

Student Organization Conduct

Student Organizations (SO) are members of the MSU community. With this membership come benefits and responsibilities. The [General Student Regulations](#), the [Student Rights and Responsibilities](#), and other student conduct policies form the basis for the behavioral expectations in the MSU community.

For the purposes of the SO Code of Conduct, a SO is defined as any group whose membership consists of students currently enrolled at the University that is: (1) registered with the Office of Spartan Experiences; or (2) affiliated with the University through an academic department or administrative entity which supports, endorses, supervises, or recognizes the organization, unless the Vice President for Student Affairs otherwise determines the organization is a University function.

Alleged violations of the SO Code of Conduct by a SO will be adjudicated by the Office of Student Support and Accountability (OSSA).¹ Alleged conduct violations by individual SO officers or members will also be adjudicated by the OSSA, as prescribed in the Student Rights and Responsibilities.

The extent and terms of disciplinary action against a SO will depend upon the nature and severity of the infraction, as well as any history of previous violations. A SO must be in good standing to maintain its registration status.

The primary intent of the SO disciplinary process is to guide behavior and correct misconduct in a manner consistent with University policies and procedures. Through education and promoting critical decision-making, the disciplinary process seeks to help SOs avoid future misconduct and repair any harm done. As such, sanctions levied in the disciplinary process will be commensurate with the seriousness of the offense, with the understanding that repeat violations may justify increasingly severe sanctions.

SO Code of Conduct

The following code of conduct serves to inform SOs of certain prohibited misconduct for which they may be disciplined. Attempts to commit prohibited acts may be sanctioned to the same extent as completed violations.

1. **Physical Violence:** Behavior that threatens the safety of or causes harm to students, faculty, staff, or guests is strictly prohibited, including physical abuse, threats, and intimidation.
2. **Hazing:** Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or

¹ Greek-letter chapters affiliated with the Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, or Multicultural Greek Council must abide by the conduct policies established by their respective governing body, as well as the SO Handbook.

persons regardless of the willingness of such other person or persons to participate, that –

1. Is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization; and
2. Causes or creates a risk, above the reasonable risk encountered in the course of participation in the institution of higher education or the organization (such as the physical preparation necessary for participation in an athletic team), of physical or psychological injury including –
 - i. Whipping, beating, striking, electronic shocking, placing of a harmful substance on someone's body, or similar activity;
 - ii. Causing, coercing, or otherwise inducing sleep deprivation, exposure to the elements, confinement in a small space, extreme calisthenics, or other similar activity;
 - iii. Causing, coercing, or otherwise inducing another person to consume food, liquid, alcohol, drugs, or other substances;
 - iv. Causing, coercing, or otherwise inducing another person to perform sexual acts;
 - v. Any activity that places another person in reasonable fear of bodily harm through the use of threatening words or conduct;
 - vi. Any activity against another person that includes a criminal violation of local, state, Tribal, or Federal law; or
 - vii. Any activity that induces, causes, or requires another person to perform a duty or tasks that involves a criminal violation of local, state, Tribal, or Federal law.
3. Michigan state law (M.C.L. 750.411t) also prohibits hazing.

Examples of hazing include, but are not limited to, the following:

1. Any physical act of violence or intimidation.
2. Forced physical activities (e.g., exercising excessively).
3. Peer-pressuring or coercing someone to consume any legal or illegal substance.
4. Placing foreign substances on one's body or that of another (e.g., using a permanent marker on the body).
5. Not allowing someone to use or possess certain items.
6. Depriving individuals of sleep, meals, ways to keep their body clean, or means of communication (e.g., restricting access to cell phones).
7. Forcing an individual to create and/or distribute digital content to cause ridicule or embarrassment (e.g., posting photos or videos to social media).
8. Forcing someone to expose themselves to weather.
9. Activities such as scavenger hunts, pledge ditches, kidnapping, forced road trips, or abandonment (e.g., leaving someone in a field with no way to get home or contact anyone), which result in illegal or otherwise prohibited conduct.
10. Requiring someone to possess specific items (e.g., carry a brick).

11. Servitude (e.g., expecting a new member to do the tasks of an existing member).
12. Changing appearance (e.g., wearing a costume or shaving head).
13. Line-ups and berating.
14. Coerced lewd/sexually explicit conduct (e.g., nudity) or sexual acts.
15. Engaging in games, activities or public stunts that are purposely degrading or intend to cause embarrassment.
16. Interference with academic pursuits (e.g., not permitting someone to attend class or exams).
17. Violation of University policies.
18. Requiring illegal and/or unlawful activities.

3. Alcohol and Other Substance Use: SO members are prohibited from using or possessing any alcoholic beverages, except as permitted by state law or University policy or ordinance. Alcohol infractions include, but are not limited to, providing alcohol to under-age individuals, alcohol permit violations, and use, sale, or possession without permission.

SO members are prohibited from using, possessing, or manufacturing any drug or drug paraphernalia prohibited by federal or state law, as well as providing such substances to others.

4. Property Damage and Vandalism: A SO will be subject to discipline if any member damages, defaces, destroys, vandalizes, or tampers with the property of another person or the University as a result of reckless behavior or intentional misuse.
5. Theft: Unauthorized possession of property, identity, services, or resources owned or maintained by the University.
6. Trademarks: A SO is prohibited from the unauthorized use of the MSU trademark, name, title, and images.
7. Falsification of Information: Forgery, alteration, or misuse of organization identification, records, or documents, or knowingly furnishing false information to the University.
8. Failure to Comply with a University Directive: SO members must not obstruct, disrupt, or interfere with the functions, services, or directives of the University.
9. Student Organization Funds: SO members must not mishandle or allocate organizational funds in violation of university policies or procedures.
10. Sponsorship: SO members must not sponsor activities with any student group or organization that has been prohibited from participation or had their SO status suspended or terminated.

11. Academic Misconduct: A SO may be subject to discipline if one or more of its members aids or abets other students to cheat, plagiarize or engage in other forms of academic misconduct.
12. Other Prohibited Conduct: Violating other University policies or regulations will subject an SO to discipline. Disciplinary action may also be taken if an activity of one or more SO members at a group or organization-sponsored event threatened any educational process or other legitimate function of the University, or the health or safety of another individual or individuals.

Disciplinary Process for Alleged Infractions

- Any alleged violation of the SO Code of Conduct by a SO must be reported to the OSSA. Any student, faculty, staff, student organization or other individual may submit a written complaint against a SO for behavior on- or off-campus. Allegations of misconduct by individual SO members must be reported to the OSSA. The OSSA may handle a complaint against a SO while concurrently adjudicating a complaint for related misconduct by a member(s) of the same SO.
- Any alleged violation of the Policy on Relationship Violence and Sexual Misconduct or the Anti-Discrimination Policy by an SO or its member(s) must be reported to the MSU Office of Institutional Equity.
- Upon receipt of a complaint, the OSSA will review alleged violations of the SO Code of Conduct. The OSSA may gather information from a variety of sources in adjudicating a complaint against an SO. Where appropriate, the OSSA may attempt to resolve the issue informally through direct discussions with the parties. If the issue cannot be resolved informally, the OSSA will proceed with formal adjudication of the complaint.
- The OSSA will notify the SO in writing of the complaint, including: (1) the specific policy or infraction that was allegedly violated; (2) the date, place, and description of the alleged violation; (3) notice of the opportunity to review the complaint in person; and (4) the deadline by which an SO officer must meet with the OSSA.
- At the required administrative meeting, the OSSA will inform the SO officer of their rights and responsibilities under this document, review the complaint, and discuss possible resolution options. At that time, the respondent SO will be provided a copy of the complaint and may admit or deny the alleged violation.
- If the SO fails to meet with the OSSA, or fails to admit or deny the alleged violation within five (5) class days of meeting with the OSSA, the OSSA may take one of the following actions:
 - Suspend the SO's status until an SO officer meets with the OSSA.
 - Render a decision on the complaint.
- If the SO admits to the violation, the OSSA will work towards a resolution in which the SO takes responsibility for its actions and agrees to the sanction decided by the OSSA. This is a negotiated process that allows all parties to find

solutions that promote accountability and good decision-making in the future by the SO.

- If the SO denies the violation, the SO will have the opportunity to submit documents and other relevant evidence to the OSSA and identify witnesses who may have relevant information. The OSSA will use a preponderance of the evidence standard to decide whether the SO committed the alleged policy violation. If it is more likely than not that no policy violation occurred, the complaint will be withdrawn. If it is more likely than not that a policy was violated, the OSSA will issue sanctions.
- The OSSA shall notify the SO in writing of the decision, including a rationale for the decision, any sanctions issued, and notification of the right to appeal.

Sanctions

Sanctions imposed will be based on consideration of the circumstances in a particular case, including any prior record of misconduct by the SO. Failure to comply with a sanction may result in the imposition of more severe sanctions.

Sanctions may include one or more of the following:

- Disciplinary Reprimand
 - An official written statement expressing disapproval of the behavior and warning that further misconduct may result in more severe discipline.
- Educational Sanction
 - The SO may be required to provide an identified service, participate in a particular program, receive specific instruction, complete a designated assignment or activity, or other similar sanctions intended to educate.
- Attainment of Standards
 - The SO members may be required to attain a specific standard over the course of a designated time period. Examples include, but are not limited to, organizational grade point average, organizational arrest and citation rate, organizational member retention, and/or organizational member certifications/trainings.
- Restitution
 - The SO may be assessed reasonable expenses related to the infraction, including the repair/replacement cost for any damage to property.
- SO Probation
 - An official written statement establishing a period of time for observing and evaluating an SO. If the SO commits additional infractions during the probationary period, more severe sanctions may be imposed. The probation may be accompanied by conditions.
- Revocation or Restriction of Privileges
 - A SO may be denied access to certain university privileges for a definite or indefinite period of time. This may include, but is not limited to, prohibitions on university space usage, bar from receiving and/or expending funds, and suspension from participating in certain student organization and/or university-sponsored events or activities.

- Loss of Registration
 - A SO may be involuntarily separated from the University for a specified period or permanently. Conditions for return may be imposed.

Appeals

Either party may appeal the decision in writing to the Director of OSSA, or designee, within five class days after the decision has been sent to the parties. The appeal must be on the basis that:

- (a) the information presented does not support the decision reached;
- (b) the information presented does not support the sanction imposed; or
- (c) the procedures described above for adjudicating the case were not followed.

Any sanctions issued will not go into effect while the appeal is pending. On appeal, the decision may be affirmed, reversed, remanded back with instructions for further investigation or modified as deemed appropriate by the Director of OSSA, or designee.

Temporary Restraining Actions

The Associate Vice President for Student Affairs and Dean of Students or designee (AVP/DOS) may impose a temporary restraining action against an SO, pending the outcome of a disciplinary complaint if the SO's continued operation or conduct threatens immediate and irreparable harm to the health or safety of persons or property.

Before deciding to take a temporary restraining action, the AVP/DOS will make a reasonable attempt to notify the SO of the potential temporary restraining action and offer the SO an opportunity to present information that it does not pose such a threat. The AVP/DOS shall consider the nature and potential extent of the immediate and irreparable harm and other alternatives to remedy the situation. If the AVP/DOS decides to take a temporary restraining action, the SO shall be required to immediately halt or withdraw the action in question pending the resolution of the disciplinary complaint.

The temporary restraining action shall not preclude, render irrelevant or predetermine the outcome of the disciplinary complaint relating to conduct on which the temporary restraining action is based. Nor shall a temporary restraining action create a presumption that the SO violated any policies.

The SO subject to the temporary restraining action may petition in writing to have the restraining action removed at any time. Such a petition will be considered by the Vice President for Student Affairs or designee. Within five (5) class days after receipt of the petition, the Vice President for Student Affairs or designee shall meet with SO officers for the sole purpose of deciding whether to continue or remove the temporary restraining action.