

Manual of Policies and Procedures for Student Affairs

Subchapter 2.7 Student Organizations

Subchapter 2.7-100. General Provisions

Sec. 2.7-101. Definitions

- a. In this chapter, unless the context requires a different meaning,
1. "director" means the director of student life and leadership;
 2. "hearing officer" means a person appointed by the president to conduct hearings of alleged violations of a regents' rule, university regulation, or administrative rule;
 3. "organization" means a student group holding a valid registration;
 4. "president" means the president of The University of Texas at Tyler;
 5. "student" means a person currently enrolled in residence 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 semester or summer session and is eligible to continue enrollment in the semester or summer session that immediately follows, or who is attending an educational program sponsored by the university while that person is on campus;
 6. "university" means The University of Texas at Tyler;
 7. "university facility" means a classroom, auditorium, student residence, other building, or outdoor area owned or controlled by the university;
 8. "weekday" means Monday through Friday except for official university holidays; "day" means calendar day;
 9. "faculty or staff" means a current employee of The University of Texas at Tyler.
 10. "consultant" means any community member who is not university faculty, staff or student.

Subchapter 2.7-200. Registration

Sec. 2.7-201. Registration Required

- a. The university encourages student development and participating in organizations as an effective means of establishing interpersonal relationships, developing leadership skills, and generally enhancing the academic program.
- b. The university encourages student advocacy within the limits necessary to accommodate academic needs and ensure public safety, and welcomes its students' involvement with the political, moral, and social issues of the day.
- c. Five or more students with a university faculty or staff advisor are entitled to register as a new organization. At least three students are required to re-register as a student organization. A new student organization is one that has not registered in at least one academic year.
- d. Each group that seeks to use university facilities shall apply to the Office of Student Life and Leadership for registration as an organization.
- e. No organization or group may be registered if the actions or activities of the organization or group, in the opinion of the president and/or the Chief Student Affairs Officer, are inimical to the educational purpose and work of the university.

Sec. 2.7-202. Eligibility

- a. A group is eligible for registration if
1. its membership is limited to students, faculty, and staff of the university;

2. its membership is not denied on any basis prohibited by applicable law, including, but not limited to, race, color, national origin, religion, sex, age, disability, or veteran status;
3. it is not under disciplinary penalty prohibiting registration; and
4. it conducts its affairs in accordance with local, state, and federal laws; the Regents' Rules, university regulations; and administrative rules.

Sec. 2.7-203. Application

- a. Before a group may register as a student organization, each of the students wishing to do business with the university on behalf of the organization must attend a student organization orientation hosted by the Office of Student Life and Leadership.
- b. A group shall apply to register using a registration form prescribed by the Chief Student Affairs Officer and available in the Office of Student Life and Leadership.
- c. The registration form shall include
 1. Names and contact information for the five student members authorized to conduct business with the university on behalf of the student organization;
 2. Name and contact information for the faculty or staff advisor;
 3. Statement of Understanding that includes the Membership Agreement and the No Hazing Agreement; and
 4. A fundraising report.

Sec. 2.7-204. Action on Application

- a. The director shall consider the application unless the applicant is ineligible under subsection 2.7-201(e), or section 2.7-202 or 2.7-203.
- b. The director provides tentative approval to the applicant by letter and will request a formal constitution of the organization be submitted.
- c. When tentative approval is obtained, the organization has 90 days to submit a formal constitution to the director.
- d. An organization is not registered until the director signs the application form and places it and the organization constitution on file.
- e. If an organization is refused registration, the director shall provide the applicant with a copy of a written statement of the reasons for refusal, and the applicant may appeal in accordance with section 2.7-404.

Sec. 2.7-205. Use of University Name or Sponsorship

- a. Only an organization that is sponsored by the university may use the name of the university or an abbreviation of the name of the university as part of its name.
- b. A student, group, or organization may not use the name of the university or an abbreviation of the name of the university as part of its name. A student, group, or organization may use terms such as "campus" as part of its name.
- c. A student, group, or organization may not advertise or promote events or activities or other functions in a manner that suggests falsely that the event or activity is sponsored by the university.

Subchapter 2.7-300. Rights and Duties

Sec. 2.7-301. Recognition and Activities

- a. An organization is entitled
 1. to be listed as a registered student organization;
 2. to sponsor or present a public performance or exhibition on university property in accordance with subchapter 7-200;
 3. to raise funds or make other permissible solicitations on university property in accordance with subchapter 7-200;
 4. to reserve the use of university facilities in accordance with subchapter 7.200.

Sec. 2.7-302. Membership

a. An organization must restrict its membership to students, faculty, and staff of the university, but it may not deny membership on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, age, disability, citizenship, sexual orientation, or veteran status.

b. An organization must maintain an advisor who is a faculty or staff member of the university and who must sign organization registration forms and other applicable forms for student organizations to conduct activities on campus. An organization may have a consultant who is not a faculty or staff member of the university but the consultant is not eligible to sign organization forms to conduct activities on campus.

Sec. 2.7-303. Fiscal Procedure

- a. Student organizations may establish accounts with private financial institutions.
- b. Texas law allows a registered student organization to be relieved from state sales tax liability for fund-raising sales occurring one day per month or less where sales are for the benefit of the registered organization and do not involve another entity not authorized for solicitation.

Sec. 2.7-304. Rules and Regulations for Student Organizations

- a. Student organizations must register once a semester with the Office of Student Life and Leadership. In order to register, a student organization must attend a student organization orientation session that includes the Risk Management Curriculum, complete a registration form, and have an updated constitution on file. Provided they comply with the guidelines stated here, student organizations' fall registration is good from September 1st to February 15th; their spring registration is good from February 16th to August 31st.
- b. The name of The University of Texas at Tyler or the name of The University of Texas System cannot be used as part of a student organization's name.
- c. A student organization is not allowed to suggest or imply that it is acting with the authority or as an agency of The University of Texas at Tyler.
- d. A seal of either The University of Texas at Tyler or the University of Texas System cannot be used by a student organization in connection with any activity of the organization. In addition, a student organization is not allowed to use such seal or seals as a part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.
- e. Only registered students, faculty, and staff of The University of Texas at Tyler are eligible for membership in a student organization. As a part of the registration process each semester, each student organization or group must sign an agreement that it does not, and will not during the semester, have as a member any individual who is not a student, faculty, or staff member at The University of Texas at Tyler.

f. A student organization that has as a member anyone who is not a student, faculty, or staff member at The University of Texas at Tyler may not use any facility of The University of Texas at Tyler.

g. The president and the chief student affairs officer have the power to deny registration to any student organization or group whose actions or activities in their opinion are adverse to the educational purpose and work of The University of Texas at Tyler.

h. A student organization whose registered status has been cancelled cannot re-apply for registration for at least one calendar year following the date of cancellation.

i. A student organization that owes a delinquent monetary debt to the university will not be allowed to use the facilities of the university until such debt is paid.

j. Hazing with or without the consent of a student inflicting the hazing or the person submitting to the hazing is not permitted and subject to immediate discipline. In addition, as a part of the registration process each semester, each organization must sign a written statement acknowledging that the organization does not engage in hazing activities which may be dangerous, harmful, or degrading to the student.

k. A current copy of an organization's constitution must be submitted at the beginning of each semester and whenever amendments to the constitution are made.

l. All signs, posters, and fliers must be approved by the Office of Student Life and Leadership unless they are posted on a bulletin board specifically designed for that organization's school.

Sec. 2.7-305. Risk Management Policy (In compliance with Education Code 51.9361)

- a. All faculty and staff advisors who serve in an advisory capacity to any student organization:
 1. Must be older than 21 years of age.
 2. May **not** be a current student of the postsecondary education institution at which the student organization is registered.
 3. Must attend the risk assessment program unless the program was previously attended under this code. The institution is required to maintain documentation of attendance for up to three years. Upon the third anniversary of initial attendance, the advisor must attend the risk assessment program again.
 4. Non-attendance by any faculty or staff advisor will result in that organization losing recognition as a registered student organization until the risk management program is completed.
- b. Consultants who are not faculty or staff members of UT Tyler may complete the risk management program through an appropriate computer-based risk assessment program.
- c. Each advisor required to attend the program will report on the program's contents at a meeting of the full membership of the student organization or designate the report to the organization officers. The report to the full membership must be documented and the documentation must include the names of all members in attendance.
- d. The Office of Student Life and Leadership will provide a risk management program for members of all student organizations registered with the university at the beginning of each long semester.
 1. Any member of the organization may attend the program.
 2. The designated officers of each student organization must attend the risk management program at the beginning of each long semester.

3. Non-attendance by any one officer of a student organization will result in the represented organization losing recognition as a registered student organization until the risk management program is completed.
 4. The student organization may designate up to four officer positions. If a student organization has a vacant officer position, the student organization will, to the extent practicable, identify and designate an equivalent officer position and the person serving in that officer position will attend the program.
 5. Each officer required to attend the program will report on the program's contents at a meeting of the full membership of the student organization. The report to the full membership must be documented and the documentation must include the names of all members in attendance. The organization must provide the documentation records to the Office of Student Life and Leadership.
- e. The Risk Management Program Curriculum may include additional appropriate issues as determined by the Office of Student Life and Leadership but **must** include the following topics:
1. possession and use of alcoholic beverages and illegal drugs, including penalties that may be imposed for possession or use;
 2. hazing;
 3. sexual abuse and harassment;
 4. fire and other safety issues, including the possession and use of a firearm or other weapon or of an explosive device;
 5. travel to a destination outside the area in which the institution is located;
 6. behavior at parties and other events held by a student organization; and
 7. adoption by a student organization of a risk management policy
- f. Notification of the Risk Management Program requirements will include the following.
1. The Student Life and Leadership Office will provide notification of the Risk Management Program requirements in writing as part of the student organization registration packet.
 2. The time, location and date of all Risk Management Programs will be posted on the UT Tyler website, the Student Life and Leadership website, on campus bulletin boards and electronic monitors and in the Student Life and Leadership office.
 3. The Student Life and Leadership Office will provide opportunities for program sessions on alternative dates and times to ensure adequate opportunities for attendance.
 4. The Student Life and Leadership Office will collaborate with the Student Organization President's Council (SOPC) to establish the times, location and dates of all programs.
 5. The Student Life and Leadership Office will develop and provide a computer-based program for consultants who are not faculty or staff of UT Tyler.
 6. The Student Life and Leadership Office will take attendance at each program.
 7. Student organizations found in noncompliance at the conclusion of all published and offered program sessions will be ineligible for the remainder of that semester to be a recognized and registered organization on campus.
 8. The Student Life and Leadership Office may impose reasonable sanctions on a person who is required to attend the program and fails to attend.
 9. The Student Life and Leadership Office will maintain an appropriate record of attendance and of notice provided until the third anniversary of the date of the program. These records will be provided to the Chief Student Affairs Officer at the completion of all programs on a semester basis.

Sec. 2.7-306. Release and Indemnification Agreement

Student organizations are required to have each individual member and their dependents fill out and sign a release and indemnification agreement before taking out-of-town trips as on

organization. These agreements should be filed with the Chief Student Affairs Officer before taking the trip.

Subchapter 2.7-400. Discipline

Sec. 2.7-401. Administration

- a. An organization violates a regents' rule, university regulation, or administrative rule when
 1. one or more of its officers or authorized representatives acting in the scope of their organizational capacities commit the violation;
 2. one or more of its members commit the violation after the action that constitutes the violation was approved by majority vote of those members of the organization 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 member of an organization acting with apparent authority of the organization commits the violation;
 5. one or more members of an organization or its officers permit, encourage, aid, or assist any of its members in committing a violation;
 6. one or more members of an 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 an organization fail to report to appropriate university or civil authorities promptly their knowledge or any reasonable information about a violation

- b. When the Director of Residence Life and Judicial Affairs receives information that an organization has allegedly violated a regents' rule, university regulation, or administrative rule, he or she shall investigate the alleged violation. Upon completing the investigation, the director may
 1. dismiss the allegation as unfounded; or
 2. summon the authorized representative(s) of the organization for a conference at which the organization can respond to the charges and, after conferring with the representative(s):
 - a. dismiss the allegation; or
 - b. find the organization in violation and impose a penalty.

- c. The Director of Residence Life and Judicial Affairs may impose one or more of the penalties under section 2.7-402 when an organization fails, without good cause, to comply with a summons under subsection (b).

- d. Notwithstanding any other provision of this chapter, the Director of Residence Life and Judicial Affairs or the president may take immediate disciplinary action, pending a conference, against an organization that violates a rule or regulation of the university or the University of Texas System when, in the opinion of the official, the interest of the university or the University of Texas System would be served by interim action.

- e. A student may be disciplined for a violation under chapter 8 even though the organization of which the student is a member is penalized under this subchapter for the same violation or for a violation growing out of the same factual transaction.

Sec. 2.7-402. Penalties

- a. The Director of Residence Life and Judicial Affairs, acting pursuant to section 2.7-401, or the hearing officer, after a hearing under this subchapter, may impose one or more of the following penalties for violation of a regents' rule, university regulation, or administrative rule:

1. place the organization on probation for not more than one calendar year;
2. suspend for not more than one calendar year the organization's right to do one or more of the following:
 - a. publicly post signs;
 - b. install a booth;
 - c. publicly assemble or demonstrate;
 - d. sponsor or present a public performance or exhibition;
 - e. publicly raise funds or make a solicitation;
 - f. reserve the use of university facilities; or
 - g. participate in intramural sports tournaments and events;
3. require restitution, educational seminars, and community service;
4. suspend for not more than one calendar year the organization's registration; or
5. cancel the organization's registration for not less than one calendar year.
6. The Director of Residence Life and Judicial Affairs or the hearing officer may impose conditions related to the offense and failure to meet the conditions will be considered an additional violation.

Sec. 2.7-403. Notice

a. The Director of Residence Life and Judicial Affairs must notify the organization concerned by letter of the penalty imposed and of the group's right to appeal. The Director of Residence Life and Judicial Affairs shall send the letter to any authorized representative of the organization.

b. The letter shall

1. describe concisely the findings of violation;
2. outline the penalty imposed; and
3. advise the organization of its rights to appeal in accordance with section 2.7-404.

Sec. 2.7-404. Right to Appeal

a. An organization that has not had its registration suspended or canceled may appeal to the president.

b. An organization that has had its registration suspended or canceled is entitled to appeal to the president or to have the director's decision reviewed by a hearing officer. The organization or the Director of Residence Life and Judicial Affairs may appeal the decision of the hearing officer to the president.

c. To appeal any decision, written notice must be given to the Director of Residence Life and Judicial Affairs within ten days after the day on which the decision or action being appealed is announced. The notice is informal, but shall contain the organization's name, the date of the decision or action, the name of the organization's representative, and the review authority to which the appeal is being made. If the Director of Residence Life and Judicial Affairs is the appellant, a copy of the notice shall be given to the accused organization on the same day notice is served by the Director of Residence Life and Judicial Affairs.

d. Notice of appeal timely given suspends the imposition of penalty until the appeal is finally decided, but interim action may be taken as authorized under subsection 2.7-401(d).

e. In the case of an appeal to the president, arguments either against or in support of the decision will be considered, and at the discretion of the president, will be presented in writing rather than orally.

f. The president may approve, reject, or modify the decision in question, or may require that the original decision be reopened for the presentation of additional evidence and reconsideration of the decision.

g. In an appeal to a hearing officer, the director's decision will be reviewed for fairness, reasonableness, and compliance with Institutional Rules as described in subchapter 2.7-405. The hearing officer will review written arguments and then meet with both parties together to ask questions, seek clarification, and hear any final comments by the parties.

h. The hearing officer may approve, reject, or modify the director's decision. The criteria on which the hearing officer's decision will be based are fairness, reasonableness, and compliance with Institutional Rules. Either party may appeal the decision of the hearing officer to the president.

i. Before an appeal can be considered, all relevant documentation from the previous decision to be filed by the appealing party, including written arguments when appropriate, must be filed with the reviewing authority within twenty-one days after notice of appeal is given.

j. The action of each reviewing authority shall be communicated in writing to the accused organization and the Director of Residence Life and Judicial Affairs. The decision of the president shall be the final appellate review.

Sec. 2.7-405. Hearing

a. The hearing is informal and is closed except that, upon request of the accused organization, the hearing may be open. With the consent of or by invitation of the representative of the accused organization, the following persons may attend:

1. not more than two representatives of the Student Government Association;
2. not more than two staff members of the Patriot; and
3. not more than five members of the organization.

b. An authorized representative of the organization may challenge the hearing officer's alleged lack of fairness or objectivity, but is not entitled to disqualify the person from serving. It shall be up to the challenged person to determine whether he or she can serve with fairness and objectivity. If the challenged person disqualifies himself or herself, another hearing officer shall be appointed.

c. The Director of Residence Life and Judicial Affairs shall set the date, time, and place for the hearing and notify the organization's authorized representative.