

## Policy SL-SO-PO7

### Discipline of Student Organizations

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#### I. **Section 10-701 Administration**

- A. When the Vice President for Student Affairs or delegate receives information that a registered student organization has allegedly violated Regents' [Rules and Regulations](#), University regulation, administrative order, or federal, state or local law or regulation, he/she shall ensure that the alleged violation is investigated.
- B. If an organization violates the Regents' [Rules and Regulations](#), University regulation, administrative order, or federal, state or local law or regulation, it is subject to disciplinary action.
- C. A registered student organization violates the Regents' [Rules and Regulations](#), University regulation, administrative order, or federal, state or local law or regulation when
  - 1. one or more officers acting in the scope of his/her general responsibilities commit the violation.
  - 2. one or more members commit the violation after the action that constitutes the violation was approved by majority vote of members present and voting.
  - 3. one or more members of a committee of the organization commit the violation while acting in the scope of the committee's assignment.
  - 4. a majority of the members of the organization acting with apparent authority of the organization commit the violation.

5. one or more members of the organization or its officers permit, encourage, aid or assist any of its members in a violation.
  6. one or more members of the 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, fail to prevent such action.
  7. one or more members of the organization fail to promptly report to appropriate University or civil authorities their knowledge of any reasonable information about a violation.
- D. A student may be disciplined personally under Chapter 2 for a violation of the Regents' [Rules and Regulations](#), University regulations, administrative order, or federal, state or local law or regulation even though the registered student organization of which he/she is a member is disciplined under this subchapter for the same violation or for a violation developing from the same conduct.
- E. If a student organization is found responsible for a violation of the Regent's [Rules and Regulations](#), university regulations, administrative order, or federal, state or local law or regulation, the Office of Student Governance or the Office of Student Conduct may:
1. suspend the organization's privilege to publicly post signs, set up a booth, publicly assemble or demonstrate in the name of the organization, present activities, publicly raise funds, reserve the use of University facilities, or participate in other university sponsored events;
  2. place the organization on probation for a specific period of time;
  3. place the organization on suspension for a specific period of time;
  4. cancel the registration of the organization permanently; or,
  5. enact other sanctions as deemed appropriate under the circumstances.

## II. **Section 10-702 Notice**

- A. The Office of Student Conduct will investigate allegations that a student organization has engaged in conduct that violates the Regents Rules and Regulations, University rules and regulations, instructions given by an administrative officer of the University or U.T. System in the course of his/her duties, or a federal state or local law or regulation. The investigation and disciplinary action may proceed regardless of whether action is taken by other authorities. The Office of Student Conduct may summons any of the officers of the student organization as provided in **Section 10-703** for a conference, and after the meeting with the officer(s); either
1. Dismiss the allegations or
  2. Find the organization in violation and assess a sanction under **Section 10-704**

- B. Pending disposition of the allegations, the Office of Student Conduct may take immediate interim disciplinary action, including placing the student organization on inactive status.
- C. When interim disciplinary action is imposed, the student organization is entitled to know the charges upon which the interim disciplinary action is based.

III. **Section 10-703 Hearing**

- A. The Office of Student Conduct may summon a student organization for the purpose of discussing allegations that the student organization has engaged in conduct that may result in disciplinary action. The summons letter will direct the President of the student organization and/or officers to attend an appointment at least three weekdays after the date of the letter and will be mailed to the student at the address appearing in the Registrar's records, the student's UTA issued email address or may be hand delivered to the student. The letter will be sent to the President of the organization and/or officers as on file in the Office of Student Governance and Organizations.
- B. If a student organization fails to appear without a valid reason, the Office of Student Conduct may declare the student organization inactive until student organization responds to the summons or may proceed with hearing procedures in the absence of the student organization.
- C. The failure of the student to maintain a current address with the Registrar, to refuse to accept a registered or certified letter, or to not read their email shall not be a valid reason for failure to comply with a summons letter.

IV. **Section 10-704 Disciplinary Action**

- A. Based upon the information presented and discovered during the process of investigation, the Office of Student Conduct will assess a sanction(s) pursuant to **Subchapter 10-701** that is/are appropriate to the facts and inform the student organization in writing.
- B. The student organization may appeal the sanction assessed by the Office of Student Conduct under **Section 10-704** in the manner outlined in **Section 10-709**.

V. **Section 10-705 Disciplinary Appeals**

- A. The term *Evidence* refers to the means by which alleged facts are either proved or disproved. It includes the testimony of witnesses and documentary or objective exhibits offered by the parties to the Office of Student Conduct.

VI. **Section 10-706 Students Organization's Discipline Record**

- A. A permanent written record shall be maintained for every student organization assessed a penalty of suspension of organization or a permanent cancellation of the organization's registration. A disciplinary record shall reflect the nature of the charge, the disposition of the charge, the penalty assessed and any other pertinent information to be maintained as a permanent confidential record that may be released only **as authorized by law**.

- B. A student organization's discipline record shall be treated as confidential and shall not be accessible to or used by anyone other than as authorized by applicable state or federal laws.

VII. **Section 10-707 Right to Appeal**

The accused student organization may appeal the decision of the Office of Student Conduct in the manner outlined in **Section 10-709**.

VIII. **Section 10-708 Level of Review**

The appeal of the decision of the Hearing Officer shall be to the Vice President for Student Affairs. The decision of the Vice President shall be the final appellate review.

IX. **Section 10-709 Notice of Appeal and the Record on Appeal**

- A. An appeal of a penalty assessed by the Office of Student Conduct shall be perfected by giving written notice of appeal to the Vice President no later than 14 days after the date of appealing party was notified of the decision. If notice of the decision is mailed, the date of mailing starts the 14-day period of appeal.
- B. The Office of Student Conduct shall assemble the record in the case as set forth in **Section 10-720.A.** and file the record with the Vice President within 14 days after notice of appeal is received by the Vice President.

Both parties may file a written argument to the Vice President within 14 days after notice of appeal is received and the record from the hearing, if any, is available.

X. **Section 10-710 Basis of Review**

- A. An appeal of the decision of the Hearing Officer will be based solely upon the record specified in **Section 10-720.A.** An appeal of the sanction assessed by the Office of Student Conduct in accordance with **Section 10-704** will be reviewed solely on the basis of the written argument of the parties. The Vice President may approve, reject, or modify the decision in question or may require that the original hearing be reopened for the presentation of additional evidence and reconsideration of the decision. The actions of the Vice President shall be communicated in writing to the accused student organization and the Office of Student Conduct.
- B. Written arguments or briefs of both parties may be considered by the Vice President. At the discretion of the Vice President, oral arguments may be presented. Within 30 days after the record is received, the Vice President will issue a decision on the appeal.

XI. **Section 10-711 Effect of Appeal upon Disciplinary Action**

- A. An appeal of the decision of the Office of Student Conduct shall suspend the imposition of the prescribed disciplinary sanction pending final disposition of the appeal except when interim disciplinary action was taken.

If upon final disposition of any case in which the disciplinary sanction has been suspended during appeal, the Vice President finds that the original disciplinary sanction can no longer be imposed because of the passage of time, the Vice President may specify a new period of time for which the original disciplinary sanction will be imposed.

**XII. Section 10-713 Failure of Accused Student Organization to Appear at Hearing**

If the representatives from the accused organization fail to appear at the time and place scheduled for a disciplinary hearing, the hearing shall proceed in their absence.