and Drug Education Program is accomplished. The Omaha Athletics program's mission is to promote a year-round banned substance-free environment in the Omaha Athletic Department. With this mission in mind, the following goals have been established:

- To protect the health, safety, and welfare of our student-athletes;
- To identify and treat student-athletes who may have concerns and/or concerning behavior surrounding the use, abuse and/or misuse of alcohol, illicit substances, prescribed medications, over-the-counter medications, and performance enhancing substances including nutritional supplements;
- To uphold the responsibility of Omaha Athletics to provide educational programming that will not only inform the student-athletes and athletic department staff about issues surrounding the use, abuse and/or misuse of alcohol, illicit substance, prescribed medications, over-the-counter medications, and performance enhancing substances including nutritional supplements, but also support a positive decision-making process.

- To protect the integrity of the institution and department; and
- To promote fair competition in intercollegiate athletics, by ensuring and encouraging compliance with applicable rules and regulations regarding drug and alcohol abuse.

To ensure the health, welfare, and safety of the student-athlete, the intent of these policies is to prevent substance use, abuse, and dependence by student-athletes through the following objectives: prevention, education, testing to provide a timely diagnosis, and professional guidance, treatment, and rehabilitation.

- Prevention and Education – providing student-athletes and athletics department staff (to include, but not be limited to administrators, coaches, graduate assistants, and athletic training students) with accurate information about the problems associated with substance use in sport, promoting health and safety in sport
- Testing and Timely Diagnosis –includes analyzing biological specimens to detect prohibited substances student-athletes may introduce to their bodies and associated punitive consequences resulting from use detailed in this policy; and
- Professional Guidance, Treatment, and Rehabilitation – facilitating appropriate treatment and rehabilitation of student-athletes.

The objectives of the program focus on three major substance areas:

- Performance enhancing drugs (including dietary supplements);
- Socially used drugs (i.e. - street drugs, prescription medications);
- Alcohol and Tobacco

While education and counseling regarding these three major substance areas will be the focus of this program, studies have shown that education alone is not a sufficient deterrent to drug use. Therefore, educational programming will be supplemented with a banned substance and alcohol testing component. The testing protocol is designed to be fair, achieve reliable results and ensure the student-athlete's privacy. Head Coaches may have rules and sanctions that are more stringent than those outlined in this policy. These rules, when applied, shall be recognized, and supported. However, at no time shall a team policy, rule, or sanction minimize the requirements and sanctions of the Omaha Athletics Drug and Alcohol Education Program. Confidential test results will become part of the student-athletes medical records and will not be released to anyone except in accordance with this policy or as required by law.

The Omaha Athletics Drug and Alcohol Education program shall be directed by the Sr. Associate Athletic Director of Athletic Performance and is subject to review and modification by the Drug Education and Testing Advisory Committee. This policy and any amendments and/or modifications shall apply to all student-athletes (including cheer and dance squad members). All student-athletes will be notified of any changes or amendments to this policy. All student-athletes must sign a consent form for this testing program prior to participation in any Omaha Athletics sponsored activities, conditioning, practices or competitions.

This program is independent of the NCAA Drug Testing Program. All student-athletes must sign the NCAA consent form as well prior to participation in any Omaha Athletics sponsored activities, conditioning, practices or competition.

Banned Substance, Socially Used Drug, Alcohol and Tobacco Education

Participants who are educated about substance use in sport are more likely to make informed and intelligent decisions about usage. As part of the education component of this program, Omaha Athletics will:

- Provide an annual explanation of the Drug Testing and Education and Testing Program to student-athletes, prospective student-athletes and those associated with athletic teams (including but not limited to coaches, graduate assistants, and athletic training students);
- Disseminate information regarding alcohol and other drugs, their use and abuse, and effects of such use and abuse to all student-athletes and those associated with athletic teams;
- Utilize health education programs to educate student-athletes who are cited for an alcohol incident or who test positive for drugs;
- Conduct a drug, alcohol and tobacco education program for student-athletes at least once a year, and;
- Provide student-athletes and potential student-athletes with resources that will include but not be limited to the following websites:
 - NCAA Website- www.ncaa.org/health-safety,
 - Dietary Supplement Resource Exchange Center Website, www.axis.drugfreesport.com

These educational programs will be designed to:

- Review athletic department, institutional, conference and national governing body policies related to alcohol, tobacco and other drugs
- Inform those associated with intercollegiate athletics how to recognize the warning signs and side effects of specific drugs;
- Educate the student-athlete and other appropriate personnel about the associated problems of drug and alcohol abuse, and how such use may adversely affect the student-athlete and his/her team and teammates;
- Encourage discussion about the use of drugs, dietary supplements, performance enhancing drugs and consumption of alcohol, and;
- Identify rehabilitation programs as well as referral centers.

Time will be allowed for questions from participants. In addition, special educational programs may be arranged to provide participants the opportunity to learn more about the dangers of specific substances. Appropriate educational materials will be made available to participants including a list of banned substances and how drug usage may affect athletic performance. All student-athletes are required to complete Mav 360 educational courses each year. At least one

time per year, the coaching staff for each sport will receive an overview of the program that highlights the points of emphasis and any changes that have been made since the last revision.

Failure by a student-athlete to attend at least one of the sessions or a make-up session shall be considered as a decision not to participate in the Drug and Alcohol Education Program and will result in the immediate suspension from all Omaha Athletics activities, conditioning, practices, and competitions.

The student-athlete's privileges will only be reinstated after they have:

- Completed a Drug and Alcohol Education Program
- Received the approval for reinstatement by the Head Coach and Director of Athletics.

Consent to Participate

Each student-athlete annually will be given a copy (either written or electronic) of the institutional policy and will be required to participate in an informative session describing alcohol, tobacco and other drug education and testing policies. Student-athletes will be given an opportunity to ask any questions regarding the information contained in the policy, the testing program, or other related issues prior to signing the drug-testing consent form. Student-athletes will be required to sign a form acknowledging notification of the Omaha Athletics Alcohol and Other Drug Testing Policy (See Appendix A). Failure to sign the notification form will result in suspension from participation or termination of eligibility to participate in intercollegiate athletics with Omaha Athletics.

As a condition of participation in intercollegiate athletics at Omaha, each student-athlete will be required to sign a consent form agreeing to undergo drug and alcohol testing and authorizing release of test results in accordance with this policy (See Appendix B).

Failure to consent to or, in the case of a consenting student athlete, to comply with all requirements of this policy will result in suspension from participation or termination of eligibility to participate in intercollegiate athletics with Omaha Athletics and may result in the loss of his/her athletic scholarship, consistent with all University, conference, and NCAA rules regarding the reduction or cancellation of aid.

Student-Athletes that are under the age of majority in Nebraska (19), will be required to have parental or guardian consent to Omaha Athletics Alcohol, Tobacco and Other Drug Education program.

Failure of the parent to sign the consent form will result in suspension from participation or termination of eligibility to participate in intercollegiate athletics with Omaha Athletics and may result in the loss of his/her athletic scholarship, consistent with all University, conference, and NCAA rules regarding the reduction or cancellation of aid.

Alcohol Policy

State law and university regulations state that the possession or consumption of alcohol in any Housing & Residence Life property/parking facility is prohibited, regardless of the resident's age. In addition, it is a violation of university policy to be in a room where alcohol is present, whether you are drinking or not.

Possession or display of containers that held or were intended to hold alcoholic beverages is not permitted (empty alcohol containers are in violation of the alcohol policy). Alcohol-related conduct (including intoxication) that infringes upon the rights of the others to a quiet, orderly living environment, or that poses danger to yourself, or others is not acceptable under any circumstance. Residents in violation of this policy are subject to sanctions set forth by the University Housing and the Student Code of Conduct which may include but are not limited to: Mandatory attendance in an alcohol education class, probation, community service, alcohol evaluation, relocation, contract lease cancellation (should such action occur, full cancellation fees will apply), notification of parents, notification of law enforcement, suspension, expulsion, arrest, and/or prosecution. Residents responsible for "secondary hosting" of a gathering at which alcohol is present are also in violation of university policy. Secondary hosting is defined as awareness or knowledge of such a gathering in one's own suite with the resident taking no action to discourage its occurrence.

In accordance with the law, all legal infractions for alcohol related incidents occurring on campus or off-campus, including but not limited to: DUI, Minor in Possession, Procuring to a Minor, Public Intoxication, Disorderly Conduct, hazing, sexual assault, and open container will be deemed violations of the Omaha Athletics Alcohol and Drug Policy and will be sanctioned in accordance with this Policy.

Consistent with the University Community, the Department of Athletics views the use of alcohol to be incompatible with the goal of athletic excellence. Student-athletes are required to conduct themselves in accordance with university policies, and federal, state and local laws. This extends to the recruitment of prospective Omaha Athletics student-athletes. Prospective student-athletes visiting campus and socializing with current students are not permitted to participate in any activities that will permit the use of alcohol. **Any evidence that suggests a student host provided alcohol to a recruit or attended an event with the prospect where alcohol was present would be considered a violation of the Alcohol Policy.**

The objectives of the alcohol policy are threefold: first, to assist student athletes with alcohol related problems; second, to specify treatment for student-athletes experiencing alcohol-related problems; and third, to provide a uniform policy for all student-athletes.

Alcohol Policy Violations

A student-athlete who self refers an alcohol related problem to any athletic department staff person will be referred to the Sr. Associate Athletic Director of Athletic Performance or his/her designee. The Sr. Associate Athletic Director of Athletic Performance will make a referral to a substance abuse counselor if necessary.

Should a student-athlete have an alcohol-related legal infraction resulting from an associated risk behavior, he/she will be referred to the Sr. Associate Athletic Director of Athletic Performance who will follow the sanctions set forth in this policy. The Athletic Department reserves the right to suspend any student athlete upon a charge, conviction or plea of guilty relating to an associated risk behavior. Associated risk behaviors can include, but not limited to: Driving under the influence (DUI/DWI) or other motor vehicle violations involving alcohol or drugs; public intoxication; drunk and disorderly conduct; other violations of local, state, or federal law involving alcohol or drugs, including possession; other violations of local, state, or federal law involving acts of violence; minor in possession; hazing; sexual assault; vandalism.

Any documented alcohol violation of the student code of conduct or University Housing by an Omaha Athletics student-athlete will be reported to the Sr. Associate Athletic Director of Athletic Performance by any one of, but not limited to, the following - campus security, judicial affairs, student health services, university housing, or a member of the Omaha Athletics Administration (Athletic Director(s), Head Coaches, etc.). The Sr. Associate Athletic Director of Athletic Performance or designee will then notify the Director of Athletics, the sport administrator, and the Head Coach for the respective sport. The student athlete will then be subject to the sanctions set forth by University Housing or the Director of Student Conduct and Community Standards.

An alcohol infraction for any student-athlete will, at a minimum, result in the sanctions set forth in this policy. However, the Head Coach may have team rules regarding the consumption of alcohol that may impact the student-athletes' eligibility. Such policies may be more stringent than those outlined in this program. These rules, when applied, shall be recognized, and supported. However, at no time shall a team policy, rule, or sanction minimize the requirements and sanctions of the Omaha Athletics Drug and Alcohol Education Program.

Response to Alcohol Policy Violations for Non-legal Infractions

First Alcohol Violation & Possible Sanctions

Typically, BASICS for Alcohol referral, and/or Housing probation for three months. Possible parental/guardian notification. Sanctions will be discussed during the judicial meeting.

Second Alcohol Violation & Possible Sanctions

Typically, BASICS for Alcohol advanced referral, assessment meeting with the Alcohol and Drug Education office, university service, and/or Housing probation for the length of your remaining contract lease. You may also be required to meet with the Director of Student Conduct and Community Standards. Possible parental/guardian notification. Sanctions will be discussed during a judicial meeting.

Third Alcohol Violation & Possible Sanctions

Removal from Housing & Residence Life. You are still held financially responsible for your lease contract. You will also be referred to the Director of Student Conduct and Community Standards to discuss your status as a student. Possible parental/guardian notification.

A resident can be removed from housing and/or have a judicial hold placed on their University of Nebraska Omaha (UNO) account if they do not complete their sanctions in a timely manner. We encourage you to seriously consider the hindering role alcohol/drugs may play as you work toward your educational goals.

Tobacco Policy

The use of tobacco products is prohibited by all game personnel (e.g., coaches, student-athletes, athletic trainers, managers, and game officials) in all sports during practice and competition. A student athlete who violates this policy will, at minimum, have a meeting with the athletic director or their designee, the head coach, and the Sr. Associate Athletic Director of Athletic Performance. The Director of Athletics or

his/her designee will sanction other game personnel who violate this tobacco policy on a case-by-case basis.

Dietary Supplements

Omaha Athletics personnel will not distribute or encourage the use of any dietary supplements or ergogenic aids. Many dietary supplements or ergogenic aids contain banned substances. Oftentimes the labeling of dietary supplements is not accurate and is misleading. Terms such as "healthy" or "all natural" do not mean dietary supplements do not contain a banned substance or are safe to take. Using dietary supplements may cause positive drug tests. Student-athletes taking dietary supplements or intending to take any must review the product with the Athletic Department athletic training staff or Sports nutritionist (See Appendix I). Ultimately, student-athletes must realize that they are solely responsible for any substance that they ingest. A positive drug screen that results from the consumption of a dietary supplement will result in the sanctions outlined in this program, by the NCAA and/or by the individual coaches.

The Testing Process for Prohibited Drugs/Substances

The drug testing process may include analysis of, but is not limited to, the NCAA list of banned drug classes (See Appendix F). No substance belonging to the prohibited class may be used, regardless of whether it is specifically listed as an example on the NCAA list of banned-drug classes. For an ongoing updated listing of the banned-drug list view the NCAA's web site at www.ncaa.org. Prohibited substances that Omaha Athletics may screen any sport for include, but are not limited to, alcohol, marijuana, PCP, opiates, MDMA (Ecstasy), amphetamines, cocaine, flunitrazepam (Rohypnol) and anabolic steroids. Omaha Athletics reserves the right to test for substances not listed on the NCAA Banned Drug Classes List and/or at different cut off levels than the NCAA. Omaha Athletics requires that all student-athletes keep the athletic

training staff and/or team physician aware of any prescribed drugs and dietary supplements that he or she may be taking.

Selected Types of Drug Testing

Omaha Athletics Alcohol and Drug Education Programs testing component shall consist of six (6) types of alcohol and other drug testing.

Any attempt to circumvent or tamper with the drug testing collection process will result in the test being considered a positive test.

Unannounced Random Testing

All student-athletes who have signed the institutional drug-testing consent form and are listed on the institutional squad list are subject to unannounced random testing. Students listed on the squad list that have exhausted their eligibility or who have had a career-ending injury will not be selected for testing, unless they are still receiving financial aid from the University. In these instances, those student-athletes are still subject to unannounced random testing procedures and all penalties associated with a positive drug screen.

Omaha Athletics will secure the services of an outside collection agency to select those student-athletes who will be tested and to carry out the testing process. Student-Athletes will be selected from the official institutional squad lists provided to the collection agency to generate unbiased random selections.

Throughout the academic year, the student-athlete population will be randomly selected to produce a specimen for testing. The costs incurred for this collection will be the responsibility of the athletic department. All costs associated with treatment and follow-up or re-entry testing, or any subsequent unannounced random testing that result from a positive screen may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.

All individuals with prior positive drug test results may be subject to unannounced drug testing throughout their athletic eligibility, and/or throughout the duration of the prescribed treatment program.

The unannounced random drug testing will be conducted on a zero-to-24-hour notification basis meaning that student-athletes may be provided with zero to no more than 24 hours' notice of the pending drug screen. Once notified, they are required to report for drug testing at the assigned time and place. Failure to report at the assigned time and follow appropriate procedures will result in the sanctions outlined below for a positive test. The use of illegal substances or alcohol may be determined by means other than urinalysis.

Pre-season Testing

Student-athletes are subject to pre-season drug testing and may be notified of such by the Director of Athletics or his/her designee at any time prior to their first competition. The use of illegal substances or alcohol may be determined by means other than urinalysis.

Reasonable Suspicion Testing

A student-athlete may be subject to testing at any time when the Director of Athletics or his/her designee determines there is individualized reasonable suspicion to believe the participant is using a prohibited drug. The use of illegal substances or alcohol may be determined by means other than urinalysis. Any and all costs associated with the assessment and any subsequent treatment or counseling may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.

Such reasonable suspicion may be based on objective information as determined by the Director of Athletics or by an Executive/Assistant/Athletic Director, Sports Administrator, Head Coach, Assistant Coach, Sr. Associate Athletic Director of Athletic Performance, Head/Assistant Athletic Trainer, or Team Physician, and deemed reliable by the Director of Athletics or his/her designee. Reasonable suspicion may be found, but not limited to

- Observed possession or use of substances appearing to be prohibited drugs,
- Arrest or conviction for a criminal offense related to the possession or transfer of prohibited drugs or substances,
- Observed, and/or reported, and/or documented student conduct code, or university housing violations, or
- Observed abnormal appearance, conduct or behavior reasonably interpretable as being caused by the use of prohibited drugs or substances.

Among the indicators which may be used in evaluating a student-athlete's abnormal appearance, conduct or performance are class attendance, significant GPA changes, athletic

practice attendance, increased injury rate or illness, physical appearance changes, academic/athletic motivational level, emotional condition, mood changes, and legal involvement. The evidence supporting the suspicion must be reasonably reliable and clearly outlined by an athletic department official (including, but not limited to, coach, staff athletic trainer, academic counselor, and administrator or support staff). Suspicion must be documented in writing and submitted to the Sr. Associate Athletic Director of Athletic Performance in writing utilizing this policy's Reasonable Suspicion Reporting Form (Appendix C), unless the individual submitting the information perceives there to be an immediate danger to the suspected student-athlete. Upon review, the Sr. Athletic Director of Athletic Performance

will notify the Athletic Director. If there is sufficient evidence to support reasonable suspicion and suggest that testing will produce evidence of such use, a meeting will be arranged between the Sr. Associate Athletic Director of Athletic Performance, the student-athlete, and the Head Coach. At that time, the student-athlete will be instructed to report to UNO Student Health Services and be required to provide a urine sample for testing and/or may be referred for an Alcohol and Other Drug Assessment at the direction of the Sr. Associate Athletic Director of Athletic Performance.

If the student-athlete wishes to appeal the Sr. Associate Athletic Director of Athletic Performance's decision relative to reasonable suspicion, he/she shall immediately notify the Athletic Director. A specimen will be collected, frozen and stored untested until the Appeals Committee has rendered a decision on the prerequisite of reasonable suspicion. The appeals committee shall be made up of three members of the Drug Testing Advisory Committee. If the committee fails to find grounds for reasonable suspicion, the collected specimen will remain untested and destroyed. If the committee finds that there are grounds for reasonable suspicion, the collected specimen will be tested utilizing normal testing procedures.

Should a Head Coach or Administrator feel that there are grounds for reasonable suspicion for an entire team, arrangements can be made for the entire team to be tested. In this instance, the Head Coach or Administrator must submit evidence for reasonable suspicion in writing to the Sr. Associate Athletic Director of Athletic Performance. Upon receipt, the Sr. Associate Athletic Director of Athletic Performance will consult with the Director of Athletics. If there is evidence to support reasonable suspicion, a team meeting will be called, and the members of the team will be provided with no more than 24 hours' notice of a random drug test based on reasonable suspicion. Arrangements will be made with UNO Student Health Services or the Center for Drug Free Sport and times will be assigned to each of the team members. Failure to comply with testing will be considered a positive test and the student-athlete will be subject to the sanctions associated with such findings. The cost(s) associated with this type of testing will be the responsibility of the team being tested or other source (only if approved and/or directed by the Director of Athletics).

Note: The possession and/or use of illegal substances may be determined by means other than urinalysis (e.g., using on-site saliva testing products to determine alcohol consumption). If an

individual is found to be in possession and/or using such substances, he/she will be subject to the same procedures that would be followed in the case of a positive urinalysis.

Postseason/Championship Testing

Any participant or team likely to advance to post-season championship competition may be subject to additional testing. Testing may be required of all team members, a percentage of team members, or individual student-athletes at any time within thirty (30) days prior to the postseason competition. The use of illegal substances or alcohol may be determined by means other than urinalysis. If a student-athlete tests positive, he or she will not be allowed to compete at the post-season event unless he or she subsequently tests negative prior to departure for the event. The costs associated with testing will be the responsibility of the

athletic department. All costs associated with treatment and follow-up or re-entry testing, or any subsequent unannounced random testing that result from a positive screen may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.

Re-entry Testing

A student-athlete who has had his or her eligibility to participate in intercollegiate sports suspended as a result of their third offense of a drug and alcohol violation, or who is returning to participation following voluntary disclosure/safe harbor, will be required to undergo unannounced periodic re-entry drug and/or alcohol testing prior to regaining eligibility with the understanding that he/she will not gain eligibility until he/she has met the requirements for re-entry testing as identified in the penalties section of this policy. Any and all costs associated with the assessment and any subsequent treatment or counseling resulting from a positive screen may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling. The Director of Athletics, the Sr. Associate Athletic Director of Athletic Performance or their designee shall arrange for re-entry testing after the counselor or specialist involved in the student-athlete's case indicates that re-entry into the intercollegiate sports program is appropriate. The use of illegal substances or alcohol may be determined by means other than urinalysis.

Follow-up Testing

A student-athlete who has returned to participation in intercollegiate sports following a positive drug test under this policy may be subject to follow-up testing. Any and all costs associated with the assessment and any subsequent treatment or counseling resulting from a

positive screen may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as,

but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling. Testing will be unannounced and will be required at a frequency determined by the Athletic Director, the Sr. Associate Athletic Director of Athletic Performance or their designee in consultation with the counselor or specialist involved in the student-athlete's case. The use of illegal substances or alcohol may be determined by means other than urinalysis.

Notification and Reporting for Collections

The student-athlete will be notified of and scheduled for testing by the institution. The Sr. Associate Athletic Director of Athletic Performance or his/her designee will notify the student-athlete of the date

and time to report to the collection station and will have the student-athlete read and sign the Student-Athlete Notification Form (See Appendix G). Failure to report at the designated time without justification, failure to follow appropriate procedures, and failure to provide an adequate sample (concentrated) within three hours of testing or within (4) voids will result in the sanctions outlined below for a positive test. The Sr. Associate Athletic Director of Athletic Performance or his/her designee will be in the collection station to certify the identity of the student-athletes selected. Student-athletes shall provide picture identification when entering the drug-testing station. The Sr. Associate Athletic Director of Athletic Performance or his/her designee must remain in the collection station until all student-athletes complete the collection process.

Specimen Collection Procedures

All specimens will be collected following the Drug Free Sport Specimen Collection Procedures which can be found in Appendix G.

Reporting Results

Urine samples will be collected in accordance with the National Center for Drug Free Sport (NCDFS) collection policies. Each sample will be tested to determine if banned drugs or substances are present. A test result confirmed as positive by the laboratory does not automatically identify the student-athlete as having engaged in prohibited drug or alcohol use. Results will be made available to the Sr. Associate Athletic Director of Athletic Performance. The Sr. Associate Athletic Director of Athletic Performance will notify the student-athlete, the Director of Athletics, the Head Coach and a substance abuse counselor of a positive result (see Appendix D). The student-athlete may present evidence of any mitigating circumstances that

he/she feels may be important to the outcome of the drug test prior to imposition of any intervention or required treatment or counseling program consistent with the appeals process described within the document.

If the laboratory reports a specimen as substituted, manipulated or adulterated, the student athlete will be deemed to have refused to submit to testing and treated as if the test were positive for a banned substance.

All student-athlete information and records associated with Omaha Athletics drug testing program will be confidential and will be released to those outside of individuals identified below (or their designees) only upon receipt of a signed release of information by the student-athlete:

- Athletic Director and Sr. Associate Athletic Director of Athletic Performance
- Substance Abuse Counselor
- Head Coach and Sport Administrator of the respective sport
- Assistant Athletic Trainer designated for the sport in which the athlete participates
- Strength & Performance Coach designated for the sport in which the athlete participates
- Parents
- Members of the Drug Advisory Committee

Drug and Alcohol Sanctions

A student-athlete's refusal to sign a consent form, or in the instance of a minor, their parent's refusal to sign a consent form, prohibits a student-athlete from participating in any intercollegiate sport, conditioning, practices, or competitions at Omaha Athletics. A student athlete who is found to have used or been in possession of a prohibited substance will be sanctioned according to this policy. Examples of a sanctionable event shall include, but is not limited to, a positive drug-test result, an alcohol related legal infraction, possession of a prohibited substance (except under justifiable medical circumstances that includes a physician's prescription and Omaha Athletics Sports Medicine Staff approval), admission of use of a prohibited substance, refusal to submit to a required drug test, failure to provide an adequate sample (concentrated) within three hours of testing or within four (4) voids, attempted or admission of attempted manipulation, and trafficking or attempted trafficking of any prohibited substance. Head Coaches and individual teams may have rules and sanctions that are more stringent than those outlined in this policy. These rules, when applied, shall be recognized and supported. However, at no time, shall a team policy, rule, or sanction minimize the requirements and sanctions of the Omaha Athletics Drug and Alcohol Education Program.

Positive testing results from the NCAA, Omaha Athletics, and other outside agencies will be treated as cumulative positive tests obtained under this policy and will result in sanctions under this policy in addition to possible sanctions from the NCAA and other outside agencies.

Any attempt to circumvent or tamper with the drug testing collection process will result in the test being considered a positive test.

First Offense

- The Sr. Associate Athletic Director of Athletic Performance will report the positive drug test finding(s) or alcohol related legal infraction to the Athletic Director.
- The Athletic Director or designee will schedule a confidential meeting with the student athlete and any or all the following, the head coach, the respective Sport Administrator, the Sr. Associate Athletic Director of Athletic Performance and a substance abuse counselor to review the positive drug test results.
- The Director of Athletics or his/her designee will notify the student-athlete's parent(s) or legal guardian(s) by telephone in the presence of the student-athlete.
- The student-athlete will be immediately suspended from participation in any University sponsored intercollegiate sports, strength and conditioning sessions, practices or competitions with Omaha Athletics and will not be allowed to return to practice, strength and conditioning sessions or competition until they attended an alcohol/drug assessment as determined by the substance abuse counselor.
- The student-athlete will be required to attend an alcohol/drug assessment as determined by the substance abuse counselor. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case and shall make this information available to the Sr. Associate Athletic Director of Athletic Performance (failure to comply with the counselor's directions for treatment will be classified as a second

offense). Information acquired during such counseling or treatment sessions shall be considered confidential and will not be released to the Sr. Associate Athletic Director of Athletic Performance unless the treating professional feels that the student-athlete is a danger to themselves or others, or there are medical issues that require the attention of a licensed Medical Doctor. Such medical issues may be identified by either the substance abuse counselor or the Team Physician. However, all treatment plans and requirements will be released to the Sr. Associate Athletic Director of Athletic Performance to ensure compliance with the plans established by UNO Health Services/Alcohol and Drug Counseling.

- Failing to comply with the counselor's recommendations for treatment will be classified as a second offense.
- The student-athlete will be subject to mandatory follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics, the Team Physician, or their designee.

- Any and all costs associated with the assessment and any subsequent treatment, counseling or follow-up/re-entry testing may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.

Second Offense

- The Sr. Associate Athletic Director for Athletic Performance will report the positive drug test finding(s) or alcohol related legal infraction to the Athletic Director.
- The Director of Athletics or his/her designee will notify the student-athlete's parent(s) or legal guardian(s) by telephone in the presence of the student-athlete.
- The student-athlete will be suspended from 25% (rounding method used, for example 2.4 contests = 2 contests and 2.5 = 3 contests) of all regularly scheduled competitions during the current championship segment, or the subsequent championship segment if the positive test occurs during the off-season, or non-championship segment of the season. If the positive test occurs at such a time that the 25% suspension is not completed by the end of the season in which the test occurred, the suspension from competition will be carried over to the championship segment of the next sport season. A penalty cannot be served when the student is otherwise not eligible to compete. In accordance with the previous bullet point, the student-athlete may be allowed to return to strength and conditioning sessions and practices once they have provided a negative drug test.
- The student-athlete will be required to attend an alcohol/drug assessment as determined by the substance abuse counselor. The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case and shall make this information available to the Sr. Associate Athletic Director of Athletic Performance (failure to comply with the counselor's directions for treatment will be classified as a second offense). Information acquired during such counseling or treatment sessions shall be considered confidential and will not be released to the Sr. Associate Athletic Director of Athletic Performance unless the treating professional feels that the student-athlete is a danger to themselves or others, or there are medical issues that require the attention of a licensed Medical Doctor. Such medical issues may be identified by either the substance abuse counselor or the
- Team Physician. However, all treatment plans and requirements will be released to the Sr. Associate Athletic Director of Athletic Performance to ensure compliance with the plans established by UNO Health Services/Alcohol and Drug Counseling.
- Failing to comply with the counselor's recommendations for treatment will be classified as a third offense.

- Consistent with all University and NCAA regulations, the student-athlete will be subject to cancellation of athletic financial aid for the subsequent semester, if any, in the current academic year and non-renewal of the athletic financial aid for the ensuing academic year.
- The student-athlete will be subject to mandatory follow-up testing. Testing will be unannounced and will be required at a frequency determined by the Director of Athletics, the Team Physician or their designee.
- **Any and all costs associated with the assessment and any subsequent treatment, counseling or follow-up/re-entry testing may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.**

Third Offense

- The Sr. Associate Athletic Director of Athletic Performance will report the third positive drug test finding(s) to the Athletic Director.
- The Athletic Director will schedule a confidential meeting with the student-athlete and any or all of the following: the head coach, the respective Sport Administrator, the Sr Associate Athletic Director of Athletic Performance and the substance abuse counselor to review the positive drug test results.
- The Director of Athletics or his/her designee may notify the student-athlete's parent(s) or legal guardian(s) by telephone in the presence of the student-athlete.
- The student-athlete will be suspended from 50% (rounding method used, for example 2.4 contests = 2 contests and 2.5 = 3 contests) of all regularly scheduled competitions during the current championship segment, or the subsequent championship segment if the positive test occurs during the off-season, or non-championship segment of the season. If the positive test occurs at such a time that the 50% suspension is not completed by the end of the season in which the test occurred, the suspension from competition will be carried over to the championship segment of the next sport season. A penalty cannot be served when the student is otherwise not eligible to compete. In accordance with the previous bullet point, the student-athlete may be allowed to return to strength and conditioning sessions and practices once they have provided a negative drug test.
- The student-athlete will be immediately suspended from participation in any University sponsored strength and conditioning sessions and practices if third positive test occurs. At the discretion of the Athletic Director and Drug Advisory Committee, the student-athlete may be allowed to return to strength and conditioning sessions and practices.
- Consistent with all University and NCAA regulations, the student-athlete will be subject to cancellation of athletic financial aid for the subsequent semester, if any, in the

current academic year and non-renewal of the athletic financial aid for the ensuing academic year.

- The student-athlete will be required to attend an alcohol and drug rehabilitation program as recommended by a Licensed Alcohol and Drug Counselor. This may include inpatient or outpatient treatment.
- Failing to comply with the counselor's recommendations for treatment will be classified as a fourth offense.
- The student-athlete will not be reinstated for athletic participation at Omaha Athletics Director of Athletics and the Sr. Associate Athletic Director of Athletic Performance with verification of the successful completion of a certified alcohol and/or drug rehabilitation program.
- The student-athlete will be required to provide a negative result on re-entry drug and/or alcohol tests prior to reinstatement.
- Having a positive result on a re-entry drug and/or alcohol test may be classified as a fourth offense.
- All costs associated with the assessment and any subsequent treatment, counseling or follow-up/re-entry testing may be the responsibility of the student athlete. In all instances Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.
- **Any and all costs associated with the assessment and any subsequent treatment, counseling or follow-up/re-entry testing may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.**

Fourth Offense

- The Sr. Associate Athletic Director of Athletic Performance will report the fourth positive drug test finding(s) to the Athletic Director.
- The Athletic Director will schedule a confidential meeting with the student-athlete, and any or all of the following: the Head Coach, the respective Associate Athletic Director, the Assistant Athletic Director for Performance and the substance abuse counselor to review the positive drug test results.
- The student-athlete will be immediately and permanently prohibited from participation in any University sponsored intercollegiate sports, strength and conditioning sessions, practices or competitions with Omaha Athletics

- Consistent with all University and NCAA regulations, the student-athlete will be subject to the immediate and permanent cancellation of all athletic financial aid.

Violations Resulting from On-Campus Incidents

Reported, suspected, and/or documented Athletic Department Alcohol and Drug Policy violations that occur on campus or in University Housing shall be reported to the Sr. Associate Athletic Director of Athletic Performance by any one of, but not limited to, the following- campus security, judicial affairs,

student health services, university housing, or a member of Omaha Athletics Administration (Athletic Director(s), Head Coaches, etc.).

Once the information has been received, it will be reviewed by the Sr. Associate Athletic Director of Athletic Performance and, if necessary, the Athletic Director, and the Head Coach of the respective sport. If upon review of the information provided, there is sufficient evidence to support reasonable suspicion, and suggest that testing will produce evidence of such use, a meeting will be arranged between the Sr.

Associate Athletic Director of Athletic Performance, the student-athlete, and the Head Coach to initiate the procedures outlined in "Reasonable Suspicion Testing."

Once the testing process has been initiated, the student-athlete will be subject to all procedures and/or potential sanctions related to a positive screen outlined with-in this policy. Any sanctions, requirements, or recommendations imposed by the University will be in addition to, and independent of, the Athletic Department sanctions, requirements, or recommendations.

Missing a Counseling Session

Student-athletes are required to comply with the appointment policy developed by the University of Nebraska Omaha Health Services Alcohol and Drug Counseling staff. It is the responsibility of the student-athlete who makes an appointment with a counselor to keep that appointment. If the student-athlete is not able to keep the appointment he or she is expected to cancel the appointment by telephone, preferably 24 hours in advance but at least by 8:30 a.m. on the day of the appointment. Prior to the appointment the student-athlete will read and sign an informed consent for evaluation and treatment, which includes an agreement to follow the appointment policies.

Failure to keep or cancel an appointment as stated above and/or refusal to participate in the required counseling or treatment program as identified by the drug and alcohol education counselor may be classified as a positive test and thereby subject the student athlete to any and all sanctions associated with the number of positive tests that correlate to the incident. These may include, but not be limited to, indefinite suspension from intercollegiate athletic

participation and/or permanent removal from participation in intercollegiate athletics with Omaha Athletics.

Voluntary Disclosure/Safe Harbor

The Safe Harbor Program allows a student-athlete to refer him or herself for voluntary self-evaluation and counseling. The safe harbor program will be operated under the following guidelines:

- A student-athlete who has engaged in prohibited drug or alcohol use is encouraged to seek assistance from the Athletic Department by voluntarily disclosing his or her use.
- If the student-athlete seeks assistance *prior* to being identified as having violated this policy or being notified that he or she must undergo testing, the impermissible use will not be deemed an offense for purposes of determining sanctions under this policy; however, the student-athlete will be ineligible to participate in intercollegiate sports pending an evaluation. A student-athlete will not be permitted to enter the Safe Harbor Program thirty (30) days prior to NCAA or Conference postseason competition.
- The student-athlete will be required to sign a Safe Harbor Agreement (see Appendix E), provide a urine sample for testing, and undergo an evaluation by a substance abuse counselor.
 - The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. The counselor will provide a summary of his or her recommendations to the Sr. Associate Athletic Director of Athletic Performance.
- provide a urine sample for testing and undergo an evaluation by a substance abuse counselor.
 - The counselor shall determine the appropriate form(s) of intervention and rehabilitation needed by the student-athlete, based on the circumstances of the case. The counselor will provide a summary of his or her recommendations to the Sr. Associate Athletic Director of Athletic Performance.
- A student-athlete will be permitted to remain in the Safe Harbor Program for a reasonable period of time, not to exceed thirty (30) days, as determined by the treatment plan. However, the student-athlete will not be permitted to return to participation in intercollegiate sports until the counselor has interviewed the student-athlete following the conclusion of the recommended treatment (or stage of treatment, as applicable) and has determined that re-entry into intercollegiate sports is appropriate. Additionally, a negative re-entry test will be required prior to returning to participation in any practice, competition or conditioning session. While complying with the plan of the Safe Harbor Program, the student-athlete would not be included in the list of student-athletes eligible for institutional drug testing. However, the student-athlete in the Safe Harbor Program will be eligible for selection for NCAA testing and for testing based upon reasonable suspicion.

- Failing to complete the treatment recommended by the counselor, having a positive test for any banned substance after entering the Safe Harbor Program (while in the safe harbor program, a student-athlete is subject to testing throughout the 30 day period in 5 instances: 1) Upon entry into the safe harbor program, 2) upon exiting the safe harbor program, 3) NCAA Drug Testing, 4) Reasonable Suspicion, and 5) if required as part of the treatment plan by the drug and alcohol education counselor), or having a positive result on a re-entry drug or alcohol test will be deemed a second offense under this policy.
- If the student-athlete regains his or her eligibility to participate in intercollegiate sports, he or she may be required to undergo unannounced follow-up tests at the discretion of the Athletic Director in consultation with the substance abuse counselor, the Sr. Associate Athletic Director of Athletic Performance.
- Any and all costs associated with the assessment and any subsequent treatment, counseling or follow-up/re-entry testing may be the responsibility of the student athlete. In all instances, Omaha Athletics reserves the right to determine the financial responsibility bore by the student-athlete. The decision will be made by the Director of Athletics after assessing factors such as, but not limited to, the financial ability of the student-athlete to pay for such testing, treatment or counseling.
- Each student-athlete will be allowed one admittance into the Safe Harbor Program, without sanction, during his/her athletic eligibility period.

Voluntary Self-Referral to a Substance Abuse Counselor

If a self-referral comes directly to a substance abuse counselor, a substance abuse assessment will be done as appropriate. Any and all costs associated with the assessment and any subsequent treatment or counseling will be the responsibility of the student athlete. In this instance, the substance abuse counselor is neither required nor, per federal guidelines, allowed to report the self-referral back to the Sr. Associate Athletic Director of Athletic Performance.

Voluntary self-referral to a substance abuse counselor is not safe harbor. While undergoing treatment by a substance abuse counselor, a student-athlete who self refers directly to that substance abuse counselor will be subject to all testing- NCAA and/or institutional. Should the student-athlete test positive, they will be subject to all sanctions and procedures set forth by the NCAA and outlined in the penalty section of this institutional drug testing policy without consideration of their prior self-referral.

Medical Exceptions Process

Omaha Athletics recognizes that some banned substances are used for legitimate medical purposes. Accordingly, Omaha Athletics allows exception to be made for those student-athletes with a documented medical history demonstrating the need for regular use of such a drug. Omaha Athletics also recognizes that the banned substances it tests for are the same substances that the NCAA tests for.

As such, Omaha Athletics will follow the procedures established and followed by the NCAA with regards to medical exceptions. This will avoid any confusion that may arise if there were ever a conflict between what has been labeled as an exception by an institution compared with what is labeled (or not labeled) as an exception by the NCAA.

All substances that are listed on the list of banned drug classes must be identified by the student athlete. Once identified the athletic training staff will follow the *Procedures for Exceptions* as described by the NCAA and modified below to fit the parameters of the institutional testing program prior to and following any institutional testing that may result in a positive test.

Procedures for Exceptions

- Alternative non-banned medications for the treatment of various conditions exist and should be considered before an exception is pursued.
- In the event that the student-athlete and the physician (in coordination with sports-medicine staff at the student-athlete's institution) agree that no appropriate alternative medication to the use of the banned substance is available, the decision may be made to continue the use of the medication. However, the use of an ***anabolic agent or peptide hormone must be approved by the NCAA before the student-athlete is allowed to participate in competition while taking these medications**. The institution, through its director of athletics, may request an exception for use of an anabolic agent or peptide hormone by submitting to the NCAA medical documentation from the prescribing physician supporting the diagnosis and treatment.
- The institution will maintain documentation that supports the use of medication in the student athlete's medical record on campus. The documentation can be a letter or copies of medical notes from the prescribing physician that documents how the diagnosis was reached, and that the student-athlete has a medical history demonstrating the need for regular use of such a drug.
 - The letter should contain information as to the diagnosis (including appropriate verification of the diagnosis), medical history and dosage information.
- In the event that a student-athlete is tested by Omaha Athletics and tests positive for a substance for which the student-athlete desires an exception, normal procedures for reporting positive test results will be followed (See Reporting Results, page 11). The athlete may request an exception at the time of notification of the positive drug test (A sample) through a meeting with the Sr. Associate Athletic Director of Athletic Performance and the Director of Athletics. At that time, the student athlete will be required to provide the prescribing physician's letter and any other medical documentation demonstrating the need for regular use of the drug (see subpart 3 above) which the student-athlete wishes to have Omaha Athletics consider. A medical exception will be considered by Omaha Athletics and the student athlete will remain eligible until a final decision has been made. If the student is unable to provide medical documentation to the Director of Athletics the student-athlete will be withheld from competition until such time the documentation is received, reviewed and the medical exception granted.

- Requests for exceptions will be reviewed by the Director of Athletics and the Sr. Associate Athletic Director of Athletic Performance.
- In the event that the exception is not granted, the student-athlete may appeal this action according to the appeals process of the drug-testing protocol.

Appeal Process

Student-athletes who test positive for a banned substance by the laboratory retained by the University may, within 72 hours following receipt of notice of the laboratory finding, contest the findings. Upon the student-athlete's request for additional testing of the sample, the Sr.

Associate Athletic Director of Athletic Performance will formally request the laboratory retained by the University to perform testing on specimen B. The student-athlete may choose to be present at the opening of specimen B at the laboratory. If the student-athlete does not wish to be present at the opening of specimen B, but desires to be represented, arrangements will be made for a surrogate to attend the opening of specimen B. The surrogate will not be involved with any other aspect of the analysis of the specimen. The student-athlete or his/her surrogate will attest to the sample number and the integrity of the security seal prior to the laboratory opening of specimen B. Specimen B findings will be final, subject to the results of any appeal. If specimen B results are negative, the drug test will be considered negative.

Student-athletes who test positive under the terms of Omaha Athletics Alcohol, Tobacco and Other Drug Education and Testing Policy will be entitled to a hearing with the Director of Athletics or his/her designee prior to the imposition of any sanction. Requests for such a hearing must be made within forty-eight (48) hours of notification of a positive test result. If the forty-eight hours would end on a weekend, the request must be made by noon on the next business day. Requests must be in writing and received by the Director of Athletics.

The student-athlete may have an advocate or other representative present if the student so desires. However, the student-athlete must present his or her own case. The meeting should take place no more than seventy-two (72) hours after the written request is received. Either the student-athlete or the other parties involved may request an extension of time to the Director of Athletics, who will consider whether to grant the extension upon a showing of good cause. These proceedings shall include an opportunity for the student-athlete to present evidence, as well as to review the results of the drug test. The proceedings

shall be confidential. The decision by the Director of Athletics or his/her designee regarding the sanction to be imposed shall be final.

Instances Not Specifically Identified within this Policy

There will be situations that arise in which the circumstances surrounding the incident (including, but not limited to, positive tests, safe harbor, alcohol related instances, etc.) are not clearly identified or addressed within the context of this policy. In those instances, the athletic director, alone or through consultation with the drug testing advisory committee reserves the right to render a decision and impose sanctions. Such decision and sanctions shall be final.

In all instances, the athletic director and drug advisory committee reserves the right to address an incident and render a decision and impose sanctions upon that incident. Such decision and sanctions shall be final.

Drug Advisory Committee

The alcohol and other drug education and testing committee shall be composed of the following individuals:

- The Sr. Associate Athletic Director of Athletic Performance shall chair the committee.
- The Head Coach of one male and one female sport appointed by the Sr. Associate Athletic director of Athletic Performance
- One member of the Athletic Training Staff appointed by the Sr. Associate Athletic Director of Athletic Performance.
- Two Student-Athletes appointed by the Sr. Associate Athletic Director of Athletic Performance
- One member of the UNO Counseling Center counseling staff
- One academic representative appointed by the university's Faculty Athletic Representative.
- Director of Compliance

Policy Statement on Alcohol and Other Drug Education and Testing

APPENDIX A

Acknowledgement of Omaha Athletics Alcohol and Other Drug Education and Testing Policy

I, _____, acknowledge that I have been informed and notified of the Omaha Athletic Alcohol and Other Drug Education and Testing Policy. I acknowledge that I have either received a hard copy or am aware that the policy may be found under the Athletic Training section of the UNO Athletics website at www.omavs.com.

Printed Name of Student-Athlete

Sport

Signature of Student-Athlete

Date

APPENDIX B

CONSENT TO TESTING AND AUTHORIZATION FOR CONFIDENTIAL RELEASE OF INFORMATION

I, the undersigned student-athlete, hereby acknowledge that I have (a) received a copy of the Omaha Athletics Substance Abuse Policy, and/or (b) was made aware that it may be found under Athletic Training at www.omavs.com. I further acknowledge that I understand its provisions as explained during our introductory sessions.

I hereby consent to testing for the presence of certain prohibited drugs or substance on, but not limited to, a random, unannounced basis in accordance with the provisions of the Omaha Athletics Student-Athlete Alcohol and Other Drug Education and Testing Policy.

I further authorize Omaha Athletics or an agent acting on the University's behalf to make a confidential release to the Family Practice Team Physician or their designee, Head Athletic Trainer or their designee, my parent(s) or legal guardian(s) or spouse, the head coach of my varsity sport or their designee, the Director of Intercollegiate Athletics or their designee, counselors participating in the Drug Counseling program or their designee, and members of the Substance Abuse panel or their designee(s) all test results and other information or records obtained or created in the course of screening or testing under the provisions of the Omaha Athletics Student-Athlete Alcohol and Other Drug Education and Testing Policy. To the extent set forth herein, I waive any privilege I may have in connection with such information.

I understand that qualified technicians will accomplish the testing. I further understand that these technicians will guarantee that a documented chain of specimen custody exists to ensure the identity of any of my samples throughout the collection and testing process. I hereby release Omaha Athletics, its governing board, its officers, its employees, and its agents for any legal responsibility or liability for the release of such information and records as authorized by this consent.

I understand that I may choose not to sign this form and forego participation in intercollegiate athletics at the University of Nebraska at Omaha and forfeit my athletics grant in aid.

Printed Name of Student-Athlete

Sport

Signature of Student-Athlete

Date

Signature of Parent (if under 19)

Date

APPENDIX C

Reasonable Suspicion Reporting Form

I, _____, under the reasonable suspicion clause outlined in the Omaha Athletics Alcohol and Other Drug Education and Testing Policy, report the following objective signs, symptoms, or behavior(s) that I believe warrant _____ to be referred to a Team Physician for substance abuse evaluation. I understand that a decision regarding the need for counseling and/or treatment will be made by a Team Physician.

Objective Signs, Symptoms, or Behaviors:

Other specific information leading to reasonable suspicion:

Signed _____

Date _____

Sr. Associate AD of Athletic Performance

Date Received/Reviewed

Actions Taken:

APPENDIX D

Student Athlete Notification of Positive Finding and Treatment Planning Sheet

Name: _____ Sport: _____

Date: _____ Social Security Number/Student ID: _____

Positive Drug Test or Alcohol/Tobacco Incident

Date of Drug Test/Alcohol or Tobacco Incident: _____ Positive: 1st
2nd 3rd

Nature of Positive Test or Incident (also see attached Laboratory testing form if applicable):

Initial Visit (for alcohol/tobacco violation) Date: _____

Recommendations/Referral:

☐ Placed on probation Starting Date: _____ Ending Date: _____

☐ Mandatory Referral to UNO Health Services/Alcohol and Drug Counseling- **EAB 115 (any costs associated with evaluation and counseling may be the responsibility of the student-athlete)**

Date of Evaluation Appointment 1: _____ Time: _____

Date of Evaluation Appointment 2: _____ Time: _____

☐ Unannounced Drug Screening (cost of repeat screening may be the responsibility of the student-athlete)

☐ Suspension Starting Date: _____ Ending Date: _____

☐ Permanent Removal from Team Effective Date: _____

Important Phone Numbers:

Taryn Ninemire, Sr. Associate Athletic Director of Athletic Performance
554-3112

Office: 402-

Health Services/Alcohol & Drug Counseling

Office: 402-554-2409

I, the undersigned student-athlete understand all conditions, sanctions, and mandatory referrals associated with my violation of the Omaha Athletics Drug and Alcohol Education and Testing Program. I understand that a failure to comply with all parameters of treatment will constitute a positive test and that I will, at a minimum, be subject to the ramifications of that subsequent offense and may be subject to indefinite suspension or permanent removal from participation in intercollegiate athletics with Omaha Athletics.

Student-Athlete

Date

Sr. Associate Athletic Director of Athletic Performance

Date

APPENDIX E

UNO Drug Testing Safe Harbor Agreement

I, _____ understand that by admitting myself to safe harbor as defined within the

Alcohol and Other Drug Testing and Education policy of Omaha Athletics, I will be expected to fulfill the requirements of the program as they are defined by a) the alcohol and drug testing and education policy; b) the Omaha Athletics administration; c) the Omaha Athletics Team Physicians and Drug and Alcohol Education Counselors; and d) the Omaha Athletics Coaching staff.

I understand that failure to comply with each step of the treatment plan, as defined in paragraph one (1) will result in a written notification of non-compliance and that I will be subject to the penalties associated with an act of non-compliance, which, as defined within the Omaha Athletics Drug Testing and Education Program, is equivalent to a positive test. I further understand that a positive test, determined to be from new usage, after beginning the safe harbor program will carry remedial actions associated with a 2nd positive test as outlined in the Omaha Athletics Alcohol and Other Drug Testing Policy:

Student-Athlete (Printed Name)

Date

Student-Athlete (Signature)

Athletic Director

Date

Head Coach

Date

Sr. Associate Athletic Director of Athletic Performance

Date

APPENDIX F

2022-2023 NCAA Banned Drugs

It is your responsibility to check with the appropriate or designated athletics staff before using any substance.

The NCAA bans the following classes of drugs:

- a. Stimulants
- b. Anabolic agents
- c. Alcohol and beta blockers (banned for rifle only)
- d. Diuretics and other masking agents
- e. Narcotics
- f. Cannabinoids
- g. Peptide hormones, growth factors, related substance and mimetics
- h. Hormone and metabolic modulators
- i. Beta-2 Agonists

Note: Any substance chemically related to these classes is also banned.

The institution and the student-athlete shall be held accountable for all drugs within the banned substance class regardless of whether they have been specifically identified.

Substances and Methods Subject to Restrictions:

- a. Blood Doping.
- b. Local anesthetics (permitted under some conditions).
- c. Manipulation of Urine Samples.
- d. Tampering of urine samples.
- e. Beta-2 Agonists (permitted only by prescription and inhalation).

NCAA Nutritional/Dietary Supplements Warning:

Before consuming any nutritional/dietary supplement product, review the product with the appropriate or designated athletics department staff. There are no NCAA approved supplement products.

- Dietary supplements, including vitamins and minerals, are not well regulated and may cause a positive drug test result.
- Student-athletes have tested positive and lost their eligibility using dietary supplements.
- Many dietary supplements are contaminated with banned drugs not listed on the label.
- **Any product containing a dietary supplement ingredient is taken at your own risk.**

Check with your athletics department staff prior to using a supplement.

Note to Student-Athletes: There is NO complete list of banned substances.
Do not rely on this list to rule out any supplement ingredient.

Stimulants:

amphetamine (Adderall); caffeine (guarana); cocaine; ephedrine; methamphetamine; methylphenidate (Ritalin); synephrine (bitter orange); dimethylamylamine (DMAA, methylhexanamine); "bath salts" (mephedrone); Octopamine; hordenine; dimethylbutylamine (DMBA, AMP, 4-amino methylpentane citrate); phenethylamines (PEAs); dimethylhexylamine (DMHA, Octodrine); heptaminol etc.
exceptions: phenylephrine and pseudoephedrine are not banned.

Anabolic Agents – (sometimes listed as a chemical formula, such as 3,6,17-androstenetrione): Androstenedione; boldenone; clenbuterol; DHEA (7-Keto); epi-trenbolone; testosterone; etiocholanolone; methasterone; methandienone; nandrolone; norandrostenedione; stanozolol; stenbolone; trenbolone; SARMS (ostarine, ligandrol, LGD-4033, S-23, RAD140); DHCMT (oral turanibol) etc.

Alcohol and Beta Blockers (banned for rifle only):

alcohol; atenolol; metoprolol; nadolol; pindolol; propranolol; timolol; etc.

Diuretics (water pills) and Other Masking Agents:

bumetanide; chlorothiazide; furosemide; hydrochlorothiazide; probenecid; spironolactone
(canrenone); triameterene; trichlormethiazide; etc.

Narcotics:

Buprenorphine; dextromoramide; diamorphine (heroin); fentanyl, and its derivatives; hydrocodone; hydromorphone; methadone; morphine; nicomorphine; oxycodone; oxymorphone; pentazocine; pethidine

Cannabinoids:

marijuana; tetrahydrocannabinol (THC); synthetic cannabinoids (e.g., spice, K2, JWH-018, JWH-073)

Peptide Hormones, growth factors, related substances and mimetics:

growth hormone(hGH); human chorionic gonadotropin (hCG); erythropoietin (EPO); IGF-1 (colostrum, deer antler velvet); etc.
exceptions: insulin, Synthroid are not banned

Hormone and metabolic modulators (anti-estrogens):

anastrozole; tamoxifen; formestane; ATD; SERMS (clomiphene, nolvadex); Arimidex; clomid; evista; fulvestrant; aromatase inhibitors (Androst-3,5-dien-7,17-dione), letrozole; etc.

Beta-2 Agonists:

bambuterol; formoterol; salbutamol; salmeterol; higenamine; norcoclaurine; etc.

**Any substance that is chemically related to the class,
even if it is not listed as an example, is also banned!**

Information about ingredients in medications and nutritional/dietary supplements can be obtained by

contacting Drug Free Sport AXIS, 877-202-0769 or

www.axis.drugfreesport.com password: ncaa1

It is your responsibility to check with the appropriate or designated athletics staff before using any substance.

APPENDIX G

University of Nebraska at Omaha Collection Procedures (Source: The National Center for Drug Free Sport, 9/15/2022)

1. Only those persons authorized by the institution will be allowed in the collection room.
2. When arriving to the collection room, the student-athlete will provide photo identification, or a client representative will need to identify the student-athlete. The student-athlete will then print his or her name and arrival time on the Roster Sign-In Form.
4. The student-athlete will select a sealed beaker from a supply of such and attach a unique barcode to the beaker. The student-athlete will be escorted by the institutional collector (same gender) to the restroom to provide a specimen. The student-athlete will rinse his or her hands with water (no soap) and then dry their hands.
5. The institutional collector will directly observe the furnishing of the urine specimen to assure the integrity of the specimen.
6. The student-athlete will be responsible for keeping the collection beaker closed and controlled.
7. Fluids and food given to student-athletes who have difficulty voiding must be from sealed containers (approved by the institutional collector), opened and consumed in the collection room. These items must be free of any other banned substances.
8. If the specimen is incomplete, the student-athlete must remain in the collection room until the sample is completed. During this period, the student-athlete is responsible for keeping the collection beaker closed and controlled.
9. If the specimen is incomplete and the student-athlete must leave the collection room for a reason approved by the institutional collector, the specimen must be discarded.
10. Upon return to the collection room, the student-athlete will begin the collection procedure again.
11. Once an adequate volume specimen is provided; the institutional collector will sign that the specimen was validated and escort the student-athlete to the specimen processing table.
12. The specimen processor will instruct the student-athlete to closely observe the specimen processing steps and will then measure the specific gravity.

13. If the urine has a specific gravity below 1.005, no value will be recorded on the CCF, and the specimen will be discarded by the student-athlete with the institutional collector observing. The student-athlete must remain in the collection room until another specimen is provided. The student-athlete will provide another specimen.
14. If the laboratory determines that a student-athlete's sample is inadequate for analysis, at the client's discretion, another sample may be collected.
15. Once a specimen has been provided that meets the on-site specific gravity, the student-athlete will select a sample collection kit from a supply of such.
16. The specimen processor will open the kit, demonstrate to the student-athlete the vials are securely sealed, open the plastic and open the A vial lid. The processor will pour the urine into the A and B vials and close the lids. The specimen processor should pour urine into vials above the minimum volume level (35 mL in A vial; 15 mL in B vial) and pour as much urine as possible into the vials using care not to exceed the maximum levels (90 mL in A vial; 60 mL in B vial).
17. The specimen processor will securely close the lids on each vial and then seal each vial using the vial seals attached to the CCF; assuring seals are tightly adhered to the vials with no tears or loose areas.
18. The specimen processor and student-athlete will sign the athlete custody and control form, certifying that the procedures were followed as described and recorded at that time. If deviations are alleged, the student-athlete will be required to provide another specimen.
19. After the collection has been completed, the specimens will be forwarded to the laboratory.
20. The student-athlete is then released by the institutional collector.
21. All sealed samples will be secured in a shipping case. The collector will prepare the case for forwarding.
22. The samples then become the property of the client.
23. If the student-athlete does not comply with the collection process, the institutional collector will notify the appropriate institutional administrator and Drug Free Sport.

APPENDIX H

Student-Athlete Notification of Testing Date

Student-Athlete: _____ Sport _____
SSN (last 4 digits only) or UNO Student ID: _____
Notification Date: _____ Time of Notification: _____
Student-athlete notified: ☐ in person ☐ direct phone contact

Omaha Athletics Representative:

I certify the above student-athlete has been notified of his/her selection for Omaha Athletics Institutional drug testing and informed that failure to sign the notification form or failure to appear for drug testing will be treated as if there was a positive test for a banned substance.
Omaha Athletics Representative Signature: _____

I, The Undersigned:

- Acknowledge being notified (either in person or by direct telephone contact) to appear for Omaha Athletics Institutional drug testing and have been notified to report to the drug-testing station with **picture identification** at

_____, on _____, _____ am/pm
(location) (date) (time)

- I will be prepared to provide an adequate specimen and will not over hydrate. **[Do not drink too many fluids.]** I understand that providing numerous diluted specimens will be cause for follow-up drug testing.

- I understand failure to appear at the site on or before the designated time may constitute a withdrawal of my previous consent to be tested as previously indicated on the Institutional Drug-Testing Consent Form and could result in sanctions outlined in the Omaha Athletics Alcohol and Other Drug Education and Testing Policy.

By signing, I have been notified of my selection for Omaha Athletic Institutional drug testing and am aware of what is expected of me in preparation for this drug-testing event.

Student-Athlete's Signature:

I can be reached at the following telephone number on test day: _____

Comments: _____

APPENDIX I
Student-Athlete Dietary Supplement Disclosure & Review Form

I, _____ am taking or intend to take the following dietary supplements. I (Student-Athlete Name) acknowledge the risk of losing my eligibility to participate in intercollegiate athletics if I test positive for an NCAA or Omaha Athletics banned substance that may be found in any substance that I take, regardless of the reason or purpose for taking such supplements.

I acknowledge and understand that the labeling on these products can be misleading and inaccurate, and that sales personnel are neither motivated nor qualified to accurately certify that these products contain no banned substances. "Healthy" or "naturally occurring" are terms often used to market sales of dietary supplements, but do not necessarily mean they are safe.

Before taking or using any dietary supplement, I am responsible for ensuring the product does not contain any banned substance. By making this disclosure, I am requesting that these products and their ingredients be reviewed by Omaha Athletics sports medicine staff for the purposes of determining whether they are medically safe to use and do not contain banned substances. I understand that I should not take or use these products until their usage has been reviewed by Omaha Athletics sports medicine staff.

Brand Name:

Listed Ingredients:

(Athletic Trainer to review, circle banned substances and notify student-athlete.)

1. _____

2. _____

3. _____

4. _____

Signatures:

Student-Athlete Signature

Date

Athletic Trainer Signature

Date

It is your responsibility to check with the appropriate athletics staff before using any substance.

The NCAA bans the following classes of drugs:

- Stimulants
- Anabolic Agents
- Alcohol and Beta Blockers (banned for rifle only)
- Diuretics and Other Masking Agents
- Street Drugs
- Peptide Hormones and Analogues
- Anti-estrogens
- Beta-2 Agonists

Note: Any substance chemically related to these classes is also banned.

The institution and the student-athlete shall be held accountable for all drugs within the banned substance class regardless of whether they have been specifically identified.

Substances and Methods Subject to Restrictions:

- A. Blood Doping.
- B. Local anesthetics (permitted under some conditions).
- C. Manipulation of Urine Samples.
- D. Tampering of urine samples.
- E. Beta-2 Agonists (permitted only by prescription and inhalation).

NCAA Nutritional/Dietary Supplements Warning:

Before consuming any nutritional/dietary supplement product, review the product with the appropriate or designated athletics department staff. There are no NCAA approved supplement products.

- Dietary supplements, including vitamins and minerals, are not well regulated and may cause a positive drug test result.
- Student-athletes have tested positive and lost their eligibility using dietary supplements.
- Many dietary supplements are contaminated with banned drugs not listed on the label.
- **Any product containing a dietary supplement ingredient is taken at your own risk.**

Check with your athletics department staff prior to using a supplement

**Note to Student-Athletes: There is no complete list of banned substances.
Do not rely on this list to rule out any supplement ingredient.**

Check with your athletics department staff prior to using a supplement.

Some Examples of NCAA Banned Substances in Each Drug Class

Drug Classes	Some Examples of Substances in Each Class
Stimulants	Amphetamine (Adderall), Caffeine (Guarana), Cocaine, Dimethylbutylamine (DMBA; AMP), Dimethylhexylamine (DMHA; Octodrine), Ephedrine, Heptaminol, Hordenine, Lisdexamfetamine (Vyvanse), Methamphetamine, Methylhexanamine (DMAA; Forthane), Methylphenidate (Ritalin), Mephedrone (bath salts), Modafinil, Octopamine, Phenethylamine (PEAs) and its derivatives, Phentermine, Synephrine (bitter orange). <i>Exceptions: Phenylephrine and Pseudoephedrine are not banned.</i>
Anabolic Agents	Androstenedione, Boldenone, Clenbuterol, Clostebol, DHCMT (Oral Turinabol), DHEA, Drostanolone, Epitrenbolone, Etiocholanolone, Methandienone, Methasterone, Nandrolone (19-nortestosterone), Oxandrolone, SARMS [Ligandrol (LGD-4033); Ostarine; RAD140; S-23], Stanozolol, Stenbolone, Testosterone, Trenbolone.
Beta Blockers (banned for rifle only)	Atenolol, Metoprolol, Nadolol, Pindolol, Propranolol, Timolol.
Diuretics and Masking Agents	Bumetanide, Canrenone (Spironolactone), Chlorothiazide, Furosemide, Hydrochlorothiazide, Probenecid, Triamterene, Trichlormethiazide. <i>Exceptions: Finasteride is not banned.</i>
Narcotics	Buprenorphine, Dextromoramide, Diamorphine (heroin), Fentanyl and its derivatives, Hydrocodone, Hydromorphone, Meperidine, Methadone, Morphine, Nicomorphine, Oxycodone, Oxymorphone, Pentazocine, Tramadol.
Cannabinoids	Marijuana, Synthetic cannabinoids (Spice; K2; JWH-018; JWH-073), Tetrahydrocannabinol (THC, Delta-8).
Peptide Hormones, growth factors, related substances and mimetics	Growth hormone (hGH), Human Chorionic Gonadotropin (hCG), Erythropoietin (EPO), IGF-1 (colostrum; deer antler velvet), Ibutamoren (MK-677). <i>Exceptions: Insulin, Synthroid and Forteo are not banned.</i>
Hormone and Metabolic Modulators	Anti-Estrogen (Fulvestrant), Aromatase Inhibitors [Anastrozole (Arimidex); ATD (androstatrienedione); Formestane; Letrozole], PPAR-d [GW1516 (Cardarine); GW0742], SERMS [Clomiphene (Clomid); Raloxifene (Evista); Tamoxifen (Nolvadex)].
Beta-2 Agonists	Albuterol, Formoterol, Higenamine, Salbutamol, Salmeterol, Vilanterol

Additional examples of banned drugs can be found at www.ncaa.org/drugtesting.
Any substance that is chemically related to the class, even if it is not listed as an example, is also banned!

Information about ingredients in medications and nutritional/dietary supplements can be obtained by

contacting Drug Free Sport AXIS, 877-202-0769 or

www.axis.drugfreesport.com password: ncaa1

It is your responsibility to check with the appropriate or designated athletics staff before using any substance.

Appendix H – UNO Serving Alcoholic Beverages Policy

UNO Food Policies

[UNO](#) [Milo Bail Student Center](#) [Food Services & Catering](#) [UNO Food Policies](#)

Related Content

UNO Food Policy page includes content covering: General UNO Food Policies, Bake Sale Policy & Alcohol Policy.

General UNO Food Policies

NOTE: Temporary Change - Effective Immediately (4/7/2022)

Updated 3/30/2023

As we continue our transition to becoming fully operational under the new food services contract with Sodexo, which took effect January 3, 2023, the University's temporary lift of the current food service guidance that requires that all food served on campus be furnished by UNO Food Services & Catering has been extended until May 19, 2023. All other UNO Food Service & Catering Policies, including the serving of alcoholic beverages at events, remain unchanged. Please direct any questions to unofoodservices@unomaha.edu.

All food served on campus must be furnished by UNO Food Services and Catering due to health safety concerns. Exception(s) to this policy must have the approval of the Manager of Food Services or the Director of Auxiliary Services - Milo Bail Student Center, or their designees.

This policy relates to the entire campus with the exceptions of the Alumni Center, Maverick Landing, Scott Conference Center, Baxter Arena, and Student Housing.

Bringing in food and beverages, from any outside source, for meetings (including potlucks) is prohibited. It is not the intent of such a policy to prohibit anyone from "brown bagging" for personal consumption. This policy prohibits the sale or giveaway of food items (with the exception of approved Bake Sales) on campus.

Online Application for Exception: The form is not necessary to complete for events prior to May 19, 2023.

Serving Alcoholic Beverages Policy

Scope

Campus-wide, University of Nebraska at Omaha

Policy Statement

The consumption of alcohol on campus is authorized and governed by Regental policy and the Nebraska Liquor Control Act and subject to the procedures listed below.

Reason for Policy

This policy provides campus-wide procedures for the University of Nebraska at Omaha to ensure compliance with the University of Nebraska's Board of Regents Policy, RP-2.1.5, Standards of Conduct for Employees and Students Regarding Alcohol and Drugs

Procedures

1. The Vice Chancellor for Business and Finance and their designee must authorize the serving of alcoholic beverages.
2. Hours of service are from 5:00 p.m. to midnight from Sunday to Friday, and 3:00 p.m. to midnight on Saturdays. No beverages will be dispensed after 11:30 p.m. and no consumption allowed after midnight.
3. Alcoholic beverages may only be served in association with a food service (a food service is defined as either a meal or hors d'oeuvres). A minimum food service must accompany alcoholic beverage service.
4. Alcoholic beverages will be available only at events for which there are invited guests.
5. All alcoholic beverages will be served by an employee of UNO Food Services or authorized designee. Determination of the services provided will be decided by the sponsoring group and the Manager of Food Services or designee. All details, such as type of beverage served, hours of service, etc. must be finalized with UNO Food Services 48 hours in advance and will not be changed after the deadline.
6. A sponsor or sponsoring group must designate a contact person to work with the University. That individual must deliver the alcoholic beverages to the University and remove unused quantities at the conclusion of the activity; alcoholic beverages may not be stored on University property.
7. It is the responsibility of the sponsoring group to comply with these procedures, which are based on Regental policy, including the determination of legal age of anyone requesting liquor service. Alcoholic beverages may not be served to anyone under 21 years of age.
8. The Manager of Food Services may assign persons to check identification.
9. The sale of alcohol under "special" circumstances is permitted. UNO Food Services may allow non-profit organizations to request and obtain a special designated permit. Also, UNO Food Services may grant permission for a non-profit organization to bring a licensed caterer with a special designated permit to sell alcohol.
10. Alcohol cannot be sold at any catered event. The cost of alcohol must be included in the cost of any meal that the host is providing. There cannot be any separate exclusive charges for alcohol.
11. Exceptions to the above procedures must be approved by the Vice Chancellor for Business and Finance or their designee.

Forms

Related Information

University of Nebraska's Board of Regents Policy, RP-2.1.5, Standards of Conduct for Employees and Students Regarding Alcohol and Drugs

History

The University of Nebraska at Omaha's Alcohol Policy is currently in place.

UNO Bake Sale Policy

Bake sales may be held on the UNO campus by recognized student, professional or academic organizations for the purpose of raising funds to support organizational activities.

1. Bake sales are defined as and limited to events at which home or commercially prepared bakery-type items are sold.
2. The intent to hold a bake sale must be registered with the Milo Bail Student Center Administrative Office and permission received prior to the event taking place.
3. Bake sales must be held in the approved location and for the time period specified. Organizational representatives must be present throughout the activity and are responsible for set up, clean up and removal of bake sale items, tables, chairs & signage.
4. Organizations conducting bake sales must agree to hold the university harmless in the event of any legal action resulting from the bake sale. Furthermore, the organization must abide by the following food preparation & labeling guidelines:
 - All food must be individually wrapped and labeled as to product identification & price. Items must be displayed & stored off of the floor/ground and must be covered at all times.
 - Food must be able to be kept safely at room temperature. Items requiring heat or refrigeration to reduce spoilage are not allowed; for example, items containing custard, creams, meringues or cheesecakes.
 - Ingredients known to cause allergic reactions in some individuals, including the use of nuts, nut oils, dairy, gluten flour or artificial sweeteners should be clearly marked on products. It is particularly important to review ingredients when using boxed mixes where trace ingredients may be hidden.
 - Inclusion of spoiled food products, materials not for human consumption or where intent is to cause bodily harm to the consumer are expressly prohibited. Inclusion of such materials may result in disciplinary action and/or termination of bake sale privileges.
 - Bake sale items will be prepared with ingredients purchased from commercial sources (grocery stores, warehouses, bakers, etc.) and customary home sanitation practices should be observed in food preparation.
 - It is recommended that two organizational representatives be present throughout the bake sale; one to handle money & one to handle food items.

Contact Sharon Larsen for Bake Sale Policy Forms: sklarsen@unomaha.edu

Appendix I – Alcohol Service Request Form

University of Nebraska at Omaha Alcohol Service Request Form

Name of Event: _____ Date Submitted: _____

Sponsoring Organization or Person: _____

Name and title of sponsor's representative who will also attend this event:

Address: _____ Phone: _____

Date of Event: _____ Time of Event (starting & ending): _____

Event Location: _____ Number of persons expected to attend: _____

Are guests under 21 expected? _____ Will non-alcoholic beverages be served? Yes ___ No ___

Will food be served? Yes ___ No ___ What type of food function is planned: _____

What type of bar is planned: Wine & Beer, Full Bar _____

Who will be responsible for the service of alcoholic beverages? _____

Will alcohol be served at a "host bar" (no charge, no "tickets" for drinks) Yes ___ No ___

How will you ensure that minors will not be served or consume alcoholic beverages?

The following persons certify that the above mentioned event satisfies all institutional policies on the service of alcoholic beverages, all local ordinances and the Nebraska Liquor Control Act. Please sign and date below:

Sponsor's Representative Date

Facility Administrator Date

Dean or Director Date

Asst. Vice Chancellor for Business & Finance - Date
or Designee

Please return form to Karen Watterson, kwatterson@unomaha.edu, Eppley Administration Building, Suite 209 after the form has been signed by Sponsor's Representative, Facility Administrator and Dean or Director. She will facilitate the approval signature of the Assistant Vice Chancellor for Business & Finance.

Request Approved ___ Request Denied ___ Date: _____