

# Chapter 6. Student Organizations

## Subchapter 6–100. General Provisions

### Sec. 6–101. Definitions

In this chapter, unless the context requires a different meaning, the following definitions apply.

1. “Academic or Administrative Unit” means any office or department of the University.
2. “Day” means a calendar day from 8:00 a.m. to 5:00 p.m. calendar day, excluding weekends, university holidays, and days on which regularly scheduled classes are suspended or canceled due to emergent situations. If a deadline defined in this Chapter falls on a day outside of this definition, that deadline will be moved to the next day.
3. “Dean of Students” means the Dean of Students of The University of Texas at Austin or the Dean of Students’ delegate.
4. “Officer” means a student designated to represent or speak for a Student Organization in its relations with the University and to receive official notices, directives, or information from the University on behalf of the Student Organization.
5. “Registered Student Organization” means a Student Organization holding a valid registration under this Chapter. Student Organizations are considered private entities and are not viewed as extensions of an Academic or Administrative Unit, or of the University. Student Organizations must register with the University and meet all obligations of Registered Student Organizations listed in subsection 6-302 to ensure privileges as outlined in subsection 6-301 and allows the Registered Student Organization to function within the institutional context.
6. “Registered Student Organization Advisor” means a person serving in an advisory capacity to a Registered Student Organization to provide guidance to the Registered Student Organization and its members. In accordance with section 51.9361 of the Texas Education Code, a person serving as an advisor to a Registered Student Organization must be someone who
  - i. is at least twenty-one years of age;
  - ii. is not enrolled as a student at the University;
  - iii. serves as either;
    - i. a part-time or full-time employee of the University; or
    - ii. a representative of a national or alumni organization that is associated with the Registered Student Organization.
  - iv. completes the Safety Education Program advisor training at least once in their tenure as an advisor.
7. “Safety Education Program” means an annual compliance and educational initiative administered by the Office of the Dean of Students in accordance with Texas Education Code, Section 51.9361. Its purpose is to promote a safer university community by equipping student organizations with essential knowledge and resources related to risk management and prevention.
8. “Sponsored Student Organization Advisor” means a university staff or faculty member from the sponsoring Academic or Administrative Unit who is serving in an advisory capacity to provide guidance to the Sponsored Student Organization and its members. In accordance with section 51.9361, a person serving as an Advisor to a Sponsored Student Organization must be someone who
  - i. is at least twenty-one years of age;
  - ii. is not enrolled as a student at the University;
  - iii. serves as a part-time or full-time employee of the University; and
  - iv. completes the Safety Education Program advisor training at least once in their tenure as an advisor.
9. “Sponsorship” or “Sponsored Student Organization” means a Student Organization whose purpose and activities are in accord with the mission of an Academic or Administrative Unit, for whose actions and activities the sponsoring unit provides endorsement, support, and supervision that has been officially approved by the Vice President through an annual application as prescribed by the Dean of Students.
  - i. “Endorsement” means that the sponsoring Academic or Administrative Unit gives approval of the Sponsored Student Organization’s status as an official extension of the unit and sanctions the mission, goals, and approved activities of the Sponsored Student Organization.
  - ii. “Support” means to provide for or to maintain by contributing the necessary money, physical space, staff, advising, mentoring, and other resources that the Sponsored Student Organization needs to carry out its mission, goals, and activities.
  - iii. “Supervision” means to monitor, oversee, and advise the Sponsored Student Organization. Supervision includes sanctioning and approving all activities and events of the Sponsored Student Organization; maintaining personal knowledge of the Sponsored Student Organization’s structure, operations, and activities; and acting as necessary to ensure that all affairs of the Sponsored Student Organization are consistent with the mission of the sponsoring Academic or Administrative Unit and the University.
  - iv. “Assumption of responsibility” means to ensure endorsement, support, and supervision of all aspects of the Sponsored Student Organization. Assumption of responsibility includes managing the organization to operate with financial accountability for all funds collected or spent; making sure the Sponsored Student Organization conducts its affairs in accordance with all applicable university rules and regulations, Regents’ Rules, and local, state, and federal laws; and providing the necessary physical and personnel resources, including a dedicated Sponsored Student Organization Advisor.
10. “Student” means a person who is currently enrolled at the University, or who is accepted for admission or readmission to the University, or who has been enrolled at the University in a prior term and is eligible to continue enrollment in the term that immediately follows, or who is attending an educational program sponsored by the University while that person is on campus, or who engaged in prohibited conduct at a time when they met the above criteria. For the purposes of this Chapter, individuals who do not currently meet the definition of a student remain subject to the disciplinary process for conduct that occurred while they were a student.
11. “Student Governance Organization” means a student association as defined by the Regents’ Rules and Regulations, Rule 50203. Student Governance Organizations include Student Government, the Senate of College Councils, and the Graduate Student Assembly. Student Governance Organizations are sponsored by the Office of the Dean of Students.
12. “Student Organization” means a Sponsored Student Organization or a Registered Student Organization.
13. “University” means The University of Texas at Austin. For the purposes of this Chapter, “University” also includes all activities and programs sponsored by or affiliated with The University of Texas at Austin regardless of the actual location where such activities or programs occur, including but not limited to, field trips, internships, rotations, and clinical assignments.
14. “Vice President” means the Vice President for Student Affairs at The University of Texas at Austin or the Vice President’s delegate.

## Subchapter 6–200. Registration

### Sec. 6–201. Registration Required

Any group of students seeking to exercise any of the rights and privileges listed in section 6–301 must apply to the Dean of Students to be recognized as a Student Organization. An application for a new organization may be submitted during a period prescribed by the Dean of Students. Annual registration for existing Student Organizations occurs during a period prescribed and advertised by the Dean of Students.

### Sec. 6–202. Application and Obligations

1. A group of students that wants to be recognized or maintain their status as a Student Organization must
  - A. apply on a form prescribed by the Dean of Students;
  - B. identify at least ten members, three of which must be identified as Officers including one as president;
  - C. provide and maintain a complete and accurate roster of all members;
  - D. submit a current organization constitution; and
  - E. provide additional information as required by the Dean of Students.
2. To maintain status as a Student Organization, a group of students must provide and maintain the following, as prescribed by the Dean of Students:
  - A. a complete and accurate roster of all members, including identifying at least ten members, three of which must be identified as Officers including one as president;
  - B. a current organization constitution; and
  - C. additional information as required by the Dean of Students.

### Sec. 6–203. Membership

1. Student Organizations may not deny membership on the basis of race, color, religion, national origin, sex, pregnancy, age, disability, citizenship, veteran status, genetic information, sexual orientation, gender identity, or gender expression, except that
  - A. a Registered Student Organization created primarily for religious purposes may restrict the right to vote or hold office to persons who subscribe to the Registered Student Organization's statement of faith; and
  - B. a Registered Student Organization may restrict membership to a single sex in accordance with the provisions of Title IX of the Education Amendments Act of 1972,
2. Student Organizations must limit membership to students, faculty members, and staff members of the University (as defined in this Chapter).

### Sec. 6–204. Use of University Name

1. No student, unregistered group, or Registered Student Organization may use the name of the University or an abbreviation of the name of the University as part of its name.
2. No student, unregistered group, or Registered Student Organization may advertise or promote any event or activity in a manner that suggests that the event or activity is sponsored by the University.

### Sec. 6–205. Action on Registration Application

1. A Student Organization Registration Application may only be denied according to the following criteria:
  - A. the organization is ineligible under sections 6–202, 6-203, 6-204, or 6-512 of this Chapter;
  - B. there are bars, including financial, against the organization; or
  - C. the organization is under a disciplinary sanction prohibiting registration.

2. If an organization is denied registration, the Executive Director of Student Involvement or their delegate will provide the organization with a written statement of the reason(s) for denial.
3. The organization may appeal the denial to the Dean of Students by letter or by e-mail no more than five days after the day the written statement is received. The appeal must contain the organization's name and email address, a concise description of the decision, the organization's reason(s) for disagreeing with the decision, and the date the decision was announced.
4. When timely notice of appeal is received, the Executive Director of Student Involvement will send to the Dean of Students a copy of the written statement of the reason given for the decision.
5. The decision of the Dean of Students will be communicated by e-mail to the organization.

### Sec. 6-206. University Sponsorship of Student Organizations

1. All Sponsored Student Organizations must apply and receive approval for sponsorship through the application process prescribed by the Dean of Students.
2. A Sponsored Student Organization may use the name of the University or an abbreviation of the name of the University or any of the university trademarks or service marks as part of or in conjunction with its Student Organization name, but only with the prior written approval of the Dean of Students.
3. The University may not sponsor a student organization designed or implemented in reference to race, color, ethnicity, gender identity, or sexual orientation.
4. or that is involved in projects for private gain.
5. Student Governance Organizations must be sponsored by the University.
6. Sponsored Student Organizations must comply with all applicable fiscal and accounting procedures of The University of Texas at Austin.
7. Sponsored Student Organizations may not engage in political speech and should not issue statements or express positions on issues of the day. This prohibition does not apply to the speech of individual students in their personal capacities, and only relates to official sponsored student organization statements, functions, ceremonies, and publications. A Sponsored Student Organization that wishes to engage in political speech should reorganize as a Registered Student Organization.
8. Sponsored Student Organizations must comply with all provisions of HOP 3-2010-PM that apply to Sponsored Student Organizations.
9. Membership in a Sponsored Student Organization is at the discretion of the sponsoring department and subject to meeting the administrative and organizational requirements of the Sponsored Student Organization. The sponsoring department of a Sponsored Student Organization may remove a student member of the organization when the sponsoring department receives credible evidence that the student member engaged in activities under the color of their role within the organization that are inconsistent with the requirements of the organization or the scope of their authority to act on behalf of the organization

## Subchapter 6–300. Recognition, Activities and Obligations

### Sec. 6–301. Recognition and Activities

1. A Student Organization is granted the following privileges:
  - A. to be listed as a Student Organization;
  - B. to reserve the use of university facilities under subchapter 10–200 of the Institutional Rules;

- C. to raise funds or make other permissible solicitations on university property under section 13–205 of the Institutional Rules;
- D. to distribute literature under subchapter 13–400 of the Institutional Rules;
- E. to post signs under section 13–500 of the Institutional Rules;
- F. to hang banners under section 13–503 of the Institutional Rules;
- G. to set up A-frames under section 13–700 of the Institutional Rules;
- H. to set up a table under subchapter 13–600 of the Institutional Rules;
- I. to set up exhibits under subchapter 13–700 of the Institutional Rules;
- J. to use amplified sound under subchapter 13–800 of the Institutional Rules;
- K. to publicly assemble under subchapter 13–900 of the Institutional Rules;
- L. to present a guest speaker on university property in accordance with subchapter 13–1000 of the Institutional Rules;
- M. to apply for storage;
- N. to apply for recognition and awards; and
- O. to access event coordination consultations with Student Activities in the Office of the Dean of Students.

### Sec. 6–302. Obligations

1. To maintain Student Organization status, each organization must:
  - A. submit required registration materials each academic year.
  - B. keep a complete and current roster of all members. Identify at least ten members, including three Officers, one of whom must be designated as President.
  - C. ensure a current email address is on file for their Officers to receive university communications.
  - D. maintain and provide an up-to-date organizational constitution.
  - E. provide any additional information as requested by the Dean of Students.
  - F. complete the Safety Education Program annually. Advisors must complete the Safety Education Program Advisor Training at least once in their tenure as an advisor;
  - G. file a final report with the Dean of Students within 30 days after the start of the Fall and Spring Term. The report must include:
    1. Sources and amounts of money obtained from solicitations during the preceding semester or summer session.
    2. Any other information required by the Dean of Students about solicitation activities, per *Regents' Rules and Regulations*, Rule 80103, Number 2, Section 4.
  - H. conduct its affairs in accordance with local, state, and federal laws and the *Regents' Rules and Regulations*.
2. A Registered Student Organization that is a social Greek letter fraternity or sorority chapter (as defined under the provisions of Chapter 38, Section 1681 of the U.S. Education Amendments of 1972) will automatically be labeled as a sorority and fraternity and must comply with additional requirements administered by Sorority and Fraternity Life in the Office of the Dean of Students.
3. No Student Organization may re-register or use the facilities of the University if it owes a monetary debt to the University and the debt is considered delinquent by the crediting University department.
4. The Dean of Students retains discretion to revoke or deny registration of Student Organizations under disciplinary action; groups disciplined by their governing body; or groups that attempt to register under a different name to circumvent University policy or a disciplinary sanction.

5. A Student Organization may be subject to discipline by the University under subchapters 6-400 and 6–500 for violating a *Regents' Rule*, University of Texas System policy, or University policy, including but not limited to, this Chapter.

## Subchapter 6–400. Student Organization Discipline

### Sec. 6–401. Administration and Jurisdiction

1. The Dean of Students has primary authority and responsibility for the administration of the University process for Student Organizations alleged to have engaged in conduct that violates this Chapter. The Dean of Students delegates authority to, and is represented by the Student Conduct and Academic Integrity during the administration of the conduct process.
2. The leadership of a Student Organization is provided a copy of this policy annually in the form of a link on the university [catalog](#) (p. 1). Hard copies are available upon request from the Office of the Dean of Students. Students who are members of Student Organizations are responsible for reading and abiding by the provisions of this policy.
3. This policy and the student conduct process apply to the conduct of all Student Organizations. Suspended Student Organizations not currently recognized by the University, but participating in the provisional return program remain subject to this policy. Individual students who are members of a suspended Student Organization are subject to Chapter 11 of the Institutional Rules as individual students, and may be held individually accountable for their behaviors related to the Student Organization. Individuals who are members of a Student Organization may, through their actions, subject the Student Organization to disciplinary action under this policy, whether or not those individuals are also adjudicated under Chapter 11 of the Institutional Rules.
4. This policy applies to behaviors that take place on University property, at University or organization sponsored events whether on or off-campus, and may also apply to other off-campus behaviors when the Dean of Students determines that the off-campus conduct affects a university interest. Off-campus conduct that affects a university interest includes, but is not limited to:
  - A. Any situation where it appears that the Student Organization's conduct may present a danger or threat to the health or safety of individuals;
  - B. Any situation that significantly impinges upon the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder; or
  - C. Any situation that is detrimental to the educational mission and/or interests of the University.
5. This policy may be applied to behavior conducted electronically, including, but not limited to email, blogs, web postings, chats, social networking sites, and electronic applications, when the behavior falls within the scope of behaviors described in Section 6-401(4).
6. Student Organizations may be held accountable for the misconduct of their guests, regardless of their affiliation to the University. Visitors to and guests of the University may seek resolution of violations of this policy committed against them by a Student Organization and/or members of a Student Organization.
7. While there is no time limit on reporting violations of this policy, the University encourages individuals to submit reports of alleged violations in a timely fashion.
8. Anonymous complaints are permitted.
9. University disciplinary action will be based upon the "Preponderance of Evidence" standard. This standard is satisfied if the alleged violation is deemed more likely to have occurred than not. If an alternative set of facts is deemed by a Hearing Officer or Student

Conduct and Academic Integrity to be equally plausible to the set of facts that results in a finding of a violation, the standard is not met.

10. Notification of conduct proceedings, including but not limited to notice of allegations, interim action, meeting requests, hearings, and resolution, shall be sent by the Student Conduct to the Student Organization by letter or by e-mail, using the addresses on file with the Office of the Registrar or provided by the Student Organization per Sec. 6-302(a)(2).
  - A. A letter or email sent to an address listed in the registrar's records or provided per Sec. 6-302(a)(2) will constitute full and adequate notice.
  - B. The Student Organization's failure to provide and/or maintain current addresses, refusal to accept delivery of a letter, or failure to open an electronic message will not absolve the Student Organization from the requirements or directives contained therein. Policies on the use of e-mail for official correspondence are provided in [Appendix M](#).
11. Allegations of organizational conduct that is prohibited by HOP 3-3031 or HOP 3-3020 will be adjudicated in accordance with those policies. Incidents that indicate possible violations of this Chapter and the University Handbook of Operating Procedures 3-3020 ("HOP 3-3020") may be investigated jointly or concurrently by Student Conduct and the Department of Investigation and Adjudication ("DIA"), and the investigatory work produced as a result of the investigations may be shared between the two offices.
  - A. In instances where an investigation by Student Conduct results in a finding of a violation of this Chapter, Student Conduct may consider a joint or concurrent finding of a violation of HOP 3-3020 as an aggravating factor in assessing appropriate sanctions.

## Sec. 6-402 Other General Definitions

In this Chapter, unless the context requires a different meaning, the following definitions apply.

1. "Administrative Disposition" means a written statement of the alleged conduct, institutional rule(s) implicated, investigative findings, assessed sanction(s), and resolution options, that is issued to a Student Organization as part of a Case Resolution Form.
2. "Advisor" means a single individual who may accompany a Student Organization to a meeting with Student Conduct or a hearing regarding an alleged violation of University policy. An Advisor may confer with and advise the Student Organization but may not advocate for the Student Organization in a meeting with Student Conduct or in a hearing or directly address the Hearing Officer. An Advisor cannot be an individual alleged to be involved in the same disciplinary matter as the Student Organization. An advisor cannot serve as a witness for the Student Organization. If an Advisor is directly related to a conduct case or if the advisor's presence poses a conflict of interest, the Student Council, Hearing Officer may dismiss the advisor from the meeting or hearing. Advisors may be dismissed from any meeting, hearing, or conduct proceedings if they disrupt the process. A Sponsored Student Organization must use their Sponsored Student Organization Advisor or a University staff or faculty member from the sponsoring Academic or Administrative Unit as their disciplinary proceeding Advisor.
3. "Appellate Officer" means a person designated by the President to evaluate appeals and issue appellate decisions in a Student Organization conduct matters.
4. "Case Resolution Form" means a form issued to a student found to have engaged in a violation of this Chapter, and which includes the Administrative Disposition and the available resolution options.
5. "Disciplinary Decision" - A written decision issued the Dean of Students following a conduct hearing that communicates whether a

Student Organization is responsible or not responsible for a violation of this Chapter. The Disciplinary Decision includes the findings of fact in support of the decision along with the assessed sanction(s), if applicable.

6. "Disciplinary Record" means an administrative record maintained by Student Conduct in connection with a Student Organization's violation or alleged violation of university policy. The disciplinary record may include complaints, notices, hearing records, disciplinary decisions, and other documents required under this Chapter or deemed relevant by the Student Conduct.
7. "Executive Director" means the Executive Director for Student Conduct and Academic Integrity in the Office or the Dean of Students or their delegate.
8. "Hearing" means a formal proceeding in which a Student Organization, accused of violating university policy as defined in this Chapter and facing either suspension or expulsion, may present their case to a Hearing Officer. A Student Organization's meeting with a Student Conduct staff member shall not be classified as a 'Hearing' for the purposes of this Chapter.
9. "Hearing Officer" means a staff or faculty member appointed by the President of the University to conduct hearings of alleged violations of policy.
10. "Interim Action" means an action taken by Student Conduct against a Student Organization while Student Conduct is assessing an alleged violation of university policy by the Student Organization. Actions include but are not limited to suspension, suspension of rights or privileges, or a prohibition from activities or operations.
11. "President" means the president of The University of Texas at Austin or the President's delegate.
12. "Referral" means a report received by Student Conduct alleging conduct that may violate this Chapter.
13. "Responsibility Decision" - A written determination issued by a Hearing Officer following a conduct hearing, reflecting the Hearing Officer's determination on whether a student is responsible for a violation of this Chapter. This determination includes findings of fact and is submitted to the Dean of Students to make a Disciplinary Decision, including the assessment of sanctions, if applicable.
14. "Sanction" means an official action by the University against a Student Organization found responsible for violating this Chapter. Sanctions include all items listed in Section 6-510 of this Chapter.
15. "Student Conduct" means Student Conduct and Academic Integrity in the Office of the Dean of Students or its delegate.
16. "University Investigation" means a process used to adjudicate allegations of Prohibited Conduct pursuant to Section 6-507 of this Chapter.

## Sec. 6-404 Prohibited Conduct of Student Organizations

1. The Student Conduct may initiate disciplinary proceedings under subchapter 6-500 against a Student Organization suspected of engaging in or attempting to engage in any of the following activities:
  - A. **Local, State, or Federal Law Violations** – any behavior that may violate any federal, state, or local law, ordinance, or regulation;
  - B. **Weapons** – possesses, uses, or displays firearms, facsimile firearms, ammunition, explosives, or other items that could be used as weapons, including but not limited to sticks, poles, clubs, swords, shields, body-armor or make shift body-armor, masks, helmets and other garments, such as sporting protective gear, that alone or in combination could be reasonably construed as weapons or body-armor on property owned or controlled by the University, without written permission from the Dean of Students, unless authorized by federal, state or local laws; or, violates [Policy 8-1060, Campus Carry, of the Handbook of Operating Procedures](#);

- C. **Dangerous Materials** – unauthorized use of a hazardous substance (chemicals, fireworks, explosives, etc.) with the intent to cause harm, threat, or fear;
- D. **Threatening or Endangering Behavior** – any behavior that threatens or endangers the health or safety of any student, employee, or visitor to the University;
- E. **Theft** – use, possession, taking, or removal of property, services, or resources of others without permission or authorization;
- F. **Hazing or Hazing Activity** – any intentional, knowing, or reckless act, occurring on or off of the campus of an educational institution, by one person alone or acting with others, directed against a person, for the purpose of pledging, joining, being initiated into, affiliating with, holding office in, or maintaining membership in any organization, and for which consent may not serve as a defense. Hazing includes but is not limited to:
1. any type of physical brutality, such as whipping, beating, striking, branding, electric shocking, placing of a harmful substance in or on the body, or similar activity;
  2. any type of physical activity that involves or results in sleep deprivation, exposure to the elements, confinement in a small space, calisthenics, or other activity that subjects the person to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the person;
  3. any activity involving consumption of a food, liquid, alcoholic beverage, liquor, drug, or other substance, in addition to those described by Paragraph E, that subjects the person to an unreasonable risk of harm or that adversely affects the mental or physical health or safety of the person;
  4. any activity that involves coercing, as defined by Section 1.07 Penal Code, a student to consume a drug or an alcoholic beverage or liquor in any amount.;
  5. any activity that induces, causes, or requires the person to perform a duty or task that involves a violation of the Penal Code. See Texas Education Code, Section 37.151(6) for more information;
- G. **Alcohol Misconduct**
1. engages in unauthorized use, possession, sale, distribution, or consumption of alcoholic beverages on or in university property, including but not limited to a classroom, laboratory, auditorium, office, athletic facility, or residence hall;
  2. engages in the improper use, possession, sale, distribution, or consumption of alcoholic beverages, including but not limited to underage possession of alcohol, underage consumption of alcohol, providing alcohol to a minor, public intoxication, minor driving under the influence of alcohol, or driving while intoxicated;
- H. **Drugs**
1. engages in the unauthorized use or possession of a drug, or possession of drug paraphernalia;
  2. engages in the unauthorized sale or distribution of a drug;
- I. **Property**
1. **Unauthorized Use** – engages in unauthorized use of property, keys, equipment, resources, supplies, buildings, or facilities owned or controlled by the University or The University of Texas System;
  2. **Unauthorized Entry** – engages in unauthorized entry into property, buildings, structures, or facilities owned or controlled by the University or The University of Texas System;
  3. **Damage** – damages, defaces, destroys, or tampers with property of the University, property belonging to any student or employee of the University, or property of a visitor to the University;
4. **Water and Fountains** – enters, remains, or is in the water of any fountain or other artificial body of water on the university campus that is not designed and maintained for recreational or therapeutic purposes; dumps, throws, places, or causes to be placed any material, object, trash, person, animal, waste, or debris in the water of any fountain or other artificial body of water located on the university campus;
- J. **Technology Misuse**
1. engages in unauthorized use of an information technology resource owned or controlled by the University or The University of Texas System;
  2. engages in unauthorized access or entry into a computer, computer system, network, database, software, or data;
  3. engages in unauthorized downloading, copying, or distribution of computer software or data;
- K. **Stalking** – a course of conduct directed at a specific person that would cause a reasonable person to fear for the person's safety or the safety of others or would cause that person to suffer substantial emotional distress. (Please note that Stalking here in 11-402(a)(14) is separate from the gender or sex-based stalking rule included in HOP 3-3031.)
1. A "course of conduct" means two or more acts, including, but not limited to, acts in which a person directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens or communicates to or about a person or interferes with a person's property.
  2. "Reasonable person" means a hypothetical person of average caution and prudence under similar circumstances to the complainant.
  3. "Substantial emotional distress" means significant mental suffering or anguish that disrupts or impairs usual functioning. It may, but does not necessarily, require medical or other professional treatment or counseling.
- L. **False and Misleading Information**
1. engages in the falsification of academic records, including but not limited to altering or assisting in the alteration of any official record of the University or The University of Texas System and submitting false information or omitting requested information that is required for or related to any academic record of the University or The University of Texas System. Academic records include, but are not limited to, applications for admission, the awarding of a degree, registration materials, grade change forms, and reporting forms used by the Office of the Registrar;
  2. furnishes false information to or withholds material information from any university official, Faculty Member, or staff member acting in the course of their duties;
  3. alters or assists in the alteration of any official nonacademic record or document, including parking permits and athletic tickets, of any university office or of The University of Texas System.
- M. **Unauthorized Surveillance or Distribution**
1. engages in surveillance or recording of any type without the consent of the person or persons being surveilled or recorded in areas where there is a reasonable expectation of privacy;
  2. engages in broadcasting or distribution, without the consent of all involved parties, of a recording or other surveilled material, that meets the definition of Unauthorized Surveillance in Sec. 11-402(a)(17)(A).
- N. **Disruptive Conduct**

1. engages in conduct that interferes with or disrupts any teaching, research, administrative, disciplinary, public service, learning, or other authorized activity;
2. engages in promoting or inciting conduct that interferes with or disrupts any teaching, research, administrative, disciplinary, public service, learning, or other authorized activity;

**O. Failure to Comply**

1. failure to comply with the directions of any university official(s) acting in the performance of their duties, and who has the authorization to issue such directives;
2. failure to identify oneself to a university official(s) when requested to do so;
  - a. A person identifies themselves by giving their name and complete address, substantiated by a current driver's license, voter registration card, or other official documentation, and by stating truthfully whether or not they are a student or employee of the University.
3. failure to comply with rules, regulations, procedures, policies, standards of conduct, or any other directive of the University, including but not limited to schools, colleges, departments, or labs;

**P. Targeted Residential Disturbance** -- engages in conduct that violates federal or state law, or city ordinance, either individually or in concert with others, and in close proximity to a University employee's residence, that intimidates the employee or otherwise diminishes the employee's or their fellow residents' ability to maintain the peaceful enjoyment of their home.

**Q. Violent Conduct** – any conduct that physically harms or injures another person;

**R. Animal Cruelty** – any conduct with an animal that may violate any provision of federal, state, or local laws;

1. Intentionally, knowingly, or recklessly torturing or in a cruel manner killing or causing serious bodily injury to an animal;
2. Failing to provide proper care for an animal in a person's custody, including but not limited to failing to provide necessary food or water, unreasonably abandoning an animal, or transporting or confining an animal in a cruel manner;
3. any other conduct with an animal that may violate any provision of federal, state, or local laws;
  - a. Conduct occurring solely for the purpose of or in support of fishing, hunting, or trapping; or wildlife management, wildlife or depredation control, or shooting preserve practices as regulated by state and federal law; or animal husbandry or agriculture practice involving livestock animals shall not be interpreted as a violation of this rule.

**S. University System Violations** – any conduct that violates any provision of the Regents' *Rules and Regulations* of The University of Texas System;

**T. Retaliation** – any action taken to materially and adversely affect the terms or conditions of an individual's academic experience or employment with the University, or other institutional status of a student, employee, university affiliate, visitor, or applicant for admission to or employment with the University, because an individual has, in good faith:

1. reported or intends to make a report under university policies or rules;
2. opposed an unlawful practice;
3. participated in an investigation or conduct proceeding; or,
4. requested supportive or protective measures;

**U. Aiding in Academic Misconduct** - the Student Organization aids, encourages, organizes, approves or otherwise participates in behaviors that would constitute collusion, plagiarism, misrepresentation (e.g. having another Student Organization member check into a class or take an exam) and/or other forms of Academic Misconduct. Evidence of a violation of this policy must demonstrate systemic participation and/or knowledge of misconduct beyond 1-2 Student Organization members participating in the violation.

**V. Institutional Rules Violations** – any conduct that violates any provision or rule defined in other chapters of the *Institutional Rules on Student Services and Activities*.

## Subchapter 6–500. Disciplinary Procedures

### Sec. 6–501. Notice and Initiation of Disciplinary Proceeding

1. Allegations of Prohibited Conduct committed by Student Organizations shall be referred to the Student Conduct for a determination of responsibility and, if applicable, assessment of sanctions(s), in accordance with the procedures detailed in this Chapter.
  - A. In accordance with Sec. 10-202(a)(3), Academic and Administrative Units possess the authority to establish and enforce administrative policies regarding access to and the use of building space; however, those units shall not engage in further action related to the Student Organizations. If there are issues regarding other possible policy and rule violations, the Academic and Administrative Units should refer those to the Student Conduct for processing in accordance with this Chapter's procedures.
2. A Student Organization engages in Prohibited Conduct when
  - A. one or more of its Officers acting in the scope of their organizational capacities engages in Prohibited Conduct;
  - B. one or more of its members engages in Prohibited Conduct and the action that constitutes Prohibited Conduct was approved by majority vote of those members of the Student Organization present and voting;
  - C. one or more members of a committee of the Student Organization engages in Prohibited Conduct while acting in the scope of the committee's assignment;
  - D. a member of the Student Organization engages in Prohibited Conduct while acting with apparent authority of the Student Organization;
  - E. the Student Organization, its officers, or a cohort of its members, engage in orchestrated conduct to permit, encourage, aid, or assist any of its members in engaging in Prohibited Conduct;
  - F. the Student Organization, its officers, or a cohort of its members, under circumstances where such persons knew or should have known that orchestrated conduct constituting Prohibited Conduct was occurring or about to occur, and fails to take steps to stop the conduct; or
  - G. the Student Organization, its officers, or a cohort of its members engage in orchestrated conduct to prevent the appropriate university or civil authorities from investigating alleged conduct.
3. When the Student Conduct receives notice that a Student Organization has allegedly engaged in Prohibited Conduct under Section 6-404, the alleged violation will be preliminarily investigated. Upon completing the preliminary investigation, the Dean of Students may:
  - A. dismiss the allegation if there is insufficient evidence to proceed with an investigation, and/or the information collected, even if true, would not constitute Prohibited Conduct; or
  - B. pursue the appropriate resolution option as outlined in Section 6-503.

4. Dismissal at this stage is not a determination of responsibility. The Dean of Students may reopen a matter dismissed at this stage and proceed to resolution pursuant to Section 6-503 if it receives additional information that supports such a determination.
5. If the Dean of Students determines that there are reasonable grounds for proceeding with the disciplinary process, the Dean of Students will identify the appropriate resolution option as outlined in section 6-503.
6. If an organization chooses to self-report Prohibited Conduct, the Dean of Students may, in its sole discretion, only investigate the individual(s) implicated in the report.
  - A. If information is uncovered in the investigation that suggests that the Student Organization aided, encouraged, sanctioned or organized the Prohibited Conduct, the Dean of Students may initiate an investigation of the Student Organization as outlined in Sec. 6-507.

### Section 6-502. Interim Actions

1. Pending an investigation, hearing, or outcome of the allegations against a Student Organization, the Executive Director may take immediate action, as is appropriate to the circumstances, against a Student Organization that is alleged to have engaged in Prohibited Conduct, when, in the opinion of the official, the interest of the University or The University of Texas System would be served by interim action.
2. Student Organizations seeking a review of an interim action must submit a written request for an administrative review to the Dean of Students.
  - A. This administrative review will occur within two (2) business days of the Dean of Student's receipt of the request unless the Dean of Students, in their discretion, determines that additional time is needed to conduct the review.
  - B. Notice will be sent to the Student Organization if the Dean of Students extends the time for review beyond the initial five business day period.
  - C. This administrative review is not a hearing on the merits of the underlying allegations, but is merely a review to determine what, if any, interim actions are appropriate. The review may lead to a continuance, revocation, and/or modification of the interim actions, including modifications that may be more restrictive than the initial actions. The Dean of Students will notify the Student Organization officers of the outcome of the review in writing within three (3) business days of the review meeting. This notification will include the decision and the rationale for that decision.
3. If the University Investigation lasts beyond 30 days (as outlined below, beginning from the date of the Preliminary Conference), the Student Organization may request another review of the interim action(s), which will be handled similarly to the initial request for review as outlined above.

### Sec. 6-503. Resolution Options

1. Allegations that a Student Organization has engaged in Prohibited Conduct may be resolved pursuant to one of four available processes:
  - A. Prescribed Resolution (Tier 1) pursuant to Section 6-504;
  - B. Partnership Process Resolution (Tier 2) pursuant to Section 6-506;
  - C. University Investigation (Tier 3) pursuant to Section 6-507;
  - D. A Mutual Resolution Agreement pursuant to Section 6-509.
2. The University will develop, publish and regularly update a Violation Rubric to use in determining which resolution option may be available to a Student Organization to resolve allegations that it

engaged in Prohibited Conduct. The Violation Rubric provides a recommendation for an appropriate resolution option that is based on the following criteria:

- A. the severity of the alleged violations
  - B. the allegation of physical, sexual or other forms of violence
  - C. the risk of harm to other persons
  - D. the conduct history of the Student Organization
  - E. current status of the Student Organization; and
  - F. other relevant factors.
3. Upon notice of a potential violation, the Dean of Students will use the Violation Rubric to assess the allegations and determine which resolution options may be made available to address the allegations of Prohibited Conduct. The recommendation provided by the Violation Rubric is not binding upon the Dean of Students, and the Dean of Students reserves the right, at any time during the resolution process, to require the allegations of Prohibited Conduct be resolved through a higher tier resolution process. The Student Organization may, in all cases, elect to resolve the allegations through a University Investigation.
  4. At any time, the University may offer to the organization the opportunity to resolve the matter through a Mutual Resolution Agreement as outlined in Sec. 6-509.

### Sec. 6-504. Prescribed Resolution Process

1. The Prescribed Resolution Process permits the Dean of Students and the Student Organization to resolve allegations of Prohibited Conduct without engaging in a formal investigation. In these cases, the Dean of Students may determine that the preponderance of the evidence supports a conclusion that the Prohibited Conduct occurred without further investigation or meeting with the Student Organization's representative and send an outcomes letter to the Student Organization's Officer(s) outlining the finding, the sanctions, and the rationale for both.
2. Upon receipt of this letter, the Student Organization may do one of the following:
  - A. Accept the finding and sanctions
    - i. If the Student Organization follows the directives outlined in the outcomes letter, the matter will be considered closed once the sanctions are completed. Failure to complete the sanctions may result in the Dean of Students opening an additional disciplinary action; or
  - B. Accept the finding, but appeal the assessed sanctions with a written appeal to an Appellate Officer; or
  - C. Decline to accept the findings and sanctions
    - i. The Student Organization may reject the findings, and the matter will be resolved through a University Investigation as described in Sec. 6-507.
3. The Student Organization must notify the Dean of Students of their choice from the above within three (3) business days of receipt of the letter.
4. If the Student Organization does not respond to the letter, the findings and sanctions assessed by the Dean of Students will be formally adopted and the Student Organization must comply with the assessed sanctions.

### Sec. 6-505. The Preliminary Conference

1. In instances in which allegations of Prohibited Conduct will be resolved through the Partnership Process or a University Investigation, Student Conduct will provide the organization with notice of the charges and an opportunity for the Student Organization Officer(s), the Student Organization Advisor(s), and the Student Organization's inter/national governing body (if applicable) to respond. This opportunity may be provided during an in-person

conference or via email and will include information regarding the nature of the allegations, the rights and responsibilities of the Student Organization, the resolution options available to the Student Organization, and the specific steps involved in the different resolution options.

2. If the Student Organization fails to provide a response, whether offered in-person or via email, Student Conduct will pursue the allegations using the University Investigation process described in Section 6-507.

### Sec. 6-506 - Partnership Process

1. The Partnership Process permits the Student Organization to conduct an internal investigation subject to oversight and approval of Student Conduct. Student Conduct may also conduct a concurrent investigation as described in Sec. 6-507.
2. If the organization agrees to the Partnership Process, Student Conduct will, in consultation with the Student Organization Officer(s), Advisor, and other appropriate parties, develop an investigation scope and timeline.
3. The Student Organization must conduct an investigation and submit a written report within the agreed-upon timeline, or as otherwise specified in writing by the Dean of Students. The report should be detailed, including the names of specific individuals involved in the alleged violation, and any internal disciplinary action the Student Organization implemented for those individuals.
4. Student Conduct will review the Student Organization's investigation report and will make one of the following determinations:
  - A. Student Conduct agrees that the report is complete and may schedule a Partnership Process Resolution Meeting to discuss the report and findings and review next steps;
  - B. Student Conduct determines that the report is insufficient, incomplete, or inconsistent with the university's investigation, if applicable, and provides feedback and instruction for further investigation to the Student Organization; or
  - C. Student Conduct determines that the Student Organization has intentionally provided inaccurate or incomplete information, obstructed the process, is non-compliant, is uncooperative, or is unable to complete the investigation and report in a satisfactory manner. Student Conduct will then determine whether to move forward with investigation and adjudication of the allegations as described in Sec. 6-507.
5. Once Student Conduct has determined that the report is complete, Student Conduct will communicate with the Student Organization's Officer(s), Advisor, and other parties as appropriate, and one of the following determinations will be made:
6. **No Policy Violation:** If the Student Organization report determines that no policies were violated by the Student Organization, the process concludes.
7. **Policy Violation(s):** If Student Conduct determines that the Student Organization report indicates that the Student Organization was responsible for some or all policy violation(s) that were alleged, Student Conduct will issue an Administrative Disposition formally outlining the violation(s) and the proposed sanction(s).
8. Following the presentation of an Administrative Disposition, the Student Organization may choose to:
  - i. Accept the finding and assessed sanctions;
  - ii. Accept the finding, but appeal the assessed sanctions with a written appeal to an Appellate Officer; or,
  - iii. Contest the finding in a hearing if the sanction proposed by Student Conduct included Suspension or Expulsion.

iv. If the assessed sanctions do not include Suspension or Expulsion, the Student Organization may contest the finding with a written appeal to an Appellate Officer.

9. When issued an Administrative Disposition, the Student Organization must communicate its choice to Student Conduct in no more than five (5) business days.
10. If the Student Organization does not respond to the Administrative Disposition, the findings and sanctions assessed by Student Conduct will be formally adopted and the Student Organization must comply with the assessed sanctions.

### Sec. 6-507. University Investigation

1. Student Conduct or the Student Organization may elect to resolve any allegations of Prohibited Conduct through a University Investigation.
2. An investigation is an administrative process by which Student Conduct gathers information related to the alleged Prohibited Conduct. The investigation may include but is not limited to, meeting with Officer(s) and members of the accused Student Organization; requesting documents from the Student Organization; reviewing organizational records; reviewing information received by off-campus persons or organizations, including law enforcement; reviewing information received by an academic or administrative unit; and calling witnesses.
3. Student Organizations that fail to respond to meeting requests from Student Conduct may be subject to interim action as described in subsection 6-502.
4. At the completion of the investigation, Student Conduct will provide a written draft of the investigation report to the Student Organization for review and comment. The Dean of Students will make the final determination of the relevance of any information gathered during the investigation.
5. The Student Organization must provide any comments related to the investigation report in writing to Student Conduct within five (5) business days of the receipt of the report
6. At the completion of the investigation, if no policy violation has been found Student Conduct will provide a copy of the final report and the determination to the Student Organization. Student Conduct may choose to meet with the Student Organization's Officer(s) to discuss the findings of the report and ongoing behavioral expectations.
7. At the completion of the investigation, if there is sufficient evidence to issue a finding of responsibility for violation of policy, Student Conduct will issue an Administrative Disposition, including a determination of responsibility and related sanction(s).
8. Following the presentation of an Administrative Disposition, the Student Organization may choose to:
  - A. Accept the finding and assessed sanctions;
  - B. Accept the finding, but appeal the assessed sanctions with a written appeal to the Appellate Officer; or,
  - C. Contest the finding in a hearing if the sanction proposed by Student Conduct includes Suspension or Expulsion.
  - D. If the assessed sanctions do not include Suspension or Expulsion, the Student Organization may contest the finding with a written appeal to an Appellate Officer.
9. The Student Organization must make their selection and notify Student Conduct of their choice in no more than five (5) business days.
10. If the Student Organization does not respond to the Administrative Disposition, the findings and sanctions assessed by Student Conduct will be formally adopted and the Student Organization must comply with the assessed sanctions.

## Sec. 6-508. Formal Hearing

1. If hearing-eligible, the Student Organization may have the case adjudicated by a Hearing Officer.
2. Student Conduct will give notice, per Sec. 6-401(k), to the Student Organization's Officer(s) at least five (5) days before the hearing date.
3. The notice will:
  - A. state the date, time, and location of the hearing;
  - B. inform the Student Organization Officer(s) of their rights as outlined in this section.
4. Student Conduct will establish hearing procedure and share that procedure with the student organization in advance of the hearing. Hearing procedures are posted on Student Conduct website.
5. The Student Organization may bring an Advisor of their choosing to the hearing. The Advisor may not speak on behalf of the Student Organization, question witnesses, or actively participate in the hearing other than to advise the Student Organization Officer(s). In accordance with Sec. 6-402(2), a Sponsored Student Organization must use their Sponsored Student Organization Advisor or a university staff or faculty member from the sponsoring Academic or Administrative Unit as their disciplinary proceeding Advisor.
6. The Hearing Officer will render a written Responsibility Decision that includes whether the Student Organization is believed to be responsible for a violation of policy and the facts in support of the finding. The Responsibility Decision will be submitted to the Dean of Students for sanctioning. The Hearing Officer shall complete the Responsibility Decision within five (5) days of the hearing. If the Hearing Officer is unable to issue the written Responsibility Decision within five days, they shall provide notice of the delay to the student, Student Conduct, and the Dean of Students. Student Conduct will establish the new deadline for submission of the decision.
7. In cases involving allegations of crimes of violence, as defined in the Family Educational Rights and Privacy Act (FERPA) and other applicable law, the Dean of Students shall notify the alleged victim(s) of the final outcome.

## Sec. 6-509. Mutual Resolution Agreement

1. At any point during the conduct process, the Student Organization may submit a request to Student Conduct to enter into a Mutual Resolution Agreement. A Mutual Resolution Agreement is a collaboration between Student Conduct and the Student Organization to resolve the disciplinary matter in a way that eliminates the behavior(s) and prevents its recurrence, within the practice and culture of the organization. Student Conduct may continue pursuing an investigation even if a Student Organization requests to enter into a Mutual Resolution Agreement. A Mutual Resolution Agreement is not a finding of responsibility, nor does it absolve the Student Organization of responsibility for any alleged violations. Rather, it is an opportunity to resolve an allegation of misconduct through a set of agreed-upon terms designed to improve the Student Organization's culture.
2. The result of this resolution process is an agreement between the Student Organization and the university intended to restructure and rehabilitate the conduct and practices of the Student Organization through the completion of specified terms and conditions, which may include the development of Sanctions as outlined in Sec. 6-510.
3. This agreement will last for a specified period of time, during which the Student Organization will be granted conditional registration. This conditional registration may be terminated if the organization is found in violation of any university policies as outlined in the Institutional Rules, or if the organization fails to comply with the terms and conditions of the agreement.

## Sec. 6-510. Sanctions

1. At the conclusion of the conduct process, sanctions will implement Sanctions for any Student Organization that has engaged in Prohibited Conduct. The Sanctions may include Status Sanctions, Educational Sanctions, and/or Structural Sanctions as described below.
2. Sanctions may be assessed individually, in combination, or to follow consecutively.
3. Record of the finding of a violation shall be maintained by Student Conduct for a period of no less than seven (7) years. If a Student Organization loses campus recognition, Student Conduct will maintain the Sanctions Letter indefinitely. If applicable, a copy of the case resolution may be sent to their Inter/National Organizational Governing Body or other appropriate parties.
4. Student Conduct and/or the appropriate university department will oversee the completion of sanction(s). If the student organization misses any deadlines, fails to complete any sanction(s), and/or has a subsequent violation(s), the Student Organization may be subject to additional sanction(s) and/or disciplinary actions at the discretion of Student Conduct.
5. **Status Sanctions** - Pursuant to section 6-501, the following status sanctions may be assigned to a Student Organization for violation of a *Regents' Rule*, university regulation, or administrative rule:
  - A. "Written Warning" means that the Student Organization's Officer(s) have been notified that the organization has engaged in behavior that violated a rule or regulation of The University of Texas System or the University. Student Conduct or the Dean of Students may impose conditions related to the violation to address the behavior that led to the violation. Further violations may result in a minimum of probation for the organization.
  - B. "Probation" means a specified period of time during which the Student Organization is required to comply with specified terms and conditions to address the behavior that led to the violation. During this specified period of time, Student Conduct or the Dean of Students may restrict one or more of the organization's privileges, as listed in Section 6-300.
  - C. "Deferred Suspension" means that the conduct of the Student Organization could have resulted in suspension, but the suspension is deferred for a period of observation and review. During the period of deferred suspension, Student Conduct or the Dean of Students may restrict one or more of the organization's privileges, as listed in Section 6-300.
  - D. "Suspension" means a specified period of time during which the Student Organization is prohibited from utilizing specified privileges, as listed in Section 6-300, and is required to comply with specified terms and conditions to address the behavior that led to the violation.
  - E. "Expulsion" means a permanent separation from the University and prohibits the Student Organization from university recognition. This status results in the automatic loss of all rights and privileges associated with university recognition. Formally referred to as Cancellation.
6. A Student Organization placed on Suspension/Expulsion is prohibited from sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on campus. Suspension/Expulsion may also include the forfeiture of other specifically listed privileges. Suspension should be for a specific and determined time period, and will include a written return agreement outlining specific conditions for return. The Suspension may be delayed or extended at the discretion of Student Conduct or the Dean of Students based on ongoing activity during a period of suspension.

7. If the Student Organization dissolves or loses recognition, as a result of organizational conduct, and then attempts to seek recognition under the guise of a different organizational name, the University reserves the right to deny the request for recognition or withdraw the recognition. This conclusion may be based on multiple factors, including but not limited to, overlapping membership, similarity of purpose, and the timing of the dissolution or prior loss of recognition and the request for new recognition.
8. **Educational Sanctions** - Educational Sanctions may include, but are not limited to, educational programming, community service, interventions, restorative practice, or workshops determined to help develop the culture and community of the Student Organization.
9. **Structural Sanctions** - Structural Sanctions are related to the structure, membership, or governance of the organization. Structural sanctions, developed in collaboration with the inter/national organizational governing body (if applicable), may include, but are not limited to, changes to organizational operating procedures, a review of organization membership/leadership, an external review of the organization, and changes to organization advisor support.

### Sec. 6-511. Appeals

1. The Student Organization may appeal the finding of responsibility or sanction(s) issued as a result of an Administrative Disposition or the Dean of Student's Disciplinary Decision.
2. Requests for appeals must be submitted in writing to Student Conduct within five (5) business days from the date on which the Student Organization signed the Administrative Disposition or within five (5) days of receipt of Disciplinary Decision from the Dean of Students. The request for appeal must state the ground(s) for appeal and include the Student Organization's argument in support of appeal.
3. The Student Organization may proceed with an appeal based on one or more of the following limited grounds:
  - A. **Procedural Error:** A procedural error or omission occurred that significantly impacted the outcome of the hearing
  - B. **New Evidence:** New evidence is information that was unknown or unavailable during the original hearing or investigation that could substantially impact the original finding or sanction. A summary of this new evidence, how it was previously unknown or unavailable, and its potential impact must be included.
    - i. If a person or Student Organization Officer refused to testify or participate in the investigation and now wishes to submit their testimony as new evidence at the appellate level, that testimony will not be considered "new evidence" under this ground. The Appellate Officer may determine if the matter will be sent back for further investigation based on this request for appeal.
  - C. **Disproportionate Sanction(s):** The Sanctions(s) imposed is significantly disproportionate the violation(s), or are of such nature that the Student Organization could not reasonably complete them within the allotted timeframe.
4. An Appellate Officer will review the request for appeal to determine if the request states one or more of the permissible grounds for appeal. If the request for appeal states one or more of the permissible grounds for appeal, the Appellate Officer will consider the appeal on its merits.
5. The burden is on the appealing party to show that the grounds for an appeal are met using the preponderance of the evidence standard.
6. If there is a challenge to any member of the process (e.g., a challenge of bias by an investigator or Hearing Officer), Student Conduct may share all or part of the appeal with the challenged party to allow them to respond. The response must be provided to Student Conduct within five (5) business days of receipt of the notice of the request

for appeal. The Appellate Officer serving in the reviewer role will issue their decision to allow the appeal to proceed in whole or in part or to deny the appeal within five (5) days of receipt of all information and responses.

7. The Appellate Officer will issue their decision within five (5) days of receipt of all information and responses. In instances where the Appellate Officer needs additional time, the Appellate Officer will notify the Student Organization's Officer(s) within the allotted time for issuing a decision.
8. Appeals are not intended to be full re-hearings of the original allegation(s). Appeals are confined to a review strictly limited to the matters being appealed.
9. When an appeal is granted for the appellant, the Appellate Officer may alter the finding or Sanction or remand the case with recommendations to Student Conduct for reconsideration, rehearing, or further investigation.
10. The decision of the Appellate Officer is final.

### Sec. 6-512. Provisional Return.

1. In some circumstances, Student Organizations assigned a sanction of Suspension or Expulsion for a violation of this Chapter, may petition the University for a provisional early return to campus. This subchapter sets out the standards regarding the application and the eligibility determination to begin the provisional return process.
  - A. **Criteria.** Student Organizations must meet the following criteria to be eligible to begin the early provisional return process:
    - i. a Student Organization may petition for a disciplinary review by the Dean of Students after completion of no less than half the term assigned Suspension or Expulsion;
    - ii. the suspended Student Organization has not applied for recognition under this Chapter using a different name; and
    - iii. members of the organization at the time of the suspension have not had any documented instances of misconduct during the period of loss of recognition that could be reasonably associated with the Student Organization.
  - B. **Advisor Designation** - An applicant must identify an advisor, who meets the criteria established in Section 6-101(8), who will assist in working through the early provisional return process with the Student Organization and university officials. In the event the applicants cannot identify such an advisor, or if they prefer assistance in selecting one, the Office of the Dean of Students, will assign an advisor. Advisor designations for this subsection must be approved by the Dean of Students.
  - C. **Eligibility Determination** - The Executive Director will assess the application and determine whether or not the organization has met the eligibility requirements. If eligibility criteria are met, the Executive Director will convene a review committee to recommend to the Executive Director whether to uphold the existing sanction or allow the organization to begin the provisional return process. The Executive Director will review the application materials and the recommendation of the committee, to make the determination. An organization may make a request, in writing, for reconsideration of that determination to the Dean of Students. Requests for reconsideration must be made within three business days of the Executive Director's determination. The Dean of Students' determination is final and not appealable.
  - D. **Approval to begin early provisional return process** - If the application is approved, a Student Organization will begin the process prescribed by the Dean of Students and published on the Student Conduct and Academic Integrity [website](#). If a Student Organization fails to meet the requirements of the early provisional return process or has any conduct violations during

- the period of provisional return, the University may revoke the Student Organization's provisional status.
- E. A Student Organization approved for early provisional return will remain on provisional status until it has completed all requirements of the early provisional return process and the original Suspension or Expulsion term has been met.
2. In circumstances where a Student Organization has completed its full Suspension or Expulsion term for a violation of this Chapter, the organization may petition the University for a provisional return to campus.
- A. Criteria - Student Organizations must meet the following criteria to be eligible to begin the provisional return process:
- i. a Student Organization may petition for a disciplinary review by the Dean of Students after completing the term assigned for Suspension or Expulsion;
  - ii. the suspended Student Organization has not applied for recognition under this Chapter using a different name; and
  - iii. members of the organization at the time of the Suspension or Expulsion have not had any documented instances of misconduct during the period of loss of recognition that could be reasonably associated with the Student Organization.
- B. Advisor Designation. An applicant must identify an advisor, who meets the criteria set at above at 6-101(8), who will assist in working through the early provisional return process with the Student Organization and university officials. In the event the applicants cannot identify such an advisor, or if they prefer assistance in selecting one, the Office of the Dean of Students, will assign an advisor. Advisor designations for this subsection must be approved by the Dean of Students.
- C. Eligibility Determination. The Executive Director of Student Conduct and Academic Integrity, or designee, will assess the application and determine whether or not the organization has met the eligibility requirements. If eligibility criteria are met, the director will convene a review committee to recommend to the Dean of Students whether to uphold the existing sanction or allow the organization to begin the provisional return process. The director will review the application materials and the recommendation of the committee, to make the determination. An organization may make a request, in writing, for reconsideration of that determination to the Dean of Students. Requests for reconsideration must be made within three (3) business days of the director's determination. The Dean of Students' determination is final and not appealable.
- D. Approval to begin provisional return process. If the application is approved, a Student Organization will begin the process prescribed by the Dean of Students and published on the Student Conduct and Academic Integrity [website](#). If a Student Organization fails to meet the requirements of the provisional return process or has any conduct violations during the period of provisional return, the University may revoke the Student Organization's provisional status. If a Student Organization fails to meet the requirements of the provisional return process or has any conduct violations during the period of provisional return, the University may revoke the Student Organization's provisional status.
- E. A Student Organization approved for provisional return will remain on provisional status until they have completed all requirements of the provisional return process.

Relates to *Handbook of Operating Procedures*, 3-3031.