

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.

- a. “Academic or Administrative unit” means any office or department of the University.
- b. “Day” means a calendar day from 8:00 a.m. to 5:00 p.m., and excludes weekends, University holidays, and days on which regularly scheduled classes are suspended due to emergent situations. If a deadline defined in this chapter falls on a Saturday, Sunday, University holiday or skeleton crew day, that deadline will be moved to the next day.
- c. “Dean of Students” means the Dean of Students of The University of Texas at Austin or the Dean of Students’ delegate or representative.
- d. “Legislative Student Organization” or “Student Governance Organization” means a student association as defined by the Regents’ *Rules and Regulations*, Rule 50203. Legislative Student Organizations include but are not limited to Student Government, the Senate of College Councils, and the Graduate Student Assembly. Legislative Student Organizations are sponsored by the Office of the Dean of Students.
- e. “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.
- f. “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, supervision, and assumption of responsibility, and 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 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 taking action as necessary to ensure that all affairs of the Sponsored Student Organization are consistent with the mission and culture 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 accepting 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.
- g. “Registered Student Organization” means a Student Organization holding a valid registration under this chapter. Registered Student Organizations are considered private entities and are not viewed as extensions of an academic or administrative unit, or of the University. Registration ensures privileges as outlined in subsection 6-301 and allows the Registered Student Organization to function within the institutional context.
- h. “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;
 1. a part-time or full-time employee of the University; or
 2. a representative of a national 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.
- i. “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.
- j. “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 he or she met the above criteria. For the purposes of this chapter, individuals who are not currently enrolled at the University remain subject to the disciplinary process for conduct that occurred while they were enrolled.
- k. “Student Organization” means a Sponsored Student Organization or a Registered Student Organization.
- l. “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.
- m. “Vice President” means the vice president for student affairs at The University of Texas at Austin, or his or her designee.

Subchapter 6–200. Registration

Sec. 6–201. Registration Required

Any group of students that wants to exercise any of the rights and privileges listed in section 6–301 will apply to the Dean of Students to be recognized as a Student Organization. An application for a new organization may be submitted semesterly 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

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 10 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 an organization constitution that includes all sections and content prescribed by the Dean of Students; and
- e. provide any other information required by the Dean of Students.

Sec. 6–203. Membership

- a. Student Organizations may not deny membership on the basis of race, color, religion, national origin, gender identity, or gender expression, except that
 1. 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
 2. a Registered Student Organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972.
- b. Student Organizations must limit membership to students, faculty members, and staff members of the University.

Sec. 6–204. Use of University Name

- a. With the exception of the following, 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. A Student Organization may use terms such as “campus” or “Texas campus” or “[name of organization] at The University of Texas at Austin” as part of its name.
- b. 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

- a. In considering a completed application, the Dean of Students will not base approval on the merits of the proposed Student Organization's purpose, but will register the applicant unless
 1. the applicant is ineligible under sections 6–202, 6-203, 6-204, or 6-512;
 2. there are bars, including financial, against the applicant; or
 3. the applicant is under a disciplinary sanction prohibiting registration.
- b. If an applicant is refused registration, the Dean of Students will provide the applicant with a written statement of the reasons for refusal within 14 days of receiving the application and the applicant may appeal in accordance with section 6–508.

Sec. 6-206. University Sponsorship of Student Organizations

- a. Only 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's trademarks or service marks as part of or in conjunction with its Student Organization name.
- b. Sponsorship may not be extended to Registered Student Organizations involved in political or religious activities or in projects for private gain.

- c. Legislative Student Organizations must be sponsored by the University.
- d. Sponsored Student Organizations must comply with all applicable fiscal and accounting procedures of the University of Texas at Austin.

Subchapter 6–300. Recognition, Activities and Obligations

Sec. 6–301. Recognition and Activities

A Student Organization is entitled

- 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.

Sec. 6–302. Obligations

- a. In addition to completing registration annually, Student Organizations must meet these requirements in order to maintain their Student Organization status. The Student Organization shall:
 1. maintain a complete and accurate roster of at least 10 members, including three student Officers;
 2. keep a current contact email address for their Officers for the purpose of receiving university communications,
 3. complete the Safety Education program annually,
 4. require the organization's advisor to complete the Safety Education Program advisor training at least once in their tenure as an advisor,
 5. file with the Dean of Students a final report, fully disclosing the sources and amounts of money obtained from solicitations during the preceding semester, and any other information required by the Dean of Students about solicitation activities during the preceding semester within thirty days after the beginning of the Fall or Spring Term, as defined in the Regents' *Rules and Regulations*, Rule 80103, Number 2, Section 4, and
 6. conduct its affairs in accordance with local, state, and federal laws and the Regents' *Rules and Regulations*.
- b. A Registered Student Organization that is granted recognition from Sorority and Fraternity Life in the Office of the Dean of Students is subject to additional policies administered by Sorority and Fraternity Life.

- c. No Student Organization may re-register or use the facilities of the University as long as it owes a monetary debt to the University and the debt is considered delinquent by the crediting University agency.
- d. 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.
- e. A Student Organization may be subject to discipline by the University under subchapters 6-400 and 6-500 for violating a Regents' *Rule*, University regulation, or administrative rule.

Subchapter 6-400. Student Organization Discipline

Sec. 6-401. Administration and Jurisdiction

- a. The Dean of Students has primary authority and responsibility for the administration of Student Organization discipline. The Dean of Students works cooperatively with faculty members, staff members, Hearing Officer(s) or the Student Conduct Board in the disposition of *Institutional Rule* violations.
- b. The leadership of a Student Organization are provided a copy of this policy annually in the form of a link on the University [website](#). Hard copies are available upon request from the Office of the Dean Students. Students who are members of Student Organizations are responsible for reading and abiding by the provisions of this policy.
- c. This policy and the student conduct process apply to the conduct of all Student Organizations. Student Organizations that have lost University recognition may still be subject to provisions in this code. Individual students who are members of a Student Organization are still subject as individuals to Chapter 11 of the Institutional Rules and may be held individually accountable for their behaviors also attributed 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.
- d. This policy applies to behaviors that take place on the University of Texas campus, 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. A University interest is defined to include:
 1. Any situation where it appears that the Student Organization's conduct may present a danger or threat to the health or safety of individuals;
 2. Any situation that significantly impinges upon the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder; or
 3. Any situation that is detrimental to the educational mission and/or interests of the University.
- e. This policy may be applied to behavior conducted online, via email or other electronic medium. Student Organization members should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a Student Organization to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information, but may take action if and when such information is brought to the attention of University officials.
- f. This policy applies to guests of the Student Organization, regardless of their student status. Student Organizations may be held accountable for the misconduct of their guests. 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.

- g. There is no time limit on reporting violations of this policy; however, the longer someone waits to report an alleged violation, the more difficult it may become for University officials to obtain information and witness statements and to make determinations regarding alleged violations.
- h. Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Dean of Students and/or to the University of Texas Police Department.
- i. A Student Organization facing an alleged violation of this policy is permitted to dissolve/surrender recognition during the investigation/adjudication process. However, the University may continue the investigation/adjudication process even after the Student Organization has been dissolved.
- j. University disciplinary action will be based upon the "Preponderance of Evidence" standard. This standard is satisfied if the action is deemed more likely to have occurred than not.
- k. Notification of conduct proceedings, including but not limited to notice of allegations, interim action, meeting requests, hearings, and resolution, shall be sent by the Dean of Students to the Student Organization by letter or by e-mail, using the addresses on file with the registrar's office or provided by the organization per Sec. 6-302(a)(2).
 1. 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.
 2. The Student Organization's failure to provide and/or maintain current addresses, refusal to accept delivery of a letter, or failure to open an e-mail message will not constitute good cause for failure to comply with the meeting request. Policies on the use of e-mail for official correspondence are provided in [Appendix M](#).

Sec. 6-402 Other General Definitions

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

- a. "Administrative Disposition" – A document issued to a student which includes a statement of the alleged conduct, institutional rule(s) implicated, investigative findings, assessed sanction(s), and resolution options.
- b. "Advisor" means a single individual who may accompany a Student Organization to a meeting with the Dean of Students 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 the Dean of Students or in a hearing or directly address the Student Conduct Board or Hearing Officer. If an Advisor is directly related to a conduct case or if the advisor's presence poses a conflict of interest, the Dean of Students, Hearing Officer, or Student Conduct Panel may dismiss the advisor from the meeting or hearing. Advisors may be dismissed from any conduct proceedings if they disrupt the process.
- c. "Appellate Officer" means a person designated by the president to issue final decisions in a Student Organization conduct matters.
- d. "Complainant" means a person who is reported to be the victim of prohibited conduct related to a Track C case.
- e. "Disciplinary Decision" means a written decision determining whether or not a Student Organization is responsible for a violation of university policy. The disciplinary decision includes the findings of fact in support of the decision along with the assessed sanction(s) if applicable.

- f. "Disciplinary Record" means an administrative record maintained by the Dean of Students 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 Dean of Students.
 - g. "Hearing Officer" means a staff or faculty member appointed by the president of the University to conduct hearings of alleged violations of policy.
 - h. "HOP 3-3031 Track C cases" or "Track C cases" refers to allegations of conduct that potentially constitutes Sex Discrimination, Sexual Exploitation, Unprofessional/Inappropriate Conduct, Retaliation, False Information or False Complaint, and Interference with Grievance Process, as defined in HOP 3-3031. These cases are investigated by the Department of Investigations and Adjudication in University Compliance Services and referred to the Dean of Students for adjudication.
 - i. "Interim Action" means an action taken by the Dean of Students against a Student Organization while the Dean of Students is assessing an alleged violation of university policy by the Student Organization. Actions include but are not limited to suspension, suspension of rights or privilege or a probation from activities or operations.
 - j. "Respondent" means the organization reported to be the alleged perpetrator of conduct related to a Track C case.
 - k. "Student Conduct Board" (SCB) means a group of students appointed by the president to be eligible to serve on a Student Conduct Panel.
 - l. "Student Conduct Panel" (SCP) means a panel consisting of eligible students and a faculty or staff member that conducts hearings and issues decisions concerning the prohibited conduct of Student Organizations. The Student Conduct Panel shall not hear matters pertaining to Track C cases or alleged violent conduct.
- f. **Theft** – unauthorized use, possession, or removal of property, services, or resources of others;
 - g. **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. Hazing includes but is not limited to:
 - i. 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;
 - ii. 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;
 - iii. 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;
 - iv. any activity that intimidates, demeans, embarrasses, or threatens the person with ostracism, that subjects the person to stress, shame, or humiliation, that adversely affects the mental health or dignity of the person or discourages the person from entering or remaining registered in an educational institution, or that may reasonably be expected to cause a person to leave the organization or the institution rather than submit to acts described in this subsection;
 - v. 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.;
 - vi. any activity that threatens the wellbeing of a person by restricting their ability to communicate with others to get medical help, to document prohibited conduct, or report misconduct; such as, but not limited to, the confiscation of a personal communication device; and
 - vii. 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.

Sec. 6-404 Prohibited Conduct of Student Organizations

The Dean of Students may initiate disciplinary proceedings under subchapter 6–500 against a Student Organization that is alleged to have engaged 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, whether or not the behavior occurs on university property or in connection with any university-oriented activity;
- 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** – use or attempted use of a hazardous substance (chemicals, fireworks, explosives, etc.) in a manner intended to cause harm, threat, or reasonable fear for safety;
- 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. **Sex or Gender Based Harassment** – allegations of conduct that potentially constitute Sex Discrimination, Sexual Exploitation, Unprofessional/Inappropriate Conduct, Retaliation, False Information or False Complaint, Interference with Grievance Process, as defined in HOP 3-3031;
- h. **Alcohol Misconduct**
 - i. 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;
 - ii. 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;
- i. **Drugs**
 - i. engages in the unauthorized use or possession of a drug, or possession of drug paraphernalia;
 - ii. engages in the unauthorized sale or distribution of a drug;
- j. **Individual and/or Unauthorized Group Disturbance** – engages in speech, including but not limited to verbal, electronic, or written communication, that is directed to incite or produce imminent lawless action and is likely to incite or produce such action;
- k. **Harassment** – language or conduct that, when viewed through an objective standard, is unwelcome and sufficiently severe, persistent,

or pervasive such that it could reasonably be expected to create an intimidating, hostile, or offensive environment, or has the purpose or effect of unreasonably interfering with a person's academic or work performance, or a person's ability to participate in or benefit from university programs, services, opportunities, or activities;

I. Property

- i. **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;
- ii. **Unauthorized Entry** – engages in unauthorized entry into property, buildings, structures, or facilities owned or controlled by the University or The University of Texas System;
- iii. **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;
- iv. **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;

m. Technology Misuse

- i. engages in unauthorized or disproportionate use of an information technology resource owned or controlled by the university or The University of Texas System;
- ii. engages in unauthorized access or entry into a computer, computer system, network, database, software, or data;
- iii. engages in unauthorized downloading, copying, or distribution of computer software or data;

n. 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. A "course of conduct" means two or more 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. "Reasonable person" means a reasonable person under similar circumstances and with similar identities to the complainant. "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical or other professional treatment or counseling. (Please note that "stalking," as defined in Sec. 11-402(a) (14), is separate from the gender or sex-based stalking rule included in HOP 3-3031.)

o. Gambling – engages in or offers games of chance for money or other gain;

p. False and Misleading Information

- i. 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;
- ii. furnishes false information to or withholds material information from any university official, faculty member, or staff member acting in the course of their duties;
- iii. 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.

q. Unauthorized Surveillance

- i. engages in surveillance or recording of any type without a person's knowledge or consent in areas where there is a reasonable expectation of privacy;
- ii. engages in broadcasting or distribution of a recording or other surveilled material without consent of all involved parties;

r. Disruptive Conduct

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

s. Failure to Comply

- i. failure to comply with the directions of any university official(s) acting in the performance of their duties;
- ii. failure to identify oneself to a university official(s) when requested to do so;
- iii. 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, labs, etc.;

t. Violent Conduct – any conduct that physically harms or injures another person.

u. Animal Cruelty – engages in conduct with an animal that may violate any provision of federal, state, or local laws, whether or not the violation occurs on university property or in connection with any university-oriented activity.

v. University System and Institutional Violations – violates any provision of the Regents' *Rules and Regulations* of The University of Texas System;

w. Financial Misconduct – failure to meet financial obligations to the university, including but not limited to failure to remit payment, fraudulent cancellation of payment, or failure to abide by an agreed-upon payment schedule;

x. Retaliation – engages in or attempts to engage in any action, directly or indirectly, including through a third party, that is intended to harass, intimidate, threaten, harm or improperly influence any person because they:

- i. make, or intend to make a report, complaint, grievance, or allegation of prohibited conduct under any university policy or rule, or under any law;
- ii. participate in and/or cooperate with conduct proceedings; or,
- iii. appear as a witness.

y. 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.

Subchapter 6–500. Disciplinary Procedures

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

- a. Allegations of prohibited Conduct committed by Student Organizations shall be referred to the Dean of Students for a determination of responsibility and, if applicable, assessment of sanctions(s), in accordance with the procedures detailed in this chapter.

1. 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 Dean of Students for processing in accordance with this Chapter's procedures.
- b. A Student Organization violates a University regulation when
 1. one or more of its Officer(s) acting in the scope of their organizational capacities commit a violation;
 2. one or more of its members commit a violation and the action that constitutes the violation was approved by majority vote of those members of the Student Organization present and voting;
 3. one or more members of a committee of the Student Organization commit a violation while acting in the scope of the committee's assignment;
 4. a member of the Student Organization commits a violation while acting with apparent authority of the Student Organization;
 5. one or more members of the Student Organization or its officers permit, encourage, aid, or assist any of its members in committing a violation;
 6. one or more members of the Student Organization or its officers, under circumstances where such persons knew or should have known that an action constituting a violation was occurring or about to occur, fails to prevent that action; or
 7. one or more members of the Student Organization fail to report to appropriate University or civil authorities promptly their knowledge or any reasonable information about a violation.
- c. When the Dean of Students 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:
 1. 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
 2. pursue the appropriate resolution option as outlined in section 6-503.
- d. Dismissal at this stage is not a determination of responsibility and is not recorded as a prior determination of such. However, if the behavior may constitute a violation of policies of international governing bodies with which the Student Organization is affiliated, and the Dean of Students is aware of this affiliation, the Dean of Students may, at their discretion, forward the information to the appropriate body. 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.
- e. 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.
- f. Members of Student Organization leadership are encouraged to immediately report any Prohibited Conduct committed by members of the organization of this or other University policies to the Dean of Students. This report should provide a detailed description of the Prohibited Conduct that transpired, the names of any individuals involved, and a description of any internal disciplinary actions taken by the organization. If an organization chooses to self-report Prohibited Conduct in this manner, the Dean of Students may, in its sole discretion, only investigate the individual(s) implicated in the

report. However, if information is uncovered in the investigation that suggests that the organization aided, encouraged, sanctioned or organized the Prohibited Conduct, the Dean of Students may launch an investigation of the organization as outlined in Sec. 6-507.

Section 6-502. Interim Actions

- a. Pending an investigation, hearing, or outcome of the allegations against a Student Organization, the Dean of Students, the President of the University (or their delegate), or the Title IX Coordinator 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. The Dean of Students will notify the Officers of the involved Student Organization by letter or by e-mail of the disciplinary action. The Dean of Students may send the notice to any Officers of the Student Organization.
- b. Notice of the interim action shall be sent by the Dean of Students to Officers of the involved Student Organization by letter or by e-mail, using addresses on file with the registrar's office.
 1. A letter or an e-mail message sent to an Officer at an address listed in the registrar's records will constitute full and adequate notice.
- c. If a Student Organization wishes to seek a review of any interim action(s) implemented by the Dean of Students, the President of the University, or their delegate, the Student Organization must submit a written request for an administrative review to the Dean of Students. This administrative review should happen within five (5) business days of the Dean of Student's receipt of the request. At the discretion of the Dean of Students, if additional time is needed to conduct the review, notice will be sent to the Student Organization. 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.
 - i. Interim Action implemented by the Title IX Coordinator may be reviewed in accordance with review guidelines set forth in HOP 3-3031.
- d. 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

- a. Allegations that a Student Organization has engaged in Prohibited Conduct may be resolved pursuant to one of four available processes:
 1. Prescribed Resolution (Tier 1) pursuant to Section 6-504;
 2. Partnership Process Resolution (Tier 2) pursuant to Section 6-506;
 3. University Investigation and Adjudication (Tier 3) pursuant to Section 6-507;
 4. A Mutual Resolution Agreement pursuant to Section 6-5011.
- b. 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:

1. the severity of the alleged violations
 2. the allegation of physical, sexual or other forms of violence
 3. the risk of harm to other persons
 4. the conduct history of the Student Organization
 5. current status of the Student Organization; and
 6. other relevant factors.
- c. 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 and Adjudication.
- d. 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. 6-511.
- e. A Preliminary Conference will be used when the Partnership Process Resolution or University Investigation options are utilized. The Dean of Students may, at any time, determine that a case should be moved from a lower tier resolution process to a University Investigation.

Sec. 6-504. Prescribed Resolution Process

- a. 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 determination, the outcomes, and the rationale for both.
- b. Upon receipt of this letter, the Student Organization may do one of the following:
1. Accept the determinations and outcomes
 1. The Student Organization may agree in writing to waive its ability to be heard regarding the allegations of Prohibited Conduct and accept the determination and outcomes. If the Student Organization follows the directives outlined in the outcomes letter, the matter will be considered closed once the outcomes are completed. Failure to complete the outcomes may result in the Dean of Students opening an additional disciplinary action; or
 2. Decline to accept the determinations and outcomes
 1. The Student Organization may reject the determination, and the matter will be resolved through a University Investigation as described in Sec. 6-507.
- c. 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.

Sec. 6-505. The Preliminary Conference

- a. The Dean of Students will schedule a Preliminary Conference in each instance in which allegations of Prohibited Conduct will be resolved through the Partnership Process or a University Investigation. The Preliminary Conference will include the Student Organization's Officer(s), Advisor, and other appropriate parties.
- b. This meeting provides 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 discuss 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.

- c. If the Dean of Students presents the Student Organization with multiple resolution options, the Student Organization will have one business day following the Preliminary Conference to notify the Dean of Students of the preferred resolution option.
- d. If the Student Organization fails to attend the Preliminary Conference or fails to choose a resolution option, the Dean of Students will pursue the allegations using the University Investigation and Adjudication process described in Section 6-507.

Sec. 6-506 - Partnership Process

- a. The Partnership Process permits the Student Organization to conduct an internal investigation subject to oversight and approval of the Dean of Students. The Dean of Students may also conduct a concurrent investigation as described in Sec. 6-507.
- b. If the organization agrees to the Partnership Process, the Dean of Students will, in consultation with the Student Organization Officer(s), Student Organization Advisor, and other appropriate parties; develop an investigation scope and timeline.
- c. The Student Organization must conduct an investigation and submit a written investigation report within the agreed-upon timeline, barring extraordinary events as determined by the Dean of Students, or as otherwise specified in writing by the University.
1. The report should be detailed and specific, including the names of specific individuals involved in the alleged violation, and any internal disciplinary action the Student Organization implemented for those individuals.
- d. **Report Review by Dean of Students.** The Dean of Students will review the Student Organization's investigation report and will make one of the following determinations:
1. The Dean of Students agrees that the report is complete and will schedule a Partner Process Resolution Meeting to discuss the report and findings and review next steps;
 2. The Dean of Students 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
 3. The Dean of Students 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. The Dean of Students will then determine whether to move forward with investigation and adjudication of the allegations as described in Sec. 6-507.
- e. **Partnership Process Resolution Meeting.** Once the Dean of Students has determined that the report is complete, the Dean of Students will meet with the Student Organization's Officer(s), the Student Organization's Advisor, and other parties as appropriate, and one of the following determinations will be made:
1. **No Policy Violation:** If the Student Organization report determines that no policies were violated by the Student Organization, and the Dean of Students accepts this determination, the process concludes. Individuals implicated in the report may be forwarded for individual adjudication as outlined in Chapter 11 of the *Institutional Rules*.
 2. **Responsibility Fully Accepted:** If the Student Organization report determines that the Student Organization was responsible for all policy violation(s) that were alleged, and the Dean of Students

accepts this determination, the Dean of Students will initiate the Determination of Outcomes process.

3. **Responsibility Partially or Not Accepted:** If the organization report determines that the Student Organization was responsible for some but not all, or for none of the policy violation(s) that were alleged, the Dean of Students will make one of the following determinations:
 - A. the Dean of Students may accept the determinations from the report and will move forward to the outcomes process solely on the allegations for which the Student Organization accepted responsibility if applicable; or
 - B. The Dean of Students may reject the determinations from the report and proceed to investigating and adjudicating the matter under the University Investigation Process.
- f. If individual students are identified at any point in the partnership process to have potentially engaged in Prohibited Conduct, they may be individually referred to the Dean of Students for investigation and adjudication.
- g. Determinations of responsibility through the Partnership Process are final and may not be appealed.

Sec. 6–507. University Investigation

- a. The Dean of Students or the Student Organization may elect to have any allegations of Prohibited Conduct resolved through a University Investigation.
- b. An investigation is an administrative process by which the Dean of Students gathers information related to the alleged Prohibited Conduct. The investigation may include but is not limited to, summoning 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.
- c. Searches of organization-occupied or organization-controlled premises or of an organization's possessions will be conducted only as authorized by law.
- d. Student Organizations that fail to respond to meeting requests from the Dean of Students may be subject to interim action as described in subsection 6-501(f);
- e. If the Dean of Students calls a meeting with a student during an investigation, the student may be accompanied by an Advisor.
- f. The Dean of Students may require Student Organization members, or a select group of members (i.e. all new members of the organization) to participate in an interview and may restrict communication between members during the interview (for example, holding Student Organization members in a room and prohibiting interview participants from using their cell phone or other devices during the interview process.
- g. Students participating in an investigation process are expected to participate in an active, cooperative and truthful manner. The University will complete the initial investigation in a period of no more than 30 days, barring any extraordinary circumstances. In the event that extraordinary circumstances arise that will require a delay beyond 30 days, the University will notify the Student Organization Officer(s) of the delay, including the reasons for the delay and the anticipated timeline for completing the investigation.
- h. At the completion of the investigation, the Dean of Students 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.

- i. The Student Organization must provide any comments related to the investigation report in writing to the Dean of Students within five (5) business days of the receipt of the report, barring extraordinary circumstances as determined by the Dean of Students. Upon receipt of these comments (if applicable) the Dean of Students will generate the final report and share it with the Student Organization at least five (5) days in advance of any resolution meeting.
- j. At the completion of the investigation, if the Dean of Students determines that no policy violation has been found, the Dean of Students will forward a copy of the final report and the determination to the Student Organization. The Dean of Students may choose to meet with the Student Organization's Officer(s) to discuss the findings of the report and ongoing behavioral expectations.
- k. At the completion of the investigation, if the Dean of Students determines that there is sufficient evidence to issue a finding of responsibility for violation of policy, the Dean of Students will issue an administrative disposition, including a notice of findings and a determination of responsibility. The Dean of Students will schedule a meeting with the Student Organization to determine the next steps in the process. At this meeting, the Student Organization may choose one of the following options:
 1. Accept the Administrative Disposition – the Student Organization may accept the administrative disposition and waive their right to a hearing. If this occurs, the process will move forward to the outcomes process described in Section 6-510.
 2. Formal Hearing – the Student Organization may reject the findings of the administrative disposition of the Dean of Students. If this occurs, the Student Organization may choose to have the matter resolved through a Formal Hearing as outlined in Section 6-509.
- l. Allegations of conduct assigned to Track C under HOP 3-3031 will be investigated in accordance with the procedures described in HOP 3-3031 and referred to the Dean of Students for adjudication. At the discretion of the Dean of Students and in coordination with the Title IX Coordinator, Track C allegations may be resolved through the Restorative Practices Alternative in [HOP 3-3031](#) rather than a formal investigation process.
- m. During a Track C case investigation, the Dean of Students has the authority to enact interim measures to minimize contact between the involved parties, including but not limited to the issuance of a no contact directive.

Sec. 6-508. Formal Hearing

- a. The Student Organization may request to have the case adjudicated by a Student Conduct Panel (SCP), for eligible cases per 6-402, or a Hearing Officer.
- b. The Dean of Students will give notice, per section 6-401(k), to the Student Organization's Officer(s) at least 5 days before the hearing date.
- c. The notice will:
 1. state the date, time, and location of the hearing;
 2. inform the Student Organization Officer(s) of their rights as outlined in this section.
- d. The Hearing Officer or SCP may elect to call and question witnesses as necessary, including the investigator(s) who compiled the investigative report. The Student Organization may question any witnesses called by submitting written questions to the Hearing Officer or SCP.
- e. The Student Organization will be given the opportunity, in person or in writing, to submit or give a statement to the Hearing Officer or SCP and to respond to any information provided by witnesses.
- f. The Hearing Officer or SCP may question the Student Organization Officer(s).

- g. 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).
- h. The Hearing Officer or SCP will render a written decision that will include whether the student is responsible for a violation, the findings of fact in support of the decision, and sanction(s) assessed, if applicable. The Student Organization and the Dean of Students will each be given a copy of the decision. The written decision is the official outcome on the matter from which any appeal is based.
- i. The Hearing Officer or SCP shall make every effort to complete the written decision within five days of the hearing. If the Hearing Officer or SCP is unable to issue the written decision within five days, they shall provide notice of the delay and the new date for completion to the Student Organization and the Dean of Students.
- j. In Track C cases, subject to the Family Educational Rights and Privacy Act (FERPA) and other applicable law, the Dean of Students shall, upon receipt of the Hearing Officer's decision, forward copies of the decision to the Complainant, if applicable.
- k. 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.
- l. If the Student Organization is found responsible, the development of outcomes will take place as described in Section 6-510.

Sec. 6-509. Mutual Resolution Agreement

- a. At any point throughout the organization conduct process, the organization may request to enter into a Mutual Resolution Agreement. In pursuit of a Mutual Resolution Agreement, the Dean of Students and the Student Organization will work together 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. The Dean of Students 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.
- b. The result of this resolution process is an agreement between 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 Outcomes as outlined in section,6-510.
- c. 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. Outcomes

- a. At the conclusion of the resolution process (including the conclusion of any applicable appeals), the Dean of Students will implement Outcomes for any Student Organization that has engaged in Prohibited Conduct. The Outcomes may include Status Outcomes, Educational Outcomes, and/or Structural Outcomes as described below.
- b. If the disciplinary process is resolved through the Partnership Process, acceptance by the Student Organization of an Administrative Disposition, or through a hearing, the Dean of Students will schedule an outcomes meeting with the Student

Organization's Officer(s), Advisor(s), and other parties as applicable. The purpose of this meeting shall be to determine the outcomes necessary to effectively address the behavior of the student organization and will include the solicitation of input from the Student Organization Officer(s), Advisor(s), and all other interested parties.

- c. At the completion of the outcomes meeting, the Dean of Students will provide notice of all outcomes assigned to the Student Organization to the Student Organization's Officer(s) and Advisor(s) in writing via an Outcomes Letter. The Outcomes may be assessed singly, in combination, or to follow consecutively. The Outcomes Letter will include the length of any active status and/or Suspension periods, the specific privileges impacted, and any and all other educational or status Outcomes.
- d. The Dean of Students will maintain the Outcomes Letter in the Student Organization's record for a period of no less than seven (7) years. If a Student Organization loses campus recognition, the Dean of Students will maintain the Outcomes Letter indefinitely. If applicable, a copy of the Outcomes Letter may be sent to their Inter/National Organizational Governing Body or other appropriate parties.
- e. The Dean of Students and/or the appropriate University department will oversee the completion of Outcomes. If the student organization misses any deadlines, fails to complete any Outcomes, and/or has a subsequent violation(s), the Student Organization may be subject to additional Outcomes and/or disciplinary actions at the discretion of the Dean of Students.
- f. **Status Outcomes** - Pursuant to section 6–501, the following status outcomes may be assigned to a Student Organization for violation of a Regents' Rule, University regulation, or administrative rule:
 - 1. "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. The Dean of Students may impose conditions related to the offense to address the behavior that led to the violation. Further violations may result in a minimum of probation for the organization.
 - 2. "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, the Dean of Students may restrict one or more of the organization's rights, as listed in Section 6-300. Further violations may result in a minimum of suspension for the organization.
 - 3. "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, the Dean of Students may restrict one or more of the organization's rights, as listed in Section 6-300. Further violations may result in a minimum of suspension for the organization.
 - 4. "Suspension" means a period of time during which the Student Organization is not recognized by the university, and is prohibited from the rights and privileges of registration as a student organization. During a period of suspension, the organization may be required to comply with conditions and requirements to address the behavior that led to the violation. Further violations may result in expulsion of the organization;
 - 5. "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.
- g. 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 or off campus. A suspended or expelled Student Organization may not solicit, engage in the recruitment, orientation or intake of, or initiate any new members. Suspension/expulsion may also include the forfeiture of other specifically listed privileges. Suspension should be for a specific and determined period of time, and will include a written return agreement outlining specific conditions for return. The Suspension may be delayed or extended at the discretion of the Dean of Students based on ongoing activity during a period of suspension.

- h. 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/ College reserves the right to deny the request for recognition or withdraw the recognition. This conclusion may be based on any of 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.
- i. Continued operation of the Student Organization after suspension or loss of recognition will result in a violation of Failure to Comply and may result in additional outcomes or restrictions, up to and including an extension of the Suspension beyond the terms originally outlined in the initial Outcomes Letter/return agreement.
- j. **Educational Outcomes** - Educational Outcomes may include, but are not limited to, educational programming, community service, interventions, restorative practice, restrictions, workshops, or other Outcomes, determined to help develop the culture and community of the Student Organization. The Dean of Students will determine Educational Outcomes after consultation with the appropriate University Office(s), the governing body and/or affiliated organization of the Student Organization, organizational leadership, advisors, and/ or other appropriate stakeholders as necessary.
- k. **Structural Outcomes** - Structural Outcomes are related to the structure, membership or governance of the organization. Structural outcomes, 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. Structural Outcomes may be included alongside any Status and Educational Outcomes, after consultation with the appropriate University department(s), the organization's inter/national governing body (if applicable), the Student Organization leadership, advisors, and/or other appropriate stakeholders as necessary.

Sec. 6–511. Appeals

- a. The Student Organization may appeal both the finding of responsibility and the Outcomes issued as a result of a hearing. The Student Organization may appeal only the Outcomes issued as a result of the Partnership Process. The Complainant in a Track C case may appeal both the finding of responsibility and the Outcomes issued as a result of a hearing.
- b. Barring extraordinary circumstances as determined by the Dean of Students, requests for appeals must be submitted in writing to the Dean of Students within five (5) business days of receipt of the written determination from the Hearing Officer or SCP or receipt of the Outcomes Letter 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.
- c. The Student Organization or Complainant (in a Track C matter) may only appeal based upon one or more of the following grounds:
 - 1. Procedural Error: A procedural error or omission occurred that significantly impacted the outcome of the hearing (e.g. substantiated bias, material deviation from established procedures, etc.). Any challenge for bias must include: a) what the bias was, b) how the bias manifested itself, and c) how the bias significantly impacted the outcome. A mere allegation of bias will not be sufficient to meet this ground for appeal.
- 2. 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.
 - A. 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 Dean of Students or designee serving as the reviewer of requests for appeal may determine if the matter will be sent back for further investigation based on this request for appeal.
- 3. Appeal of the Outcome(s): The Outcome(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.
- d. No person involved as an original Hearing Officer or investigator may serve as an Appellate Officer.
- e. The University's presumed position is that all sanctions will be implemented during the appellate process. The Dean of Students may consider, upon a request in writing, to stay or modify a sanction during the appellate process. The Dean of Students will only grant a stay or modification if the Student Organization shows that extraordinary circumstances exist that merit the stay or modification.
- f. An Appellate Officer will review the request for appeal to determine if the request states of 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.
- g. The burden is on the Appellant to show the grounds are met using the preponderance of the evidence standard.
- h. In Track C cases, the Dean of Students may share all or part of the appeal with the non-appealing party to allow them to respond to the request for appeal. Barring extraordinary circumstances as determined by the Dean of Students, the response must be provided to the Dean of Students within five (5) business days of receipt of the notice of the request for appeal.
- i. If there is a challenge to any member of the process (e.g. a challenge of bias by an investigator or Hearing Officer), the Dean of Students may share all or part of the appeal with the challenged party to allow them to respond. Barring extraordinary circumstances as determined by the Dean of Students, the response must be provided to the Dean of Students 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, barring extraordinary circumstances.
- j. The Appellate Officer will issue their decision within five (5) days of receipt of all information and responses, barring extraordinary circumstances. 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.
- k. The original finding and Outcome(s) are presumed to have been decided reasonably and appropriately.
- l. 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.

- m. An appeal that affirms the finding of an administrative or formal hearing process is final. An appeal that affirms the Outcomes is final.
- n. An appeal that is granted for the appellant based on new evidence should be remanded to the Dean of Students, Hearing Officer, or SCP for reconsideration, rehearing, or further investigation.
- o. An appeal granted for the appellant based on procedural error may either be remanded to the Investigator, Dean of Students, Hearing Officer, or SCP with instructions to further investigate, clarify findings, or remedy errors (including by re-hearing the matter); or be reversed if the procedural error cannot be cured.
- p. When an appeal is granted for the appellant based on disproportionate Outcome(s), the Appellate Officer may alter the Outcome or remand the case with recommendations to the Dean of Students, Hearing Officer, or SCP to modify the Outcome(s). Such Outcome determination shall be final.
- q. The decision of the Appellate Officer is final.

Sec. 6-512. Provisional Return.

- a. In some circumstances, Student Organizations assigned a sanction of Suspension or Cancellation 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.
 1. Criteria. Student Organizations must meet the following criteria to be eligible to begin the early provisional return process:
 1. 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 Cancellation;
 2. the suspended Student Organization has not applied for recognition under this Chapter using a different name; and
 3. 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.
 2. Application. Individuals seeking an early provisional return for an organization must utilize the designated application available on the [Student Conduct and Academic Integrity website](#). Student Conduct may require supporting documentation, as necessary to validate the information in the application.
 3. Electronic Submission. Applications, and any supporting documentation, must be submitted electronically through the Student Conduct and Academic Integrity website (insert link).
 4. 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.
 5. 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 business days of the director's determination. The Dean of Students' determination is final and not appealable.
 6. 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.

7. 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.