A student organization approved (i.e., registered or recognized) by the University of Missouri assumes an obligation to behave in a manner compatible with the University’s function as an educational institution.

Student Organizations can be held responsible for conduct outlined in Section B either where the Student Organization does the prohibited conduct or where it actively encourages, assists or promotes such conduct. Examples of circumstances in which a Student Organization can be held responsible include but are not limited to the following:

1. at least one member of the group’s leadership or a significant number of organization members were aware of prohibited conduct before it occurred, should have stopped it but did not; or have knowledge following the prohibited conduct and attempt to cover it up;

2. organization resources, such as funds, listservs, or message boards or organization locations such as offices or houses, are used for the prohibited conduct;

3. the location of the prohibited conduct was owned, rented, or controlled by members and/or alumni and no effort was made to see that the prohibited conduct did not occur;

4. a policy or official practice of the organization resulted in the prohibited conduct; or

5. the prohibited behavior in question was committed by one or more organization officers or a significant number of organization members.

A. Jurisdiction of the University of Missouri generally shall be limited to conduct which occurs on the University of Missouri premises or at University-sponsored or University-supervised functions. However, nothing restrains the administration of the University of Missouri from taking appropriate action, including, but not limited to, the imposition of sanctions against student organizations for conduct on or off University premises in order to protect the physical safety of students, faculty, staff, and visitors.

B. Conduct for which a student organization is subject to sanctions includes both conduct by the organization itself and conduct it actively encourages, assists or promotes falling into the following categories:

1. Forgery, alteration, or misuse of University documents, records or identification, or knowingly furnishing false information to the University.

2. Obstruction or disruption of teaching, research, administration, conduct proceedings, or other University activities, including its public service functions on or off campus.
3. **Hazing, physical abuse, threats of violence**, or other conduct which threatens or endangers the health or safety of any person. Refer to UMSL Student Life Handbook for the Hazing policy.

4. **Stalking** another (using electronic or other means) by following or engaging in a course of conduct with no legitimate purpose that puts another person reasonably in fear of his or her safety or would cause a reasonable person under the circumstances to be frightened, intimidated or emotionally distressed.

5. **Nonconsensual sexual behavior** including, but not limited to, rape, sexual assault or sexual harassment.

6. **Harassment** by engaging in a course of conduct (using electronic or other means) directed at a specific person that serves no legitimate purpose that would cause a reasonable person under the circumstances to be frightened, intimidated, or emotionally distressed.

7. **Invasion of privacy** by photographing or recording (using electronic or other means) in a state of full or partial nudity in a place where one would have a reasonable expectation of privacy without that person’s consent, and distributing or transmitting that image without that person’s consent.

8. **Attempted or actual theft** of, damage to, or possession without permission of property of the University or a member of the University community or of a campus visitor.

9. **Unauthorized possession**, duplication or use of keys to any University facilities or unauthorized entry to or use of University facilities.

10. **Violation of University policies**, rules or regulations including, but not limited to, those governing student organizations and residence in University-provided housing, or the use of University facilities, or the time, place and manner of public expression.

11. **Manufacture, use, possession, sale or distribution of alcoholic beverages** or any controlled substance without proper prescription or required license or as expressly permitted by law or University regulations, including operating a vehicle on University property, or on streets or roadways adjacent to and abutting a campus, under the influence of alcohol or a controlled substance as prohibited by law of the state of Missouri.

12. **Disruptive or disorderly conduct** or lewd, indecent, or obscene conduct or expression.
13. **Failure to comply** with directions of University officials acting in the performance of their duties.

14. **Failing to comply with all university policies, state and local laws and applicable ordinances**, as well as all local, regional, national organizational policies, including but not limited to student governing council policies.

15. **Academic dishonesty**, such as cheating, plagiarism, or sabotage.

16. **Illegal or unauthorized possession or use of firearms**, explosives, other weapons, or hazardous chemicals.

17. **Misuse in accordance with University policy of computing resources**, including but not limited to:

   a. Actual or attempted theft or other abuse.

   b. Unauthorized entry into a file to use, read, or change the contents, or for any other purpose.

   c. Unauthorized transfer of a file.

   d. Unauthorized use of another individual's identification and password.

   e. Use of computing facilities to interfere with the work of another student, faculty member, or University official.

   f. Use of computing facilities to interfere with normal operation of the University computing system.

   g. Knowingly causing a computer virus to become installed in a computer system or file.
The following rules of procedure in student organization conduct matters are hereby adopted in order to insure insofar as possible and practicable (a) that the requirements of procedural due process in student organization conduct proceedings will be fulfilled by the University of Missouri – Saint Louis, (b) that the immediate effectiveness of Section 10.030, which is Article VI of the Bylaws of the Board of Curators relating to the President’s ability to authorize the adoption of campus rules and regulations and establish standards of conduct, may be secured for approved student organizations at the University of Missouri – Saint Louis, and (c) that the procedures shall be definite and determinable within the University of Missouri – Saint Louis.

A. Primary Administrative Officer

The Director of Student Conduct & Community Standards is the primary administrative officer designee for administration of discipline for unacceptable conduct which involves infractions of the University rules and regulations or the Standard of Conduct for Student Organizations by an approved (i.e., registered or recognized) student organization and will initiate disciplinary procedures in accordance with these regulations.

B. Preliminary Procedures

The Director of Student Conduct & Community Standards or his/her designee (hereafter, the Primary Administrative Officer) shall investigate any reported student organization misconduct before initiating formal disciplinary procedures and give the registered officers of the student organization the opportunity to present their personal version of the incident or occurrence. The Primary Administrative Officer may discuss, consult and advise with the registered officers of any organization whose conduct is called into question. The registered officers or their representative shall attend such consultations as requested by the Primary Administrative Officer and shall be given a copy of these procedures. The Primary Administrative Officer, in making his/her investigation and disposition, may utilize student courts and boards to make recommendations.

C. Sanctions

1. The following sanctions may be imposed upon any student organization found to have violated the Standard of Conduct for Student Organizations; more than one of the sanctions may be imposed for any single violation:

   a. Warning. A notice in writing to the student organization that the student organization is violating or has violated institutional regulations.
   b. Probation. A written reprimand for violation of specified regulations. Probation is for a designated period of time and includes the probability of more severe
sanctions if the student organization is found to be violating any institutional regulation(s) during the probationary period.

c. Loss of Privileges. Denial of specified privileges for a designated period of time.
d. Restitution. Compensation for loss, damage, or injury to the University or University property. This may take the form of appropriate service and/or monetary or material replacement.
e. Discretionary Sanctions. Work assignments, service to the University, or other related discretionary assignments.
f. Loss of University Recognition. An involuntary separation of the student organization from the institution. It does not imply or state a minimum separation time. Conditions for readmission may be specified.

2. **Temporary Suspension.** The Chief Student Affairs Officer or Designee may at any time temporarily suspend all or some of the activities of a University approved (i.e., registered or recognized) student organization from the University pending an investigation when the Chief Student Affairs Officer or Designee finds and believes from available information that the presence or activities of the student organization on campus would seriously disrupt the University or constitute a danger to the health, safety, or welfare of members of the University community. The appropriate procedure to determine the future status of the student will be initiated within seven calendar days.

D. **Informal Disposition**

The Primary Administrative Officer, after investigation, and when acceptable to the student organization, shall have the authority to impose appropriate discipline. Where the disposition proposed by the Primary Administrative Officer in the preliminary proceedings is not accepted by the student organization in writing, the student organization shall have the rights of notice, hearing and formal procedures as hereinafter set forth before the Student Organization Conduct Committee. The Primary Administrative Officer shall fix a reasonable time within which the student organization shall accept or reject a proposed informal disposition. A failure of the student organization to either accept or reject such proposed disposition within the time fixed shall be deemed acceptance, and in such event, the proposed disposition shall become final upon expiration of time. If the student organization rejects the informal disposition, its signed statement shall be forwarded to the Student Organization Conduct Committee. The Primary Administrative Officer, at his/her discretion, may refer cases to the Student Organization Conduct Committee without first offering informal disposition.

E. **Formal Procedure and Disposition**

1. **Student Organization Conduct Committee.**
   (1) The Student Organization Conduct Committee shall be appointed by the Chief Student Affairs Officer using members from the Student Conduct Committee. The Student Organization Conduct Committee shall have the authority to recommend to the Chief Student Life and Operations Officer appropriate discipline upon any student
organization appearing before it, including, but not limited to, a warning, disciplinary probation, restitution, loss of privileges, discretionary sanctions, and/or loss of University recognition.

(2) The Committee, when appropriate or convenient, may be divided by the Chair of the Student Organization Conduct Committee into Hearing Panels, each panel to be composed of at least five members present at the hearing, including a designated chair. A Hearing Panel has the authority of the whole Committee in those cases assigned to it by the Chair of the Student Organization Conduct Committee. The Chair of the Committee or of a Hearing Panel shall count as one member of the Committee or Hearing Panel and have, in addition to his/her rights as Chair, the same voting and other rights as other members of the Committee or Hearing Panel.

2. **General Statement of Procedures.** An organization charged with a violation of University rules or regulations, or rules or regulations pertaining to student organization conduct is entitled to a written notice and a formal hearing unless the matter is disposed of under the rules for informal disposition. The procedures set forth below shall be interpreted and administered to accomplish this objective and provide for prompt consideration and disposition of student organization conduct cases. Disciplinary proceedings are not to be construed as judicial trials, but care shall be taken to comply as fully as possible with the spirit and intent of the procedural safeguards set forth herein. The Office of the General Counsel shall be available to advise the Student Organization Conduct Committee.

3. **Notice.** The Primary Administrative Officer shall initiate disciplinary actions by arranging with the Chair to call a meeting of the Student Organization Conduct Committee and by giving a written notice by certified mail or personal delivery to a registered officer of the student organization charged with misconduct which shall set forth the date, time and place of the alleged violation, the conduct to be inquired into, and the date, time and place of the hearing before the Student Organization Conduct Committee. Notice by certified mail may be addressed to the last address currently on record with the University. Failure by the student organization to have its current, correct local address or that of a registered officer on record with the University shall not be construed to invalidate such notice. A copy of the notice shall be sent to the Student Organization's Advisor. The notice shall be given at least seven (7) consecutive calendar days prior to the hearing, unless a shorter time is fixed by the Chair for good cause. Any request for continuance shall be made in writing to the Chair, who shall have the authority in his/her discretion to continue the hearing if he/she determines the request is timely and made for good cause. The Chair shall notify the Primary Administrative Officer and the student organization of the new date for the hearing. If the organization fails to send a representative to the scheduled meeting, the Committee may hear and determine the matter in its absence.

**F. Hearing Procedures**

1. **Conduct of Hearing.** The Chair shall preside at the hearing, call the hearing to order, call the roll of the Committee in attendance, ascertain presence or absence of the
representative of the student organization charged with misconduct, read the notice of hearing and charges and verify the receipt of notice of charges by the student organization, report any continuances requested or granted, establish the presence of any advisor or counselor of the student organization, call to the attention of the organization charged and its advisor any special or extraordinary procedures to be employed during the hearing, and permit the organization to make suggestions of or objections to any procedures for the Student Organization Conduct Committee to consider.

In cases where the misconduct charged is nonconsensual sexual behavior, the complainant will be afforded the same rights in the hearing as the accused student organization as described below. In such cases, questions between the accused student organization and the complainant will be made through the Chair.

a. Opening Statements:
   (1) The Primary Administrative Officer shall make opening remarks outlining the general nature of the case and testify to any facts his/her investigation has revealed.
   (2) A representative from the student organization may make a statement to the Committee about the charge at this time or at the conclusion of the University's presentation, at the representative's election.
   (3) In cases of nonconsensual sexual behavior the complainant may likewise make a statement to the Committee at either time.

b. University Evidence:
   (1) University witnesses are to be called and identified or written reports or evidence introduced as appropriate.
   (2) The Committee may question witnesses at any time.
   (3) The student organization's representative or, with permission of the Committee, its advisor or counselor may question witnesses or examine evidence at the conclusion of the University's presentation.

c. Student Organization's Evidence: The student organization's representative shall have the opportunity to make a statement to the Committee about the charge, and may then present further evidence through witnesses or in the form of written memoranda as it desires. The Committee may question the organizational representative or witnesses at any time. The Primary Administrative Officer may question the organizational representative or witnesses.

d. Complainant’s Evidence (in cases of nonconsensual sexual behavior):
   (1) If the complainant has not elected to make a statement earlier under F.1.a (3) above, the complainant shall have the opportunity to make a statement to the Committee about the charge.
   (2) The complainant may present evidence through witnesses or in the form of written memoranda.
   (3) The Committee may question the complainant or witnesses at any time. The student organization’s representative may question witnesses. Questions between
the student organization’s representative and the complainant will be made through the Chair.

e. **Rebuttal Evidence:** The Committee may permit the University or the student organization or, in cases of nonconsensual behavior, the complainant to offer any matter in rebuttal of the other’s presentation.

2. **Rights of Student Organization Conduct Committee.** The Student Organization Conduct Committee shall have the right to:
   1. hear together cases involving more than one student organization which arise out of the same transaction or occurrence, but in that event shall make separate findings and determinations for each organization;
   2. permit a stipulation of facts by the Primary Administrative Officer and the student organization involved;
   3. permit the incorporation in the record by a reference of any document, affidavit or other thing produced and desired to be incorporated in the record by the University or the student organization charged;
   4. question witnesses or other evidence introduced by either the University or the student organization at any time;
   5. hear from the Primary Administrative Officer about dispositions made in similar cases and any informal dispositions offered to the student organization appearing before the Committee;
   6. call additional witnesses or require additional investigation;
   7. dismiss any action at any time or permit informal disposition as otherwise provided;
   8. at any time permit or require amendment of the Notice of Hearing to include new or additional matters which may come to the attention of the Committee before final determination of the case, provided, however, that in such event the Committee shall grant to the student organization or Primary Administrative Officer such time as the Committee may determine reasonable under the circumstances to answer or explain such additional matters;
   9. dismiss any person from the hearing who interferes with or obstructs the hearing or fails to abide by the rulings of the Chair or the Committee on request; and
   10. refer to the campus Student Conduct Committee students from the University who, during the hearing, obstruct or interfere with the course of the hearing or fail to abide by the ruling of the Chair of the Committee on any procedural question or requests of the Chair for order.

3. **Student Organization Rights Upon Hearing.** A student organization appearing before the Student Organization Conduct Committee pursuant to the formal notice of charges and disciplinary hearing shall have the right to:
   1. have the president or other officer designee from the student organization present at the hearing;
   2. have an advisor or counselor of its choice appear with the student organization representative and to consult with such advisor or counselor during this hearing;
   3. hear or examine evidence presented to the committee against it;
(4) question witnesses present and testifying against it at the hearing, except in cases of nonconsensual sexual offenses in which all questions to the complainant shall be made indirectly through the Chair;
(5) present evidence by witness or affidavit of any defense the student organization desires;
(6) make any statement to the Committee in mitigation or explanation of the conduct in question that it desires;
(7) be informed in writing of the findings of the Student Organization Conduct Committee and any discipline it recommends; and
(8) appeal or petition for review to the Chief Student Affairs Officer or his/her designee.

4. **Complainant’s Rights Upon Hearing** (in cases of nonconsensual sexual behavior). In cases where the misconduct charged is nonconsensual sexual behavior, a complainant appearing before the Committee shall have the right to:
   (1) be present at the hearing;
   (2) have an adviser or counselor and to consult with such adviser or counselor during the hearing;
   (3) hear or examine evidence presented to the Committee;
   (4) question witnesses present and testifying;
   (5) present evidence by witnesses or affidavit;
   (6) make any statement to the Committee in mitigation or explanation of the conduct in question;
   (7) be informed in writing of the findings of the Committee and any discipline it recommends; and
   (8) appeal or petition for review to the Chief Student Affairs Officer or his/her designee.

5. **Recommendation of Committee.** The Student Organization Conduct Committee shall then make its findings and recommendations, based on the preponderance of the evidence, in executive session out of the presence of the Primary Administrative Officer and the student organization charged. Separate findings are to be made: (1) as to the conduct of the student organization, and (2) on the discipline, if any, recommended to be imposed. No sanction shall be recommended for the student organization unless a majority of the Committee present is convinced by the preponderance of the evidence that the student organization has committed the violation(s) charged.

6. **Official Report of Findings and Recommendation.** The Committee shall promptly consider the case on the merits and make its findings and recommendations and transmit them to the Chief Student Life and Operations Officer, the Primary Administrative Officer, the student organization charged, and in cases of nonconsensual sexual behavior the complainant forthwith.

7. **Other Procedural Questions.** Procedural questions which arise during the hearing not covered by these general rules shall be determined by the Chair, whose ruling
shall be final unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final.

8. **General Rules of Decorum.** The following general rules of decorum shall be adhered to:

1. all requests to address the Committee shall be addressed to the Chair;
2. the Chair will rule on all requests and points of order and may consult with the Committee's advisor prior to any ruling. The Chair's ruling shall be final and all participants shall abide thereby, unless the Chair shall present the question to the Committee at the request of a member of the Committee, in which event the ruling of the Committee by majority vote shall be final;
3. rules of common courtesy and decency shall be observed at all times;
4. an advisor or counselor may be permitted to address the Committee at the discretion of the Committee. An advisor or counselor may request clarification of a procedural matter or object on the basis of procedure at any time by addressing the Chair after recognition.

9. **Record of Hearing.** An audio record of the hearing shall be maintained. The hearing record shall be maintained and kept as long as the discipline imposed shall be in force, or for five (5) years, whichever is earlier. The notice, exhibits, hearing record and the findings and recommendation of the Committee shall become, together with the decision of the Chief Student Life and Operations Officer, the "Record of the Case" and shall be filed in the office of the Division of Student Affairs and for the purpose of appeal shall be accessible at reasonable times and places to both the University and the student organization.

G. **Decision of Chief Student Life and Operations Officer**

After consideration of the Committee’s Findings and Recommendation, the Chief Student Life and Operations Officer shall make his/her decision based on the preponderance of the evidence. If the Chief Student Life and Operations Officer does not accept the recommendation of the Committee, a written statement of the reasons for so ruling must be given to both parties and to the Chairperson of the Committee.

H. **Right of Appeal (Loss of University recognition)**

1. When a student organization has been sanctioned by the Chief Student Life and Operations Officer with loss of University recognition, the Primary Administrative Officer, the charged student organization, or the complainant in the case of nonconsensual sexual behavior may appeal such decision to the Chief Student Affairs Officer or Designee by filing written notice of appeal within ten (10) consecutive calendar days after notification of the decision of the Student Organization Conduct Committee. A copy of the Notice of Appeal will contemporaneously be given by the organization to the Primary Administrative Officer or by the Primary Administrative Officer to the organization. The appealing party may file a written memorandum for
consideration by the Chief Student Affairs Officer or Designee with the Notice of Appeal, and may request a reply to such memorandum by the student organization or Primary Administrative Officer.

2. The Chief Student Affairs Officer or Designee shall review the full record of the case and the appeal documents and may affirm, reverse or remand the case for further proceedings and shall notify the Primary Administrative Officer and the student organization in writing of his/her decision on the appeal. The decision of the Chief Student Affairs Officer or Designee is final.

I. Right to Petition for Review (other than loss of University recognition)

1. In all cases where the discipline imposed by the Chief Student Life and Operations Officer is other than loss of University recognition, the Primary Administrative Officer, the charged student organization, or the complainant in the case of nonconsensual sexual behavior may petition the Chief Student Affairs Officer or Designee in writing for a review of the decision within five (5) consecutive calendar days after notification of the decision of the Student Organization Conduct Committee and by serving a copy of the Petition for Review upon the non-appealing party within such time. The Petition for Review shall state the grounds or reasons for review, and the non-appealing party may answer the petition within five (5) consecutive calendar days if he/she so desires.

2. The Chief Student Affairs Officer or Designee may grant or refuse the right of review. If the Chief Student Affairs Officer or Designee reviews the decision, the action of the Chief Student Affairs Officer or Designee shall be final unless it is to remand the matter for further proceedings.

3. In all cases where the Petition for Review is refused by the Chief Student Affairs Officer or Designee, the action of the Chief Student Life and Operations Officer shall be final.

J. Status During Appeal

In cases of loss of University recognition where a Notice of Appeal is filed within the required time, a student organization may petition the Chief Student Affairs Officer or Designee in writing for permission to conduct activities pending final determination of the appeal. In cases of nonconsensual sexual behavior, the complainant shall receive a copy of the organization’s petition and may submit a response to the Chief Student Affairs Officer or Designee. The appellate authority may permit the organization to continue activities under such conditions as may be designated pending completion of appellate procedures provided such continuance will not seriously disrupt the University or constitute a danger to the health, safety or welfare of the University community. In such event, however, any final disciplinary action imposed shall be effective from the date of the action of the Chief Student Life and Operations Officer.