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.

1. “Academic or administrative unit” means any office or department of the University.
2. “Adviser” means a single individual whom an accused student member of a registered student or sponsored student organization may elect to accompany him or her to a meeting with the dean of students or a hearing regarding an alleged violation of University policy. Because the accused student is solely responsible for presenting his or her case during the disciplinary process, an adviser may confer with and advise the accused student but may not advocate for the student in a meeting with the dean of students or in a hearing. If an adviser is directly related to a disciplinary case or if the adviser’s presence poses a conflict of interest, the dean of students or hearing officer may dismiss the adviser from the meeting or hearing. Advisers may be dismissed from any disciplinary proceedings if they disrupt the process. If an adviser is an attorney, then the dean of students may also be accompanied by an attorney.
3. “Authorized representative” means a student designated to represent or speak for a registered student or sponsored student organization in its relations with the University and to receive official notices, directives, or information from the University on behalf of the registered student or sponsored student organization.
4. “Day” means calendar day, except University holidays and days on which regularly scheduled classes are suspended due to emergent situations; “weekday” means Monday through Friday, except University holidays and days on which regularly scheduled classes are suspended due to emergent situations; “University holiday” means a staff holiday identified in the holiday schedule published by the Office of Human Resource Services. If a deadline defined in this chapter falls on a Saturday, Sunday, or University holiday, that deadline will be moved to the next weekday; Saturdays and Sundays that are contiguous with University holidays are not considered “days” as defined here.
5. “Dean of students” means the dean of students of the University of Texas at Austin or any delegate or representative of the dean of students.
6. “Disciplinary record” means an administrative record maintained by the dean of students in connection with a registered student or sponsored student organization’s violation or alleged violation of a Regents’ Rule, University regulation, or administrative rule. The disciplinary record may include hearing records, disciplinary decisions, and other documents required under this chapter or deemed relevant by the dean of students.
7. “Disciplinary decision” means a written decision as to whether an accused registered student or sponsored student organization has committed a violation of a Regents’ Rule, University regulation, or administrative rule. The disciplinary decision includes the findings of fact in support of the decision along with the assessed sanction or sanctions, if any.
8. “Hearing officer” means a person appointed by the president of the University to conduct hearings of alleged violations of a Regents’ Rule, University regulation, or administrative rule.
9. “Legislative student 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.
10. “Officially sponsored,” “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.
   A. “Endorsement” means that the sponsoring administrative or academic 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.
B. “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.
C. “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 administrative or academic unit and the University.
D. “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 adviser.

11. “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.

12. “Registered student organization adviser” means a person serving in an advisory capacity to a registered student organization to provide guidance to the registered student organization and its members. A person serving as an adviser to a registered student organization affected by section 51.9361 of the Texas Education Code must be someone who
   A. is at least twenty-one years of age;
   B. is not enrolled as a student at the University; and
   C. 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.

13. “Sponsored student organization adviser” means a University staff or faculty member from the sponsoring administrative or academic unit who is serving in an advisory capacity to provide guidance to the sponsored student organization and its members. A person serving as an adviser to a sponsored student organization affected by section 51.9361 of the Texas Education Code must be someone who
   A. is at least twenty-one years of age;
   B. is not enrolled as a student at the University; and
   C. serves as a part-time or full-time employee of the University.

14. “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 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, or who engaged in prohibited conduct while he or she met the above criteria. “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.

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16. “University holiday”—see “day” above.

17. “Vice president” means the vice president for student affairs at the University of Texas at Austin.

18. “Weekday”—see “day” above.

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 at least one time per year to the dean of students to be registered as a registered student or sponsored student organization.
Sec. 6–202. Eligibility
A student organization is eligible for registration if

1. three or more students sign its application for registration;
2. it limits membership to students, faculty members, and staff members of the University;
3. it does not deny membership on the basis of race, color, religion, national origin, gender, age, disability, citizenship, veteran status, sexual orientation, gender identity, or gender expression, except that
   A. 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
   B. a registered student organization may restrict membership based on the provisions of Title IX of the Education Amendments of 1972;
4. there are no financial bars against the registered student or sponsored student organization;
5. it is not under a disciplinary sanction prohibiting registration; and
6. it conducts its affairs in accordance with local, state, and federal laws, the Regents’ Rules and Regulations, University regulations, and administrative rules.

Sec. 6–203. Application
A group of students that wants to become a registered student or sponsored student organization must apply on a form prescribed by the dean of students. The form will include

1. the name of the proposed registered student or sponsored student organization;
2. the name, e-mail address, public username (UT EID), and telephone listing of at least three students and any required signatures;
3. a description of each prior application for registration and the action taken on it;
4. an official statement of the proposed registered student or sponsored student organization’s purpose and activities;
5. a description of membership requirements; and
6. any other information reasonably required by the dean of students.

Sec. 6–204. University Sponsorship of Student Organizations and Use of University Name
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 officially sponsored by the University.
d. No student, unregistered group, or registered student, faculty, or staff organization may 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” or “Texas campus” or [name of organization] at the University of Texas at Austin as part of its name.
e. No student, unregistered group, or registered student, faculty, or staff organization may advertise or promote any event or activity in a manner that falsely suggests that the event or activity is sponsored by the University.

Sec. 6–205. Action on Application
a. In considering a completed application, the dean of students will not pass on the merits of the proposed registered student or sponsored student organization’s purpose, but will register the applicant unless it is ineligible under section 6–202.
b. The dean of students approves the registration of a registered student or sponsored student organization by signing the application form and placing it on file.
c. If a registered student or sponsored student organization is refused registration, the dean of students will provide the applicant with a copy of a written statement of the reasons for refusal, and the applicant may appeal in accordance with section 6–507.

Subchapter 6–300. Rights and Duties
Sec. 6–301. Recognition and Activities
A registered student or a sponsored student organization is entitled
1. to be listed as a registered student or sponsored student organization;
2. to reserve the use of University facilities under subchapter 10–200 of the Institutional Rules;
3. to raise funds or make other permissible solicitations on University property under section 13–205 of the Institutional Rules;
4. to distribute literature under subchapter 13–400 of the Institutional Rules;
5. to post signs under section 13–500 of the Institutional Rules;
6. to hang banners under section 13–504 of the Institutional Rules;
7. to set up A-frames under section 13–505 of the Institutional Rules;
8. to set up a table under subchapter 13–600 of the Institutional Rules;
9. to set up exhibits under subchapter 13–700 of the Institutional Rules;
10. to use amplified sound under subchapter 13–800 of the Institutional Rules;
11. to publicly assemble under subchapter 13–900 of the Institutional Rules; and
12. to present a guest speaker on University property in accordance with subchapter 13–1000 of the Institutional Rules.

Sec. 6–302. Membership
A registered student or a sponsored student organization must restrict its membership to students, faculty members, and staff members of the University, but it may not deny membership on any basis that violates subsection 6–202(3).

Sec. 6–303. Obligations
a. During the registration period, every registered student and sponsored student organization will furnish the dean of students with a list of at least three authorized representatives. Each list will be kept current and accurate throughout the academic year by the registered student or sponsored student organization. The list of authorized representatives will include each person’s name, e-mail address, public username (UT EID), telephone listing, and other information as requested by the dean of students.
b. During the registration period, each registered student and sponsored student organization must file with the dean of students a statement that the registered student or sponsored student organization does not, and will not during the academic year,
   1. have as a member any person who is neither a student nor a member of the faculty or staff of the University,
   2. deny membership on any basis prohibited by subsection 6–202(3), or
   3. engage in activities that involve the subjection of a probationary member of the group to dangerous, harmful, or degrading acts as defined in chapter 14 of the Institutional Rules or Appendix H, Prohibition of Sexual Assault.

If the dean of students determines that the statement is or has become false, disciplinary proceedings may be initiated by the dean of students, under subchapter 6–500.

c. As defined in the Regents' Rules and Regulations, Rule 80103, Number 2, Section 4, within thirty days after the beginning of each long semester, each registered student and sponsored student organization will file with the dean of students a final report, signed by an authorized representative of the organization, fully disclosing the sources and amounts of money obtained from solicitations during the preceding semester or summer session, the purposes and amounts of the expenditures made during the preceding semester or summer session, and any other information required by the dean of students about solicitation activities during the preceding semester.
d. No registered student organization or sponsored 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.
e. A registered student or sponsored student organization may be subject to discipline by the University under subchapter 6–500 for violating a Regents’ Rule, University regulation, or administrative rule.

Subchapter 6–400. Fiscal and Accounting Procedures
Sponsored student organizations must comply with all applicable fiscal and accounting procedures of the University of Texas at Austin.

Subchapter 6–500. Discipline
Sec. 6–501. Initiation of Disciplinary Proceeding
a. The dean of students has primary authority and responsibility for the administration of registered student and sponsored student organization discipline. Any act by an academic or administrative unit that could reasonably be construed as a discipline against a registered student or sponsored student organization must afford sufficient process consistent with University policy; such decisions should be submitted to the dean of students and then will be kept in the official registered student or sponsored student organization files maintained by the dean of students. The dean of students retains the authority to modify any discipline issued by an academic or administrative unit; the authority to modify a discipline includes the authority to impose further sanctions.

b. A registered student or sponsored student organization violates a Regents’ Rule, University regulation, administrative rule, city ordinance, or state or federal law when

1. one or more of its officers or authorized representatives 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 registered student or sponsored student organization present and voting; 
3. one or more members of a committee of the registered student or sponsored student organization commit a violation while acting in the scope of the committee’s assignment; 
4. a member of the registered student or sponsored student organization commits a violation while acting with apparent authority of the registered student or sponsored student organization; 
5. one or more members of the registered student or sponsored 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 registered student or sponsored 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 a registered student or sponsored 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 information that a registered student or sponsored student organization has allegedly violated a Regents’ Rule, University regulation, or administrative rule, city ordinance, or state or federal law, he or she will investigate the alleged violation. Upon completing the investigation, the dean of students will make a decision to

1. dismiss the allegation as unfounded or otherwise conclude the investigation; or 
2. pursue a conference resolution as described in section 6-503; or 
3. pursue an administrative resolution as described in subsection 6–505(d).

d. If the dean of students determines that there are reasonable grounds for proceeding with the disciplinary process, the dean of students may elect to proceed with the case through either a conference resolution or an administrative resolution. The decision to proceed under a conference or an administrative resolution is at the sole discretion of the dean of students and may be made at any point during the disciplinary process.

e. Notwithstanding any other provision of this chapter, the dean of students or the president of the University may take immediate disciplinary action against a registered student or sponsored student 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. The dean of students will notify the authorized representative(s) of the accused registered student or sponsored student organization by letter or by e-mail of the disciplinary decision. The dean of students may send the notice to any authorized representative of the registered student or sponsored student organization. A letter or an e-mail message sent to an authorized representative at an address listed in the registrar’s records will constitute full and adequate notice. A letter will be considered to have been received on the third day after the day of mailing. An e-mail message will be considered to have been received on the second day after the day of sending the message.

Sec. 6–502. Investigation

a. An investigation is an administrative process by which the dean of students gathers information related to the allegation of a violation of a Regents’ Rule, University regulation, administrative rule, city ordinance, or state or federal law. The investigation may include but is not limited to, summoning authorized representatives and members of the accused registered student or sponsored student organization; requesting documents from the registered student or sponsored 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.

b. Searches of organization-occupied or organization-controlled premises or of an organization’s possessions will be
conducted only as authorized by law.

c. Registered student organizations and sponsored student organizations that fail to respond to meeting requests from the dean of students may be subject to interim disciplinary action as described in subsection 6-501(e); interim disciplinary action includes but is not limited to restrictions of privileges.

d. If the dean of students calls a meeting with a student during an investigation, the student may be accompanied by an adviser. The student must give the dean of students twenty-four hours’ notice that the adviser will attend the meeting.

Sec. 6–503. Conference Resolution

a. Either during an investigation or afterwards, the dean of students may contact the authorized representative(s) of the accused registered student organization or sponsored student organization for a conference at which the registered student organization or sponsored student organization may respond to the charges. If the authorized representative(s) fail to respond, or if the dean of students determines that a conference resolution is not appropriate under the circumstances, then the administrative resolution process may be initiated.

b. The dean of students retains the right to issue warning letters without a disciplinary conference.

c. After hearing the response of the accused registered student organization to the allegation, the dean of students will either

1. dismiss the allegation; or
2. determine that the greater weight of credible evidence supports a finding that a violation has occurred and recommend a sanction as described in section 6–506.

d. A registered student organization that receives a sanction in a conference resolution has the right to appeal the decision as described in section 6–507.

Sec. 6–504. Administrative Resolution: Summoning a Student

a. The dean of students may summon a student to appear in connection with an alleged violation by sending a message to the student by letter or by e-mail at an address listed in the registrar’s records.

b. The message will direct the student to appear at a specific time and place at least three weekdays after the date of the message if the message is sent by letter, or at least two weekdays after the date of the message if the message is sent by e-mail.

c. The dean of students may impose one or more of the sanctions under section 6–506 against the accused registered student organization or sponsored student organization if a member, officer, or authorized representative of the registered student organization or sponsored student organization fails without good cause to comply with a summons sent under subsection 6–504(a). A letter sent to an address listed in the registrar’s records, a letter hand-delivered to the student, or an e-mail message sent to the address listed in the registrar’s records will constitute full and adequate notice. The student’s failure to provide and to maintain current addresses, refusal to accept delivery of a letter, or failure to receive an e-mail message because the mailbox is full or the message is inappropriately forwarded will not constitute good cause for failure to comply with the summons. (Policies on the use of e-mail for official correspondence are given in Appendix M.)

d. A student may also be subject to discipline under chapter 11 of the Institutional Rules for failure to respond to a summons issued under this section.

Sec. 6–505. Administrative Resolution: Notice of Findings and Disciplinary Decision

a. Upon completion of the investigation under section 6–502, the dean of students will share the findings of the investigation with the authorized representative(s) of the accused registered student or sponsored student organization.

b. The authorized representative(s) will have fourteen days to respond to the findings by letter or by e-mail to the dean of students.

c. After the authorized representative(s) have responded to the findings, the dean of students will notify the authorized representative(s) by letter or by e-mail of the specific time and place to discuss the disciplinary decision. The dean of students may send the notice to any authorized representative of the accused registered student organization or sponsored student organization. A letter or an e-mail message sent to an authorized representative at an address listed in the registrar’s records will constitute full and adequate notice.

d. The dean of students will inform the authorized representative(s) that there are two options to resolve the disciplinary matter. The authorized representative(s) will have fourteen days to select one of the two options and to notify the dean of students by letter or by e-mail of their choice:

1. the authorized representative(s) may enter into a written agreement with the dean of students to address registered student organization conduct in specific ways; or
2. the dean of students will render a disciplinary decision that includes a sanction or sanctions pursuant to
section 6–506.

e. If, without good cause as determined by the dean of students, the authorized representative(s) fail to choose an option for resolving the disciplinary matter in accordance with subsection 6–505(d), the registered student organization or sponsored student organization waives its right to enter into a written agreement to address registered student organization or sponsored student organization conduct.

f. If the authorized representative(s) choose to enter into a written agreement with the dean of students as described in subsection 6–505(d)(1), the authorized representative(s) and the dean of students will have thirty days to develop and sign a mutually acceptable agreement. The thirty-day period will begin when the authorized representative(s) notify the dean of students that they choose to enter into a written agreement. At the discretion of the dean of students, the thirty-day deadline may be extended for a period not to exceed an additional thirty days.

g. The dean of students will render a disciplinary decision as described in subsection 6–505(d)(2) if
   1. the authorized representative(s) do not choose the option described in subsection 6–505(d)(1) of entering into a written agreement with the dean of students;
   2. the authorized representative(s) fail to choose either of the options described in subsection 6–505(d); or
   3. the authorized representative(s) and the dean of students are unable to develop a written agreement as described in subsection 6–505(d)(1) that is acceptable to both parties.

h. The disciplinary decision of the dean of students will include any sanction or sanctions pursuant to section 6–506 that are appropriate to the charges and to the accused registered student or sponsored student organization's disciplinary record, if any.

i. The dean of students will share the disciplinary decision with the authorized representative(s) of the accused registered student or sponsored student organization. The decision will
   1. concisely describe the dean of students' findings of fact regarding the allegation;
   2. state the sanction or sanctions imposed, if any; and
   3. if any violation is found or any sanction or sanctions imposed, advise the authorized representative(s) of their resolution options and right to appeal in accordance with section 6–507.

Sec. 6–506. Sanctions

a. A student may be disciplined for a violation under chapter 11 of the Institutional Rules even though the registered student or sponsored student organization of which the student is a member is disciplined under subchapter 6–500 for the same violation or for a violation growing out of the same factual transaction.

b. The dean of students, acting pursuant to section 6–501, or the hearing officer, after a hearing under subchapter 6–500, may impose one or more of the following sanctions on an accused registered student or sponsored student organization for violation of a Regents' Rule, University regulation, or administrative rule:
   1. place the registered student or sponsored student organization on probation for not more than one calendar year;
   2. suspend the registered student or sponsored student organization's registration for not more than one calendar year;
   3. cancel the registered student or sponsored student organization's registration for not less than one calendar year;
   4. suspend for not more than one calendar year the registered student or sponsored student organization's right to do one or more of the following:
      A. reserve the use of University facilities;
      B. publicly raise funds or make a solicitation;
      C. distribute literature;
      D. publicly post signs;
      E. hang banners;
      F. set up A-frames;
      G. set up a table;
      H. set up an exhibit;
      I. use amplified sound;
      J. publicly assemble or demonstrate;
      K. present guest speakers; or
      L. participate in intramural sports tournaments and events.
   5. require restitution, educational seminars, and community service; or
   6. impose another sanction or sanctions deemed appropriate under the circumstances.
c. The dean of students or the hearing officer may impose conditions related to the offense, and failure to meet the conditions will be considered an additional violation.

Sec. 6–507. Options Following a Disciplinary Decision Issued by the Dean of Students

a. A registered student or sponsored student organization that has not had its registration suspended or canceled may appeal the disciplinary decision assessed by the dean of students under subsection 6–506(b) to the vice president as dictated by section 6-516.

b. A registered student or sponsored student organization that has had its registration suspended or canceled may appeal the disciplinary decision assessed by the dean of students under subsection 6–506(b) to the vice president as dictated by section 6-516, or request a formal hearing before a University hearing officer as dictated by section 6-508.

c. A registered student or sponsored student organization that has had its application for registration denied by the dean of students under subsection 6–205(c) may appeal to the vice president as dictated by section 6-516.

d. Notice of appeal timely given suspends the imposition of the sanction or sanctions until the appeal is finally decided, but interim action may be taken as authorized under subsection 6–501(e).

Sec. 6–508. Appeal to a Hearing Officer

To appeal a disciplinary decision of suspension or cancellation of registration issued under section 6–506 to a hearing officer, the authorized representative(s) of the accused registered or sponsored student organization must submit a written appeal to the dean of students. The appeal must be submitted by letter or by e-mail within fourteen days from the date on which the dean of students discussed the disciplinary decision with the authorized representative(s). The appeal must state the name of the accused registered student organization, the date the decision was shared, and specific reasons for the appeal, including any related argument.

Sec. 6–509. Hearing Officer

a. The hearing officer will preside over the hearing and will

1. determine whether the dean of students has satisfactorily performed the requirements of section 6–510;
2. determine whether hearing observers may be present; hearing observers will be limited to people attending the hearing for University training purposes;
3. rule on the admissibility of evidence and on objections to the procedure; facilitate the hearing process, which includes removing from the hearing anyone who is disrupting the process; render a written decision, which will contain findings of fact and conclusions as to whether or not a violation has occurred; assess a sanction or sanctions; provide the authorized representative(s) of the accused registered student organization and the dean of students with a copy of the decision; and
4. certify the hearing record.

b. The authorized representative(s) of the accused registered student or sponsored student organization may challenge the hearing officer on the basis of an alleged lack of fairness or objectivity, but they are not entitled to disqualify that person from serving. It will 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 will be appointed.

Sec. 6–510. Notice of Hearing

a. The dean of students will

1. set the date, time, and place for the hearing and notify the accused registered student or sponsored student organization of the date, time, and place;
2. arrange for recording the hearing as provided in subsection 6–513(e); and
3. furnish a suitable room, necessary equipment, and clerical assistance for the hearing.

b. The dean of students will notify the authorized representative(s) of the accused registered student or sponsored student organization by letter or by e-mail of the date, time, and place for the hearing. The notice will be delivered in person or sent by letter or by e-mail to each authorized representative at an address listed in the registrar's records.

c. The notice will specify a hearing date at least ten days after the date the letter or e-mail message is received, unless the accused registered student or sponsored student organization has requested an earlier date as allowed by subsection 6–510(d). A letter or an e-mail message sent to an address listed in the registrar's records will constitute full and adequate notice. A letter will be considered to have been received on the third day after the day of mailing. An e-mail message will be considered to have been received on the second day after the day of sending the message.

d. The authorized representative(s) of the accused registered student organization may request, in writing, that an earlier hearing date be set if feasible to arrange. The hearing officer for good cause may postpone the hearing, and
he or she will notify the dean of students and the authorized representative(s) of the new hearing date. An authorized representative’s failure to provide and to maintain current addresses, refusal to accept delivery of a letter, or failure to receive an e-mail message because the mailbox is full or the message is inappropriately forwarded will not constitute good cause for failure to comply with the notice. (Policies on the use of e-mail for official correspondence are given in Appendix M.)

e. Notice sent under subsection 6–510(a) will

1. direct the authorized representative(s) of the accused registered student or sponsored student organization to appear on the date and at the time and place specified;

2. advise the authorized representative(s) of their rights
   A. to request a private hearing;
   B. to appear in person and to have an adviser at the hearing;
   C. to challenge the person designated to hear the charges;
   D. to know the identity of each witness who will testify against the registered student or sponsored student organization;
   E. to present testimony of witnesses, to present documentary and other evidence, and to argue on the registered student or sponsored student organization’s behalf;
   F. to cross-examine each witness who testifies against the registered student or sponsored student organization;
   G. to appeal under section 6–517;

3. contain the name of the person appointed to act as hearing officer;

4. contain the names of witnesses who may testify against the accused registered student or sponsored student organization, a brief summary of the testimony to be given by each, and a list of documentary and other evidence that will be offered against the registered student or sponsored student organization; the University may supplement the list of witnesses and documents for good cause, as determined by the hearing officer;

5. contain a copy of the disciplinary decision by the dean of students; and

6. notify the authorized representative(s) of the accused registered student organization that, if the registered student organization is advised by an attorney at the hearing, then the dean of students may be advised by an attorney at the hearing. An adviser may confer with and advise the dean of students or the authorized representative(s) but will not be permitted to question witnesses, introduce evidence, make objections, or present arguments to the hearing officer.

f. An authorized representative’s failure to provide and to maintain current addresses, refusal to accept delivery of a letter, or failure to receive an e-mail message because the mailbox is full or the message is inappropriately forwarded will not constitute good cause for failure to comply with a notice sent under this section.

g. In situations where all of the authorized representatives of the accused registered student or sponsored student organization fail to attend a scheduled hearing, the hearing officer will, at the time of the scheduled hearing, make a determination if the dean of students provided notices as dictated by 6-510. If the hearing officer determines that the dean of students provided notice as dictated by 6-510, the dean of students may elect to hold the hearing without the registered student organization’s participation or reschedule the hearing for a different date. If the hearing proceeds in the absence of the accused registered student or sponsored student organization, the hearing will be conducted according to the provisions of 6-512(b) with the final decision issued by the hearing officer as dictated by 6-514. Even in situations where no authorized representatives from the registered student or sponsored student organization attend the hearing, the hearing officer’s decision may be appealed under Section 6-517.

Sec. 6–511. Preliminary Matters for a Hearing

a. At least five days before the hearing date, the authorized representative(s) of the accused registered student or sponsored student organization will furnish the dean of students with a list of any witnesses who may testify on behalf of the registered student or sponsored student organization, together with a summary of each witness’s testimony and a copy of any documents and other evidence he or she may offer; the authorized representative(s) may supplement the list of witnesses and documents for good cause, as determined by the hearing officer.

b. At least five days before the hearing date, the authorized representative(s) of the accused registered student or sponsored student organization will furnish the hearing officer with

1. any objection that, if sustained, would postpone the hearing; and

2. the name of the adviser(s), if any, who will appear with the authorized representative(s), and the relationship of the adviser(s) to the authorized representative(s).

c. At least five days before the hearing date, the dean of students will make copies of documents to be introduced at the
Sec. 6–512. Hearing Procedure
a. The hearing is informal and closed, except that, with the consent of the hearing officer, the authorized representative(s) of the accused registered student or sponsored student organization, and the dean of students, the hearing may be open.
b. Although the hearing will proceed generally as follows, the hearing officer may adjust the sequence of the hearing as necessary to ensure fairness:
   1. the dean of students reads the disciplinary decision;
   2. the hearing officer informs the authorized representative(s) of the accused registered student or sponsored student organization of their rights listed in subsection 6–510(e)(2);
   3. the dean of students and the authorized representative(s) are each given the opportunity to make an opening statement; the authorized representative(s) have the right to reserve the registered student or sponsored student organization’s opening statement until after the dean of students has presented the University’s case;
   4. the dean of students is given the opportunity to present the University’s witnesses and evidence; during this time, the authorized representative(s) may question any of the dean of students’ witnesses;
   5. the authorized representative(s) are given the opportunity to present the registered student organization’s witnesses and evidence; during this time, the dean of students may question any of the organization’s witnesses;
   6. the dean of students and the authorized representative(s) are given the opportunity to present rebuttal evidence and argument;
   7. the dean of students is given the opportunity to present a recommendation on a sanction or sanctions;
   8. the authorized representative(s) are given the opportunity to present a rebuttal and recommended outcome or sanction(s);
   9. the dean of students is given the opportunity to present a closing statement;
   10. the authorized representative(s) are given the opportunity to present a closing statement;
   11. the hearing officer decides whether a violation has occurred and assesses a sanction or sanctions in accordance with section 6–506; and
   12. the hearing officer informs the authorized representative(s) of the registered student or sponsored student organization’s right to appeal to the vice president.

Sec. 6–513. Evidence in Hearings
a. Legal rules of evidence do not apply to hearings under this subchapter; the hearing officer may admit and give effect to evidence, including testimony, that possesses probative value and is commonly accepted by reasonable people in the conduct of their affairs. The hearing officer will exclude irrelevant, immaterial, and unduly repetitious evidence. All evidence admitted during the hearing will be made a part of the record. The hearing officer will give effect to the rules of privilege recognized by law. The hearing officer may require evidence of the relationship and/or seek legal counsel before making a decision on the assertion of privilege, even if such would require postponing the hearing.
b. Upon a hearing of the charges, the University has the burden of going forward with the evidence and the burden of proving the charges by the greater weight of credible evidence.
c. A witness will testify unless the testimony is privileged as recognized by law or is excluded by the hearing officer. If a witness refuses to testify based upon a privileged relationship recognized by Texas law, the hearing officer may require evidence of the relationship and/or seek legal counsel before making a decision on the assertion of privilege, even if such would require postponing the hearing.
d. The hearing officer will decide whether a violation has occurred and assess an appropriate sanction or sanctions solely on the basis of admitted evidence. The accused registered student or sponsored student organization's disciplinary record is admitted into evidence during a hearing only to help the hearing officer assess an appropriate sanction or sanctions.
e. A recording will be made of the hearing, under supervision of the dean of students. At the discretion of the dean of students, a court recorder may also be present to prepare a written transcript of the hearing.

Sec. 6–514. Disciplinary Decision of the Hearing Officer
Before issuing his or her decision, the hearing officer will certify the hearing record as defined in section 6–515. If a court reporter is present during the hearing and prepares a written transcript of the hearing, the transcript is considered part of the hearing record, and the hearing officer should wait to receive it before certifying the hearing record. The hearing officer will then render a written decision as to whether the accused registered student or sponsored student organization has committed a violation and
will set forth findings of fact in support of the decision. The sanction or sanctions will also be stated in the decision. The authorized representative(s) of the registered student or sponsored student organization and the dean of students will each be given a copy of the decision. The hearing officer's written decision is the official decision on the matter from which any appeal is taken. The hearing officer should make every effort to complete the written decision within thirty days of the hearing. If the hearing officer is unable to issue the written decision within thirty days, he or she will contact both the authorized representative(s) and the dean of students to provide a date for completion of the written decision.

Sec. 6–515. Hearing Record
The hearing record consists of

1. a copy of the notice required under section 6–510;
2. the recording of the hearing certified by the hearing officer and the transcript, if any, certified by the court reporter, together with all evidence admitted under section 6–513;
3. written motions and pleas; and
4. the disciplinary decision of the hearing officer.

Sec. 6–516. Appeal of the Decision of the Dean of Students to the Vice President
a. The authorized representative(s) of the accused registered student or sponsored student organization may appeal the disciplinary decision of the dean of students under section 6–506 directly to the vice president. The appeal, if any, must be submitted in writing to the vice president within fourteen days from the date on which the authorized representative(s) were notified of the disciplinary decision. If notice of the decision is sent by mail, the date the notice is mailed initiates the fourteen-day period. The written appeal must state the specific reasons for the appeal and must include any related argument. The authorized representative(s) must provide the dean of students with a copy of the appeal submitted to the vice president.

b. The dean of students may submit a written response to the appeal to the vice president. The response, if any, must be submitted no later than five days after the vice president received the accused registered student or sponsored student organization's appeal. The dean of students must provide a copy of the response to the authorized representative(s) of the accused registered student or sponsored student organization. The response must be limited to and specifically related to the arguments originally submitted by the appealing party. New or additional information not specifically related to the original arguments submitted will not be considered on appeal. The dean of students' submission of a response to the appeal will not extend the thirty-day period within which the action of the vice president will be communicated as outlined in subsection 6–518(c).

c. The accused registered student or sponsored student organization's appeal will be reviewed solely on the basis of the registered student or sponsored student organization's disciplinary record, the written arguments of the authorized representative(s) of the registered student or sponsored student organization, and the written response to the appeal submitted by the dean of students.

Sec. 6–517. Appeal of the Decision of the Hearing Officer to the Vice President
a. Either the authorized representative(s) of the accused registered student or sponsored student organization or the dean of students may appeal the disciplinary decision of the hearing officer rendered under section 6–514 by submitting a written appeal to the vice president. The appeal, if any, must be submitted within fourteen days from the date on which the appealing party was notified of the disciplinary decision. If notice of the disciplinary decision is sent by mail, the date the disciplinary decision is mailed initiates the fourteen-day period. The written appeal must state the specific reasons for the appeal and must include any related argument. If either party appeals the disciplinary decision, the vice president may request that the recording be transcribed; the transcript will be made available to both parties. If a court reporter was present during the hearing and prepares a written transcript immediately thereafter, the transcript is considered part of the hearing record and is made available to both parties.

b. If the accused registered student or sponsored student organization is the appellant, the authorized representative(s) of the registered student or sponsored student organization must provide the dean of students with a copy of the appeal submitted to the vice president on the same date that the appeal is submitted to the vice president. If the dean of students is the appellant, the dean of students will give, e-mail, or mail a copy of the appeal to the authorized representative(s) of the registered student or sponsored student organization on the same day that the dean of students submits the appeal to the vice president. If the copy of the appeal is mailed or e-mailed, the dean of students will send it to the authorized representative(s) at an address listed in the registrar's records.

c. Following the submission of the appeal to the vice president, the non-appealing party may submit a written response to the vice president. The response, if any, must be submitted no later than five days after the vice president received the appeal. The non-appealing party must provide a copy of the response to the other party. The response must be limited to and specifically related to the arguments originally submitted by the appealing party. New or additional
information not specifically related to the original arguments submitted will not be considered on appeal. The submission of a response to the appeal will not extend the thirty-day period within which the action of the vice president will be communicated as outlined in subsection 6–518(c).

d. The appeal of the disciplinary decision of the hearing officer will be reviewed solely on the basis of the hearing record, the accused registered student or sponsored student organization’s disciplinary record, the written arguments of the appealing party, and the written response of the non-appealing party. The dean of students will submit the record from the hearing to the vice president as soon as it is available to the dean of students.

Sec. 6–518. Vice President’s Authority

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

b. At the discretion of the vice president, both parties may present oral arguments in an appeal of the disciplinary decision of the dean of students or the hearing officer. In situations where all of the authorized representatives of the appealing registered student or sponsored student organization fail to attend oral arguments, the vice president may elect to hold the oral arguments without the registered student or sponsored student organization’s participation or reschedule the oral arguments for a different date.

c. The action of the vice president will be communicated in writing to the authorized representative(s) of the accused registered student or sponsored student organization and the dean of students within thirty days after the appeal has been received by the vice president. The decision of the vice president will be final.

Pages in this Section

- 1. Student Orientation
- 2. The Office of Admissions and the Office of the Registrar
- 3. Student Financial Services
- 4. University Health Services
- 5. University-Owned Residences
- 6. Student Organizations
- 7. The Division of Recreational Sports
- 8. The University Unions
- 9. Educational Records
- 10. Use of University Property, Rooms, and Spaces
- 11. Student Discipline and Conduct
- 12. Counseling and Mental Health Center
- 13. Speech, Expression, and Assembly
- 14. Prohibition of Hazing

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- Subchapter 6–100. General Provisions
- Subchapter 6–200. Registration
- Subchapter 6–300. Rights and Duties
- Subchapter 6–400. Fiscal and Accounting Procedures
- Subchapter 6–500. Discipline