



SPARTAN LIFE

studentlife.msu.edu

2016-2017 STUDENT HANDBOOK AND RESOURCE GUIDE



Information and Services
Rights and Responsibilities
Regulations

MICHIGAN STATE
UNIVERSITY

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UNIVERSITY
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Any updates to the text of this publication are accessible at website: <http://SpLife.studentlife.msu.edu>

2016
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Division of Student Affairs and Services
556 E. Circle Drive Room 101
(517) 355-8286
Michigan State University
Edited by Lisa Vanwelsenaers

MSU is an affirmative-action, equal-opportunity institution

MICHIGAN STATE UNIVERSITY

August 22, 2016

Dear MSU Student:

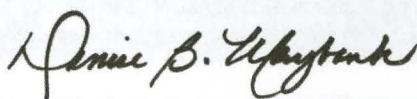
Spartan Life provides valuable and important information for your engagement at Michigan State University. This handbook and resource guide compiles much of the essential information you will need to optimize your Spartan experience.

As an academic community, it is necessary to set standards that will promote an environment conducive to learning. The first part of ***Spartan Life*** presents the policies, regulations and guidelines developed to provide an atmosphere that furthers opportunities for intellectual and personal development while protecting individual freedoms. As a student you are encouraged to exercise your rights and you are expected to meet your responsibility to adhere to the established standards. The second part of this guide serves to inform you of the rules, regulations, rights and responsibilities that have been established in the interest of all members of the University community.

You are urged to become familiar with the many programs and services that enhance the student experience at Michigan State University. As you pursue your studies in the classroom, you will also have many opportunities to learn from people of different cultural backgrounds, to examine new philosophies, to develop new interests and skills, and to prepare for active participation in a rapidly changing global society. It is important you take the initiative to expand your horizons and to take advantage of the programs and services that are available to help ensure your success. Those in the various units and departments of Student Affairs and Services, as well as many others across the University, stand ready to assist you in this endeavor.

We appreciate the contributions of the students, faculty, and staff who have made this publication possible and are proud of the important activities, programs and services of the University they support and deliver. It is our hope each of you will actively pursue the diverse opportunities available for an exciting and rewarding student experience.

Sincerely,



Denise B. Maybank, Ph.D
Vice President for Student Affairs and Services



Division of Student Affairs and Services

Office of the
Vice President

Student Services Building
556 E. Circle Drive
Suite 153
East Lansing, MI
48824-1113

517-355-7535
Fax: 517-432-2855
vps.msu.edu

THE CHARACTER AND GOALS OF MSU

At Michigan State University excellence is a continuing tradition. MSU is a research intensive, land-grant university where people matter. The University is dedicated to educating tomorrow's leaders and scholars. Innovative and hard-working, MSU advances knowledge and transforms lives, extending learning to actively serve Michigan, the Nation and the international community.

Our core values and mission remain guided by and grounded in our land-grant history. This is reflected in our ongoing commitment to:

- **Quality:** Dedicating ourselves to achieving excellence in all of our endeavors—good enough for the proudest and recognized among the best
- **Inclusiveness:** Providing opportunity for learners from all backgrounds—bringing their passion and talent to join a vibrant, intellectual community built on mutual respect—to experience and to multiply the benefits of the power of knowledge throughout their lives
- **Connectivity:** Among one another, among academic enterprises, to society and to those we serve—locally, nationally, and globally.

For the complete University Mission Statement refer to president.msu.edu/mission/.

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Lou Anna K. Simon
President, Ex Officio

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Vice President and Chief Information Officer for IT Services

Phil Zecher,
Chief Investment Officer

DIVISION OF STUDENT AFFAIRS AND SERVICES

VICE PRESIDENT FOR STUDENT AFFAIRS AND SERVICES

Dr. Denise B. Maybank, Vice President for Student Affairs and Services

556 E. Circle Drive Room 153, (517) 355-7535

www.vps.msu.edu

- Budget and Personnel
- Development
- Research, Assessment and Evaluation
- Technology and Network Support

ASSISTANT VICE PRESIDENT FOR TRANSITIONS, LEADERSHIP AND EXPERIENTIAL LEARNING

Dr. Allyn Shaw, Assistant Vice President

556 E. Circle Drive Room 155, (517) 355-7535

ASSISTANT VICE PRESIDENT FOR HEALTH, WELLNESS AND SAFETY

556 E. Circle Drive Room 155, (517) 355-7535

ASSISTANT VICE PRESIDENT FOR IDENTITY AND AFFINITY

Dr. Terrence Frazier, Assistant Vice President

556 E. Circle Drive Room 159, (517) 355-7535

CAREER SERVICES NETWORK

Dr. Phil Garnder, Executive Director

556 E. Circle Drive Room 113 (517) 355-9510

careerservices@csp.msu.edu

www.CareerNetwork.msu.edu

- Professional Development Advising
- Online Career Resources
- Student Jobs & Internships
- Career Events
- Job Search Assistance
- On Campus Interviews

COMMUNITY LIAISON

Ms. Suchitra Webster, Student Services Coordinator

556 E. Circle Drive Room 162, (517) 355-7535

www.collegelifeEL.msu.edu and offcampushousing.msu.edu

COUNSELING CENTER

Dr. Scott Becker, Interim Director

556 E. Circle Drive Room 207, (517) 355-8270

www.counseling.msu.edu

- Counseling Therapy (individual and group)
- Consultation, Outreach, Preventive Education Workshops and Seminars
- Sexual Assault Crisis and Safety Education
- Substance Abuse Assessment
- Career Counseling
- Multicultural Counseling
- Testing
- Training

GRADUATE STUDENT LIFE AND WELLNESS

Dr. Matt Helm, Director

120 Chittenden Hall, (517) 884-1351

<http://grad.msu.edu/wellness>

- Comprehensive Graduate Student Life & Wellness Programming
- Consultation, Outreach, Preventive/Wellness Education, Workshops
- Graduate Student and Postdoctoral Trainee Career and Professional Development Counseling
- Wellness Counseling and Resiliency Training for Graduate Students

LESBIAN BISEXUAL GAY AND TRANSGENDER RESOURCE CENTER

Ms. Deanna Hurlbert, Director

556 E. Circle Drive Room 302, (517) 353-9520

www.lbgtrc.msu.edu

- Student Support Programs
- Sexuality and Gender Education
- Lounge, Art Gallery, and Library
- Institutional and Curricular Consultation
- Volunteer and Internship Opportunities

MULTI-RACIAL UNITY LIVING EXPERIENCE (MRULE)

Dr. Jeanne Gazel, Director

234 Wilson Road Room C239, (517) 432-5266

<http://mrule.msu.edu>

MSU NEIGHBORHOODS

Dr. Kristen Renn, Associate Dean of Undergraduate Studies and Director for Student Success Initiatives

49 Abbot Road Room 200, (517) 884-4050

Dr. Amy Martin, Associate Director

49 Abbot Road Room 200, (517) 884-4050

Ms. Reggie Noto, Engagement Director-East Neighborhood

183 Hubbard Hall, (517) 884-3501

www.neighborhoods.msu.edu

Ms. Kelly High McCord, Engagement Director-Brody Neighborhood

160 Brody Hall, (517) 884-6670

www.neighborhoods.msu.edu

Dr. Genye Royal, Engagement Director-South Neighborhood

C130 Holden Hall, (517) 884-6686

www.neighborhoods.msu.edu

Engagement Director-North Neighborhood

337 MSU Union, (517) 884-4050

www.neighborhoods.msu.edu

Ms. Jodi Roberto Hancock, Engagement Director-River Trail Neighborhood

C101M McDonel Hall, (517) 884-4082

www.neighborhoods.msu.edu

All Neighborhood Engagement Centers offer:

- General Advising
- Access to Neighborhood Resources
- Referrals

OFFICE OF CULTURAL AND ACADEMIC TRANSITIONS

Mr. Murray Edwards, Interim Director

556 E. Circle Drive Room 339, (517) 353-7745

www.ocat.msu.edu

- Council of Racial Ethnic Students Advising
- Events and Conferences
- Intercultural Aide Program
- Maximizing Academic Growth in College (MAGIC) Student Transition Program

RECREATIONAL SPORTS AND FITNESS SERVICES

Dr. Richard McNeil, Director

393 Chestnut Road Room 201, (517) 355-5250

www.recsports.msu.edu

- Intramural Sports
- Club Sports
- Fitness Centers/Group Exercise
- Informal Drop-In Recreation
- Special Populations Programs

RESOURCE CENTER FOR PERSONS WITH DISABILITIES

(Joint with Office of the Provost)

Mr. Michael Hudson, Director

434 Farm Lane Room 120, (517) 884-7273

www.rcpd.msu.edu

- Awareness and Training
- Disability Services
- Scholarship and Awards
- Signature Programs

SAFE PLACE

Ms. Holly Rosen, Director

219 Wilson Road Room G60 (517) 355-1100

noabuse@msu.edu

<http://safeplace.msu.edu>

SERVICE-LEARNING AND CIVIC ENGAGEMENT, CENTER FOR

(Joint with Office of the Associate Provost, University Outreach and Engagement)

Ms. Renee Zientek, Director

556 E. Circle Drive Room 345, (517) 353-4400

servlrn@msu.edu

www.servicelearning.msu.edu

- Community Engaged Teaching, Learning, and Service
- Volunteer Service Opportunities
- Academic Service-Learning Placements
- Group Service Opportunities
- Alternative Breaks
- Service-oriented Student Group Advising
- Service-Learning Orientations
- Records of Service
- Student Voter Resources

STUDENT LIFE

Dr. Allyn Shaw, Director

556 E. Circle Drive Room 101, (517) 355-8286

www.studentlife.msu.edu

- Campus Life Orientation
- Greek Affairs
- Leadership Development
- Off-Campus Housing & Commuter Programs
- Sexual Assault and Relationship Violence Prevention Program
- Student Affairs Records
- Student Conduct & Conflict Resolution
- Student Government Advising
- Student Organizations & Activities

STUDENT PARENT RESOURCE CENTER

Ms. Kim Steed-Page, Coordinator

University Village Community Center Room 107, (517) 432-3745

www.frc.msu.edu

VETERANS RESOURCE CENTER

Ms. Sarah Mellon, Veterans Resource Representative

556 E. Circle Drive Room 8, (517) 884-5972

www.veterans.vps.msu.edu

STUDENT PARENT RESOURCE CENTER
The Student Parent Resource Center is a place where students can get help with school, home, and life. It is a place where students can get help with school, home, and life. It is a place where students can get help with school, home, and life.

RECREATION, SPORTS, AND FITNESS
The Recreation, Sports, and Fitness Center is a place where students can get help with school, home, and life. It is a place where students can get help with school, home, and life. It is a place where students can get help with school, home, and life.

RESOURCES CENTER FOR PERSONS WITH DISABILITIES
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Academic Affairs

Activities

Career Services

Employment

Financial Aid

Food

Governance at MSU

Health Services

Housing

Personal Security

Recreation

Service for Community Groups

Transportation

INFORMATION

and
services

INFORMATION & SERVICES

Michigan State University has a wealth of programs and services designed to enhance the student experience at Michigan State University. Aside from meeting your everyday needs as a student, it is also important that you take an opportunity to expand your horizons, explore different cultures and philosophies, develop new interests and skills, and prepare for active engagement in your community. Let this brochure serve as a reference guide for you to find the resources you need on this remarkable journey. For a comprehensive list of all the information highlighted here, please visit **Spartan Life Online** at <http://SpLife.studentlife.msu.edu/>.

ACADEMICS

Each college or major can assist students with academic matters such as enrollment, changes of major, class changes, academic advising, and withdrawal and readmission procedures. For a list of each college and their related academic and support units, visit <http://provost.msu.edu/units/>. In addition, students have access to a number of campus wide academic programs and services. What follows is only a sampling, but will provide a general idea as to what is available.

ACADEMIC SUPPORT

Through **The Neighborhood Engagement Centers, The Learning Resources Center, The Office of Supportive Services, The Writing Center, The MSU Libraries, and The Testing Office**, students can improve study skills, writing skills, time management and research strategies, attend tutoring sessions, and prepare for standardized testing. For a list of these and other services, please visit <http://admissions.msu.edu/academics/support.asp>.

The **University Ombudsperson** provides assistance to students needing help to resolve complaints or conflicts with academic or non-academic matters. Visit <https://www.msu.edu/unit/ombud/>.

ACADEMIC TECHNOLOGY SERVICES

Through the **Help Desk, 24-hour Distance Learning Service, Computer Laboratories, and the MSU Computer Store** students can receive personal computing and MSU Desire2Learn course support, have repairs done, and obtain discounted prices on new technology and software. For more information, visit: <http://itservices.msu.edu/>.

ADULT/LIFELONG LEARNERS

Those interested in taking courses for credit at the University who are not pursuing a University degree or a certificate granting program may apply for enrollment under the Lifelong Education status. For more information, or to apply online, visit: <https://www.reg.msu.edu/ROInfo/EnrReg/LifelongEducation.aspx>.

STUDENT LIFE

MSU provides a comprehensive set of programs and services to support student learning outside the classroom as well. What follows is only a sampling, but will provide a general idea as to what is available.

ACTIVITIES AND ORGANIZATIONS

MSU has a number of student governing bodies and more than 800 registered student organizations including honoraries, academic interest groups, sports clubs, professional, Greek-letter, international, racial/ethnic, religious, political, service and volunteer, public relations and media organizations. Through such groups, MSU students can engage in community service, participate in various entertainment, social, and cultural activities, and visit gardens, animal farms, museums, theaters, and even our very own planetarium. Want to know what, when, and where "it's" happening? Visit <http://www.events.msu.edu> and <http://uabevents.com/>.

In addition, the Student Union offers shopping, dining, entertainment, banking and postal services, study space, and a host of meeting room facilities. To learn more visit the Union online at <http://msuunion.com>.

CAREER SERVICES AND PLACEMENT

The Career Services Network will assist students in every stage of career development, including choosing a major, exploring career options, gaining work experience and conducting a successful job search. For more information, visit <http://careernetwork.msu.edu> and <http://www.MySpartanCareer.msu.edu>.

EMPLOYMENT

Approximately 17,000 students are employed on campus each year in a wide range of positions, including clerical, technical, research assistance, project management and service roles. These opportunities and more can be found at <http://www.MySpartanCareer.com>, <http://studentjobs.lib.msu.edu>, <http://www.breslincenter.com/studentemployment>, <http://www.greenline.msu.edu/>, and <http://www.police.msu.edu/studentjobs.asp>.

FAMILIES

MSU coordinates information, resources and University initiatives to assist students with children and students managing the care of dependent elders through the Student Parents Resource Center (SPRC). For information about SPRC programs and services call (517) 432-3745 or visit their website at: <http://www.frc.msu.edu>.

FINANCIAL AID

Over 65 percent of MSU students receive financial aid, many from more than one source. Students seeking financial aid should file a Free Application for Federal Student Aid (FAFSA) to apply for both need-based and non-need-based aid at MSU. This free form is available at <http://www.fafsa.ed.gov>. For more information regarding scholarship assis-

tance, short-term loans, etc. visit <http://www.finaid.msu.edu>, or use the eFinaid link on StuInfo at <http://www.stuinfo.msu.edu>.

FOOD

There are many places to eat on campus, including the residence halls, the **International Center**, the **MSU Union**, and the **Kellogg Center State Room**, just to name a few. The **Sparty's** convenience stores, located across campus, offer a quick snack or meal. MSU students without a meal plan and in need of supplemental food and necessities may visit the **MSU Food Bank** as well. For more information on these and other options, visit <http://eatatstate.msu.edu/> and type in the bolded key words above.

GOVERNANCE

The ultimate policy-making authority at MSU is the Board of Trustees, however, faculty, staff, and students play a vital role in the governance process. Undergraduate students, graduate students, and various living groups (i.e., residence hall students) are represented in a variety of ways. Each organization provides a variety of programs and services designed to support students and student organizations. For a listing of student governing bodies, visit <http://www.SpLife.studentlife.msu.edu/information-and-services/governance-at-msu> and <https://www.msu.edu/~acadgov/>.

HEALTH SERVICES

Students have access to a variety of medical, dental, counseling, psychological and health promotion services, most of which are free or offered at a very low cost. For more information on these services, visit <http://www.olin.msu.edu>, <http://psychology.msu.edu/clinic>, and <http://www.counseling.msu.edu>.

HOUSING

A variety of on-campus living-learning environments are available for students, including campus residence halls and apartments. For more information visit <http://www.liveon.msu.edu>. For students who wish to live off-campus, options include Greek Letter Chapter Houses, Cooperative Living Units, Religious Living Units, and many area rental properties. For more information on off-campus housing related services, visit MSU Community Liaison, <http://collegelifeel.msu.edu/housing> or the Department of Student Life at <http://www.studentlife.msu.edu>. The free MSU Off-Campus Housing Listing Service features multiple property listings and includes advanced search filters, a roommate finder, message boards, and educational resources. Visit <http://offcampushousing.msu.edu> to start your search.

MEDIA

Did you know that MSU has its own student radio station (WDBM "IMPACT 89FM" at 88.9 FM) and student run newspaper called The State News (<http://www.statenews.com>)? Students also operate an internet-only station called "The FIX" (<http://www.thefix.org>).

MULTICULTURAL PROGRAMS

MSU has a rich heritage and tradition of embracing pluralism and diversity through nationally renowned multicultural programs and services. The University's holistic consideration includes gender, racial-ethnic minorities, international populations, disabilities, and sexual orientation. For more informa-

tion on the programs and services, please visit: <http://www.ocat.msu.edu>, <http://www.oiss.msu.edu/>, <http://www.wrc.msu.edu>, <http://www.rcpd.msu.edu>, and <http://www.lbgtrc.msu.edu>.

RECREATION & FITNESS

MSU offers several recreation and fitness facilities for people of all ages and abilities. For those interested in recreational and competitive activities, MSU Recreational Sports and Fitness Services offers 28 club sports, ten different intramural leagues depending on the semester as well as golf and tennis tournaments. We have three pools, (2 in IM West and one in IM Circle) an indoor track (IM East) and a Sailing Center located at Lake Lansing. For more information go to <http://www.recsports.msu.edu>. Other offerings on campus include, MSU Bikes, bowling, tennis courts and ice skating.

RELIGIOUS ACTIVITIES

The many churches, synagogues and religious centers in the Greater Lansing Area serve students in a variety of faiths by providing opportunities for formal worship and informal fellowship activities. For more information on religious and faith-based communities, visit <http://www.msu.edu/~msuraal/>.

SAFETY & SECURITY

MSU has its own police department which performs the duties of a similarly sized municipal department. Programs and services include Homeland Security and Planning, special events, parking enforcement, Community Team Policing, bicycle security, and personal safety programs. For information on these and other services, please visit: <http://www.police.msu.edu>.

TRANSPORTATION

The main campus consists of 2,000 acres of developed land, connected by 26 miles of roads and 100 miles of sidewalks. As a result, transportation is something that should be planned carefully. Faculty, staff and students have access to a variety of transportation services to support walkers, bicyclists, and those who prefer public and private transportation. For more information on the rights, responsibilities and services available with each option, please visit <http://www.police.msu.edu> and <http://www.cata.org>.

VETERANS

United States veterans may be certified for benefits through the Office of the Registrar, 150 Administration, (517) 355-3300, <http://www.reg.msu.edu/>. Educational/vocational counseling for veterans and eligible dependents are offered through the Ingham County Veteran's Affairs Office, 5303 S. Cedar, Lansing, (517) 887-4331. Student veterans are encouraged to visit Student Veterans of America at <http://veterans.vps.msu.edu>.

New and returning undergraduate veterans with a military-related disability who are Michigan residents and working on their first baccalaureate degree will qualify for an aid package that covers full costs, without loans. Contact the Office of Financial Aid for additional information regarding the MSU Disabled Veteran's Assistance Program at <http://finaid.msu.edu/veterans.asp>.

FOOD

There are many ways to eat on campus, including the dining hall, the food court, the cafeteria, the snack bar, the vending machines, and the food service. The dining hall is the largest and most formal of the food service areas. It is located in the center of the campus and serves a wide variety of food. The food court is a more casual dining area with a variety of food service outlets. The cafeteria is a more formal dining area with a variety of food service outlets. The snack bar is a more casual dining area with a variety of food service outlets. The vending machines are a more casual dining area with a variety of food service outlets.

GOVERNANCE

The student body is the largest and most formal of the governance areas. It is located in the center of the campus and serves a wide variety of food. The student body is the largest and most formal of the governance areas. It is located in the center of the campus and serves a wide variety of food. The student body is the largest and most formal of the governance areas. It is located in the center of the campus and serves a wide variety of food. The student body is the largest and most formal of the governance areas. It is located in the center of the campus and serves a wide variety of food.

HEALTH SERVICES

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HOUSING

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LIBRARY

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MULTICULTURAL PROGRAMS

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IN CREATION & FITNESS

MSP offers a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus. The fitness programs are a variety of fitness programs to students on campus.

RELIGIOUS ACTIVITIES

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SAFETY & SECURITY

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TRANSPORTATION

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VETERANS

United States veterans may be eligible for benefits through the Department of Veterans Affairs. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans.

Now and returning undergraduate veterans with a college degree may be eligible for benefits through the Department of Veterans Affairs. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans. The Department of Veterans Affairs is a federal agency that provides benefits to United States veterans.



Legislative and Student Conduct Systems

MSU Student Rights and Responsibilities

Graduate Student Rights and Responsibilities

Medical Student Rights and Responsibilities

RIGHTS

and

responsibilities

The process for the establishment and adjudication of regulations governing student conduct are set forth in *Michigan State University Student Rights and Responsibilities*. Based on the principle of student involvement, there is both a specific legislative process and a comprehensive judicial system which governs undergraduate students. To the extent that interest motivates personal involvement, there continues to be broad avenues for student participation in the governance process.

- The Governance System
- The Student Conduct System
- What does a Campus Conduct System do?
- Relationship of the Student Conduct System to Campus Governance
- Other Hearing Bodies
- Graduate Judicial Structure
- Employment Hearing or Grievance Procedures
- Medical Student Hearing Board Structure

THE GOVERNANCE SYSTEM

Michigan State University maintains three levels of regulations applicable to student conduct, all of which require student approval. In addition, there are rulings established by administrative offices and policies and ordinances established by the Board of Trustees. Information regarding the process through which the various regulations and policies are enacted is indicated below.

General Student Regulations Student Group Regulations Living Group Regulations Administrative Rulings All-University Policies

The above types of regulations, rulings, and policies are enacted in accordance with Article 5 of *Michigan State University Student Rights and Responsibilities*. (See Part 2 of this book.) A brief description of each may also be found at the beginning of Part 3 of this book under "Types of Rules". References for further information include:

- a. *Bylaws of the Board of Trustees*, Articles IV, VI, and VIII
- b. *Bylaws for Academic Governance*, Articles 2, 4 and 5
- c. *ASMSU Constitution and Code of Operation*
- d. *COGS Constitution and Bylaws*
- e. Major governing group constitutions
- f. Living unit constitutions

MSU Ordinances—The Board of Trustees is granted authority by the constitution of the State of Michigan to legislate ordinances governing the conduct of all persons on University property. These ordinances are law, violations of which are misdemeanors and adjudicated through the courts. The legislative process need not involve anyone except the Board of Trustees, although in practice the administration contributes its advice and relevant student-faculty committees may also be consulted.

References for further information:

- a. *MSU Ordinances*
- b. *Bylaws of the Board of Trustees*, Article XI

Academic Regulation—Matters of academic policy, program and degree requirements are available in the following sources:

- a. MSU Catalog—*Academic Programs*
- b. MSU Catalog—*Description of Courses*

In addition to consulting these sources, students should contact the academic department of their major preference for specific program requirements.

CONDUCT AND GRIEVANCE SYSTEMS

Michigan State University has a number of bodies including administrators and hearing boards, which serve the interests of undergraduate and graduate students by contributing to the protection of an environment for learning. Although specific procedures vary from one hearing body to another, all operate in a manner designed to assure due process.

This overview focuses on the student conduct system established through the report on *Michigan State University Student Rights and Responsibilities* (commonly known as the *Student Rights and Responsibilities* or SRR). The *Student Rights and Responsibilities* was adopted in 1967; was amended in 1971, 1977, 1983; and was completely revised in 1984 and 2010, 2014.

WHAT DOES THE STUDENT CONDUCT SYSTEM DO?

In addition to hearing alleged violations of regulations governing student conduct, the MSU student conduct system also protects student rights against infringement by other students, by faculty or administrators, by groups, or by the University itself. For example, the system provides for consideration of challenges to regulations or administrative decisions alleged to be inconsistent with fundamental student rights outlined in the "*Student Rights and Responsibilities*". In addition, there is a provision for considering allegations that legislative bodies or officers have acted inconsistently with their respective constitutions. It is through performance of these functions, as well as through consideration of alleged violations of regulations, that the conduct system seeks to maintain the delicate balance between maximum freedom and necessary order so fundamental to the protection of an environment for learning.

RELATIONSHIP TO CAMPUS GOVERNANCE

Legislation and adjudication are two separate functions of campus governance, although interdependent for their validity and effectiveness. Each needs the other for support and criticism. The grievance system is structured on the principle that legislative authority requires judicial responsibility. Accordingly, there is provision for a hearing body to parallel each legislative body, depending upon it for provision of members and having corresponding jurisdiction. All-student hearing bodies are established in general through the *Student Rights and Responsibilities*, but may be defined more specifically in the constitution of the student governing bodies whose jurisdictions they share.

OTHER HEARING BODIES

Michigan State University has a number of hearing bodies which serve the interests of undergraduate and graduate students by contributing to the protection of an environment for learning. Although specific procedures vary from one hearing body to another, all operate in a manner designed to assure due process.

A. Graduate Judicial Structure. A completely separate judicial structure is provided for adjudicating cases brought by and against graduate students in the areas of: 1) academic rights and responsibilities; 2) professional rights and duties of graduate assistants; 3) professional rights and duties of other graduate students. Judiciaries are provided for at the departmental, college and University levels. Each judiciary is composed of an equal number of faculty and student members with a faculty member serving as chairperson. (Consult *Graduate Student Rights and Responsibilities*, the Council of Graduate Students, or the Graduate School.)

B. Employment Hearing or Grievance Procedures include those for students, the faculty, the administrative-professional personnel, the unionized clerical-technical employees, and the unionized hourly employees. (Students consult the *Student Employment Policy Manual* or the Student Employment Office.)

C. Medical Student Judicial Structure. A judicial structure is provided for adjudicating cases brought by and against medical students in the areas of: 1) academic rights and responsibilities; 2) professional behavior of medical students; and 3) professional rights and responsibilities of graduate assistants. Judiciaries are provided for at the departmental, college, and University levels. Each judiciary is composed of equal numbers of faculty and student members. In addition, medical students alleged to have violated General Student Regulations, student group regulations, living group regulations, or all-University policies which apply to all students, may be referred to the appropriate judiciary as outlined in *Michigan State University Student Rights and Responsibilities*. (Consult *Medical Student Rights and Responsibilities* or contact the Dean's office of the appropriate medical college or the Graduate School.)

SPARTAN CODE OF HONOR: ACADEMIC PLEDGE

Michigan State University affirms the principle that all individuals associated with the academic community have a responsibility for establishing, maintaining, and fostering an understanding and appreciation for academic integrity. Academic integrity is the foundation for university success. Learning how to express original ideas, cite works, work independently, and report results accurately and honestly are skills that carry students beyond their academic career.

The Spartan Code of Honor Academic Pledge embodies the principles of academic integrity through a personal commitment to ethical behavior in a student's studies and research. All undergraduate students are expected to uphold the academic pledge throughout their enrollment at MSU. Student conduct that is inconsistent with the academic pledge is addressed through existing policies, regulations, and ordinances governing academic honesty and integrity. Those policies include:

- Integrity of Scholarships and Grades Policy
- Student Rights and Responsibilities
- General Student Rights (includes Protection of Scholarship and Grades)
- Ordinance 17.00 Examinations

Students are encouraged to review the following websites to learn more about academic integrity, student rights and responsibilities, and the Spartan Code of Honor:

- Spartan Life Handbook (Student Affairs)
- University Ombudsperson
- ASMSU

The Spartan Code of Honor was adopted by ASMSU on March 3, 2016, endorsed by Academic Governance on March 22, 2016, and recognized by the Provost, President, and Board of Trustees on April 15, 2016.

The Spartan Code of Honor Academic Pledge:

As a Spartan, I will strive to uphold values of the highest ethical standard. I will practice honesty in my work, foster honesty in my peers, and take pride in knowing that honor in ownership is worth more than grades. I will carry these values beyond my time as a student at Michigan State University, continuing the endeavor to build personal integrity in all that I do.

Portions excerpted from: "Academic Integrity at Michigan State University" Retrieved 3/3/16 from <https://www.msu.edu/unit/ombud/academic-integrity/Academic%20Integrity%20at%20MSU.pdf>.

“SRR”

This document provides the framework for student rights and responsibilities at Michigan State University, including student conduct, academic pursuits, keeping of records, and publications. It describes procedures for formulating regulations governing student conduct and for providing due process in the adjudication of student disciplinary cases. This document also defines channels and procedures for student complaints and grievances.

- ARTICLE 1: Guiding Values and Principles
- ARTICLE 2: Academic Rights and Responsibilities
- ARTICLE 3: Student Records
- ARTICLE 4: Non-Academic Hearing Board Structures
- ARTICLE 5: Adjudication of Non-Academic Cases
- ARTICLE 6: Academic Hearing Board Structures
- ARTICLE 7: Adjudication of Academic Cases
- ARTICLE 8: Regulations, Policies, and Rulings
- ARTICLE 9: Independent and University-Supported Student Publications
- ARTICLE 10: Office of the Ombudsperson
- ARTICLE 11: Definitions and Acronyms
- ARTICLE 12: Procedures for Amending and Revising This Document

HISTORY OF APPROVAL

STUDENT RIGHTS AND RESPONSIBILITIES

FOREWARD

The foreword is not a part of the document that follows. It supplies, however, a necessary perspective for interpreting the document, originally named *Academic Freedom for Students at Michigan State University*.

Student rights and responsibilities at Michigan State University must be understood against the social and historical background of the University itself.

When, more than 150 years ago, the people of Michigan established this institution on the land-grant principle, they framed a new conception of the role of the university in American life. A land-grant university is a trusteeship of intellect in the service of society. It gathers society's creative and critical powers and uses them to advance the common good and to solve fundamental problems.

That is the special character that has caused the land-grant university to become one of the great transforming agencies of the American scene. When it honors its commission, it acts not for the sake of the academic community, but for the sake of society beyond the academy. All members of the academic community — trustees, administrators, faculty, staff and students — enact a trust of which society beyond the University is the proper beneficiary.

The real significance of this document, as we believe, is not that students have acquired rights, but that they have explicitly been made party to our social trust. The responsibility which lies upon the trustees, the administration, and the faculty continues. They remain guardians of the University, charged with preserving in it the genius of scholarship and the conditions of inquiry which society has entrusted to their care.

PREFACE

This report, the *Graduate Student Rights and Responsibilities* document, *Law Student Rights and Responsibilities* document, and the *Medical Students Rights and Responsibilities* document contain guidelines to the rights and duties of students in matters of conduct, academic pursuits, the keeping of records, and publications. This report describes structures and procedures for the formulation of regulations governing student conduct, for the interpretation and amendment of the guidelines, for the adjudication of student disciplinary cases, and for channeling student complaints, grievances, or concerns to faculty, staff, and administrators for appropriate action.

For the most part, these provisions simply make explicit what has been long understood and practiced at Michigan State University. This report identifies rights and duties of students and provides for students a carefully prescribed

system of due process. The report does not contain a general or abstract definition of academic freedom. Rather, the report is an operational definition with concrete application of the concept of academic freedom for students.

ARTICLE 1

GUIDING VALUES AND PRINCIPLES

Michigan State University is a community of scholars whose members include its faculty, staff, students, and administrators. The basic purposes of the University are the advancement, dissemination, and application of knowledge. The most basic condition for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease, and research, teaching, and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and character of the University. Therefore, the University always must strive to strike that balance between maximum freedom and necessary order which best promotes its basic purposes by providing the environment most conducive to the many faceted activities of instruction, research, and service.

Each right of an individual places a reciprocal duty upon others: the duty to permit the individual to exercise the right. The student, as a member of the academic community, has both rights and duties. Within that community, the student's most essential right is the right to learn. The University has a duty to provide for the student those privileges, opportunities, and protections which best promote the learning process in all its aspects. The student also has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others which are equally essential to the purposes and processes of the University.

The University cherishes many values, modes of thought, and standards of behavior that are better taught by example and rewards than by the threat of penalties. Regulations governing the activities and conduct of student groups and individual students should not be comprehensive codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitation of acts which cannot be tolerated because they seriously interfere with the basic purposes, necessities, and processes of the academic community, or with rights essential to other members of the community.

The student is not only a member of the academic community, but a citizen of the larger society, who retains those

rights, protections, and guarantees of fair treatment held by all citizens, and which the University may not deny. The enforcement of the student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

GUIDELINES

To protect student rights and to facilitate the definition of student responsibilities at Michigan State University, the following guidelines shall apply to those stipulations and conditions by which student conduct is regulated, broadly referred to as "regulations" in the remainder of this Article.

- A. All regulations shall seek the best possible reconciliation of the principles of maximum freedom and necessary order.
- B. There shall be no regulation unless there is a demonstrable need which is reasonably related to the basic purposes and necessities of the University as stipulated herein.
- C. To the maximum extent feasible, students shall participate in formulating and revising regulations governing student conduct.
- D. All regulations governing student conduct shall be made public in an appropriate manner.
- E. Every regulation shall be as brief, clear, and specific as possible.
- F. Wherever rights conflict, regulations shall, to the maximum extent feasible, permit reasonable scope for each conflicting right by defining the circumstances of time, place, and means appropriate to its exercise.
- G. Regulations shall respect the free expression of ideas and shall encourage the competition of ideas from diverse perspectives.
- H. Procedures and penalties for the violation of regulations shall be primarily designed for guidance or correction of behavior.
- I. Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.
- J. There shall be clearly defined channels and procedures for the appeal and review of:
 1. The finding of guilt in an alleged violation of a regulation.
 2. The reasonableness, under the circumstances, of the penalty imposed for a specific violation.
 3. The substance of a regulation or administrative decision which is alleged to be inconsistent with the guidelines in this document.
 4. The fairness of the procedures followed in the adjudication.
- K. Students accused of violating a regulation or University policy shall have the right to appear before a duly constituted hearing body as provided in this document. No student shall be suspended or dismissed from the University for disciplinary reasons, except through the procedures of this document or the applicable sections of the *Graduate Student Rights and Responsibilities* document, the

Law Student Rights and Responsibilities document, or the *Medical Student Rights and Responsibilities* document.

- L. Every regulation shall specify to whom it applies and whether responsibility for compliance lies with individuals, with groups, or with both.
- M. *Student Handbook and Resource Guide*: A handbook of the University's current regulations relating to student rights and responsibilities shall be made available to every member of the academic community.

ARTICLE 2

ACADEMIC RIGHTS AND RESPONSIBILITIES

I. Preamble

The freedom and effectiveness of the educational process depend upon the provision of appropriate conditions and opportunities for learning in an environment that is supportive of diversity among ideas, cultures, and student characteristics. The responsibility to secure, respect, and protect such opportunities and conditions is shared by all members of the academic community. The primacy of the faculty's role and its centrality in the educational process must be recognized and preserved. The primary intellectual purpose of the University—its intellectual content and integrity—is the responsibility of the faculty.

The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function, and require both instructor and student to recognize the rights and responsibilities which derive from it. The relationship between instructor and student as individuals should be founded on mutual respect and understanding together with shared dedication to the educational process.

II. Role of the Faculty in the Instructional Process

- A. No provision for the rights of students can be valid which suspends the rights of the faculty. The student's right to competent instruction must be reconciled with the rights of the faculty, consistent with the principle that the competency of a professional can be rightly judged only by professionals. It is therefore acknowledged and mandated that competence of instruction shall be judged by the faculty.
- B. Faculty shall have authority and responsibility for academic policy and practices in areas such as degree eligibility and requirements, course content and grading, classroom procedure, and standards of professional behavior in accordance with the *Bylaws for Academic Governance*, the *Code of Teaching Responsibility*, and other documents on faculty rights and responsibilities.
- C. No hearing board established under this document shall interfere with the evaluation of a student that represents a course instructor's good faith judgment of the student's performance. In the event that an evaluation is determined to be based on

inappropriate or irrelevant factors, as discussed in Section III.B.1 below, the dean of the relevant college shall cause the student's performance to be reassessed and a good faith evaluation to be made.

- D. The University shall provide appropriate and clearly defined channels for the receipt and consideration of student complaints concerning instruction. In no instance shall the competence of instruction form the basis for an adversarial proceeding before any of the judicial bodies established in this document.

III. Rights and Responsibilities of the Student

- A. The student is responsible for learning and demonstrating mastery of the content and skills of a course of study, while participating actively in the course's intellectual community, according to standards of performance established by the faculty.

- B. The student has a right to academic evaluations that represent the course instructor's good faith judgments of performance. Course grades shall represent the instructor's professional and objective evaluation of the student's academic performance. The student shall have the right to know all course requirements, including grading criteria, and course procedures at the beginning of the course. (See also the *Code of Teaching Responsibility*.)

1. To overcome the presumption of good faith, it must be demonstrated that an evaluation was based entirely or in part upon factors that are inappropriate or irrelevant to academic performance and applicable professional standards.¹
2. The student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards.
3. The student shall be free to take reasoned exception to information and views offered in the instructional context, and to reserve judgment about matters of opinion, without fear of penalty or reprisal.
4. The student's behavior in the classroom shall be conducive to the teaching and learning process for all concerned.
5. The student has a right to be governed by educationally justifiable academic regulations and professional standards. The administering unit shall inform students in writing of such regulations, including codes of professional behavior, at the time of the student's entry into the academic program.
6. The student has a right to accurate, timely, and clear information in writing at the time of entry into an academic program concerning (a) general academic requirements for establish-

ing and maintaining an acceptable academic standing, (b) the student's academic relationship with the University and the details of any special conditions that may apply, and (c) graduation requirements for the student's academic program.

7. Students are responsible for informing themselves of University, college, department, and school requirements as stated in unit publications and in the University catalog. In planning to meet such requirements, students are responsible for consulting with their academic advisors.
8. The student has a right to protection against improper disclosure of his/her education records² and personal information such as values, beliefs, organizational affiliations, and health. (See also Article 3.)
9. The student has a right to be protected from personal exploitation and to receive recognition for scholarly assistance to faculty.
10. The student and the faculty share the responsibility for maintaining professional relationships based on mutual trust and civility.

ARTICLE 3 STUDENT RECORDS

- I. Achieving educational goals, providing direction to students, and extending service to society demand that the University keep records. All policies and practices concerning records shall be based on respect for the privacy of the individual student as well as current federal and state law.
- II. Because of respect for the privacy of the individual student, record keeping must be performed only by University personnel whose job responsibilities require record keeping.
- III. All policies and practices governing access to, and maintenance and release of, student records shall conform to the University's published guidelines (See the *MSU Access to Student Information Guidelines*).
- IV. No record shall be made, reproduced, or retained unless there is a demonstrable need for it that is reasonably related to the basic purposes and necessities of the University.
- V. The University shall not make, reproduce, or retain records of a student's religious or political beliefs or affiliations without the student's knowledge and consent.
- VI. Students shall have the right to inspect any of their own educational records, except as waived by the student (e.g., confidential letters of recommenda-

1 Academic performance includes meeting applicable professional standards when such standards are a component of the curriculum. Professional standards must be approved by the relevant academic unit and the dean and, in the case of college statements, the Office of the Provost. The development of such standards within academic units shall include student participation. The dean and the Office of the Provost shall consult with appropriate governance groups before approving professional standards.

2 See the *MSU Access to Student Information Guidelines* for information regarding confidentiality of student education records.

tion). Student educational records include official transcripts, student disciplinary records, and records regarding academic performance.

- VII. All policies and practices dealing with the acquisition and dissemination of information in student records shall be formulated with due regard for the student's right to privacy and access.
- VIII. All student educational records that are used or may be used to make determinations about a student's employment, financial aid, or academic progress shall include a notation of the name of the person who supplied the information and the date of its entry, with the exception of central, Student Information System records.
- IX. Confidential records shall be responsibly handled. Units shall train persons handling such records in appropriate methods of keeping and disposing of confidential records.
- X. No one outside the faculty or administrative staff of Michigan State University, except as specified by law, may have access to the record of a student's offenses against University regulations without the written permission of the student.
- XI. All policies governing the maintenance and the selective release of records and of portions of records shall be made public in an appropriate manner and shall be subject to judicial review as provided in Article 5, Section II of this document. These policies and practices shall conform to current federal and state law. In addition, any changes to the policies shall be made known to the student body through the appropriate student governance bodies.

ARTICLE 4

NON-ACADEMIC HEARING BOARD STRUCTURES

Consistent with the fundamentals of fair play in any judicial process is an opportunity for those accused to be heard by their peers. What follows is the foundation and structure of a representative peer review structure, embedded within the hearing procedures outlined within this document. This Article describes the composition and jurisdiction of all non-academic hearing boards. Academic hearing boards are described in Article 6 of this document.

I. General Guidelines

- A. **Student Membership and Selection.** A nomination committee composed of undergraduate and graduate members from each of the hearing boards outlined in this Article, as well as representatives from RHA, ASMSU, and COGS, will be responsible for recruiting and nominating a full complement of students to serve on each hearing board. At its discretion, the committee may include faculty members in the nomination process. The committee will be advised by a designee of the Vice President for Student Affairs and Services, who shall be a non-voting member. The committee will develop and follow written procedures to govern the nomination process.

Once the nomination process is complete, the committee must submit the names of the candidates for appointment to the appropriate governing body (see Section I.B below) no later than the sixth week of spring semester.

- B. **Student Appointment/Reappointment.** COGS shall be responsible for the appointment of graduate students to the hearing boards described in this Article. RHA shall be responsible for the appointment of residence hall hearing board members. ASMSU shall be responsible for the appointment of undergraduates to remaining hearing boards described in this Article. All student appointments shall be made by the tenth week of spring semester.

Each governing body shall make provisions for filling mid-semester vacancies on an interim basis prior to completion of the appointment process. If such vacancies have not been filled within two weeks, the Provost may appoint student members to fill them. The Provost may also appoint students to fill the vacancies if students are unable to serve during the summer or if interim members are necessary to meet quorum requirements.

- C. **Faculty and Staff Membership and Appointments.** Faculty members on the hearing boards described in this Article shall be nominated pursuant to the *Bylaws for Academic Governance* and appointed by the President. Faculty members may serve no more than two consecutive full-term appointments. Staff members on the hearing boards described in this Article shall be nominated by the Executive Vice President for Administrative Services and appointed by the President. Staff members may serve on more than two consecutive full-term appointments.

The Provost may appoint members from the faculty and staff ranks to fill vacancies in the event that mid-semester openings occur, members are unable to serve during the summer, or interim members are necessary to meet quorum requirements.

- D. **Advisors.** Each hearing board described in this Article shall have an advisor designated by the Vice President. The role of the advisor is to see that each hearing board follows the provisions outlined in this document. The advisor shall serve as an ex-officio and non-voting member of the hearing board.
- E. **Code of Operations.** All hearing boards shall follow a written code of operations that will be reviewed by the UCSA. The codes of operation of student-only hearing boards described in Section II of this Article must be approved by their major governing groups. Each code of operations must be consistent with this document, including confidentiality provisions, procedures for determining whether a complaint warrants a hearing, and how a hearing is to be conducted.

The codes of operation shall, at a minimum, require that board members be trained, provide for the

appointment of board members to specific board roles, and establish procedures for the assessment of conflicts of interest and removal of board members if necessary. The codes of operation shall also define the quorum for the hearing board, which in no case shall be less than five board members or 50% of the currently appointed membership, whichever is less. The codes of operation shall also address procedures for expedited consideration of urgent cases in which a temporary restraining action is sought.

II. Student-Only Hearing Boards

A. University Housing Hearing Boards. The RHA may establish its own hearing boards with jurisdiction over cases involving:

1. Complaints of personal misconduct occurring in or around University housing, including alleged violations of General Student Regulations, Student Group Regulations, Living Group Regulations, or University policies, where the possible sanction would not be expected to result in suspension or dismissal from the University; and
2. Complaints regarding the constitution, bylaws, or policies of RHA.

University Housing Hearing Boards do not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

B. All-University Student Hearing Board. ASMSU and COGS shall form one All-University Student Hearing Board to be comprised of at least three undergraduate students and three graduate students. This hearing board will have jurisdiction over cases involving:

1. Complaints of personal misconduct occurring in or around University housing that involve a graduate student, or for which another hearing board is not available and where the possible sanction would not be expected to result in suspension or dismissal from the University;
2. Complaints alleging violations of General Student Regulations, Student Group Regulations, or University policies by individual members or constituent groups within ASMSU or COGS where the possible sanction would not be expected to result in suspension or dismissal from the University;
3. Complaints regarding the constitution, bylaws, or policies of ASMSU or COGS.

The All-University Student Hearing Board does not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

C. Terms of Appointment. Members of the student-only hearing boards shall serve for one full calendar year, commencing with summer semester following appointment, with opportunity for reap-

pointment for one additional term. Student members appointed mid-semester will serve until the beginning of the next succeeding summer semester.

III. Student-Faculty-Staff Hearing Board

A. Composition. The Student-Faculty-Staff Hearing Board shall be comprised of five undergraduate students, three graduate students, two staff members, and three faculty members.

B. Jurisdiction. The Student-Faculty-Staff Hearing Board shall have jurisdiction over cases involving:

1. Complaints of personal misconduct, including alleged violations of general student, student group, or living group regulations, or University policies;
2. Complaints arising between or within major governing groups, student governing groups, living units, and/or registered student organizations that allege a violation of the group's, unit's, or organization's constitution, bylaws, or policies;
3. Complaints between ASMSU and COGS that allege a violation of either governing body's constitution, bylaws, or policies.

The Student-Faculty-Staff Hearing Board does not have jurisdiction over cases involving academic misconduct, except as described in Article 5, Section I of this document.

C. Terms of Office. Student members of the Student-Faculty-Staff Hearing Board shall serve for two years with the opportunity for reappointment for one additional two-year term. Faculty and staff members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

IV. University Student Appeals Board

A. Composition. The University Student Appeals Board shall be comprised of two undergraduate students, one graduate student, one staff member, and two faculty members.

B. Jurisdiction. The University Student Appeals Board shall have appellate jurisdiction over disciplinary decisions arising from processes outlined in Section I of Article 5. The University Student Appeals Board shall also have original jurisdiction over nonacademic student grievances filed pursuant to Section II of Article 5 to challenge a University policy or regulation.

C. Terms of Office. Student members of the University Student Appeals Board shall serve for two years with the opportunity for reappointment for one additional two-year term. Faculty and staff members shall serve for three years, with the opportunity for reappointment for one additional three-year term. All terms of office shall begin with the summer semester following appointment.

ARTICLE 5

ADJUDICATION OF NON-ACADEMIC CASES

I. Personal Misconduct Cases

The following procedures shall govern cases involving alleged acts of personal misconduct. The procedures contained in this Article apply to all students at Michigan State University. These procedures do not govern cases involving academic misconduct, which are governed by Article 7. The Vice President and the Provost will determine whether a case involving allegations of both personal misconduct and academic misconduct will be heard pursuant to Article 5 or Article 7 (or both).

A. Complaints. A complaint is defined as an allegation filed under Section I.B of this Article that a student has violated a University regulation, ordinance, or policy. Any member of the University community may file a complaint against a student. Where appropriate the involved parties are encouraged to consider a variety of dispute resolution options, including but not limited to restorative justice, mediation, and/or conflict coaching, prior to the filing of a formal complaint.

B. Filing a Complaint. To file a complaint, a member of the faculty, staff, or student body must submit a written statement of the Department of Student Life through its established protocol. The statement must contain the following information:

1. The specific policy, ordinance, or regulation that has allegedly been violated;
2. The time, place, and specific description of the alleged violation;
3. The name of the student against whom the complaint is filed (the "respondent"); and
4. The name of the individual who is filing the complaint (the "complainant").

C. Notice of Complaint. Upon receipt of a properly formatted complaint, a designee of the Vice President shall notify the respondent in writing within five class days that he or she has been accused of violating a University regulation, ordinance, or policy. The respondent shall be required to meet with an individual designated by the Department of Student Life ("administrator") for the purposes described in Section D below. The notice of complaint to the respondent shall include the following:

1. The specific policy, ordinance, or regulation that has allegedly been violated;
2. The time, place, and specific description of the alleged violation;
3. The name of the individual who is filing the complaint;
4. Notice of the opportunity to review the complaint in person;
5. A list of conflict resolution and campus resources available to both parties; and
6. The deadline by which the respondent is

required to meet with the administrator.

D. Administrative Meeting.

1. The respondent will meet with the administrator, who will advise the respondent of his/her rights and responsibilities under this document, review the complaint, and discuss possible resolution options. At that time, the respondent will be provided with a copy of the complaint and may admit or deny the alleged violation.
2. If the respondent fails to meet with the administrator or fails to admit or deny the alleged violation within five class days of meeting with the administrator, the administrator may take one of the following actions:
 - a. Place a hold on the respondent's registration until the respondent meets with the administrator.
 - b. Refer the case to the appropriate hearing board for a formal hearing.
 - c. Render a decision on the complaint. If the decision of the administrator does not include a suspension or dismissal, the respondent may appeal pursuant to Section F below. If the decision of the administrator includes a suspension or dismissal, the respondent shall have five class days from the date of the decision to request a formal hearing before the Student-Faculty-Staff Hearing Board. Such a request must be consistent with the directions in the decision letter and will void the administrator's decision, which will not be shared with the hearing board that hears the complaint. In the absence of a properly submitted appeal or hearing request, the administrator's original decision will be final, pending any necessary approval and implementation by the Vice President.
3. A respondent who admits his/her violation waives his or her right to a hearing on the matter of responsibility. In such a situation, the respondent may request that the administrator determine the sanction for the violation or request that the appropriate hearing board determine the sanction. Where appropriate, the respondent may also express a desire to participate in another dispute resolution process, either in lieu of or in addition to the adjudication process outlined in this Article. If the respondent asks to participate in another dispute resolution process, the Vice President must approve that request and the complainant must agree to participate before that process may be initiated.
4. If the respondent denies the violation, the respondent shall choose to have the matter heard by an administrator or a hearing body. The hearing should follow in a timely manner.

E. Hearing Procedures

1. At least five class days prior to a hearing, both the complainant and respondent shall receive written notification of the hearing from the

appropriate hearing body. This notice of hearing shall include:

- a. A sufficiently detailed description of the alleged misconduct;
 - b. The date, time, and location of the hearing;
 - c. The name(s) of the individual(s) who will conduct the hearing;
 - d. The names of the complainant's witnesses and advisor (if known).
2. The hearing body shall take necessary precautions to avoid any conflict of interest. The complainant and the respondent shall have two class days from receiving the hearing notice to challenge any hearing board member or hearing administrator for cause. The standard the chair of the hearing body shall follow in ruling on challenges for cause is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with the complainant, respondent, or a witness, the challenged person would be able to hear the case fairly and impartially. If the challenge is to the chair of the hearing body or hearing administrator, the challenge shall be decided by the Vice President.
3. The complainant and respondent shall have two class days from receiving the hearing notice to provide the hearing body with the names of his/her witnesses or advisors, if such names are not already listed on the hearing notice. The complainant and respondent will receive a second notice containing this information no less than one class day prior to the hearing.
4. Either complainant or respondent may request, for good cause, that the hearing be postponed. The hearing body may grant or deny such a request.
5. Hearings under Section I (personal misconduct) of this Article shall be closed unless both the respondent and complainant agree to an open hearing. Hearings under Section II (non-academic student grievances) of this Article shall be closed, unless the complainant requests an open hearing. In either circumstance, the hearing body may close an open hearing at any time to maintain order or protect the confidentiality of information.³ An open hearing is open to any member of the University community.
6. The complainant and respondent are expected to appear at the hearing to present their cases. If appearance in person is not feasible, the hearing body may permit either party to present his/her case through other communication channels (phone, webcam, video conference, etc.). If the complainant fails to appear, the hearing body may either postpone the hearing or dismiss the

case. If the respondent fails to appear, the hearing body may either postpone the hearing or hear the case in the respondent's absence. The respondent's failure to appear shall not mean the respondent is presumed to have committed the violation in the complaint.

7. The complainant and respondent shall be entitled to:
- a. Receive a timely hearing.
 - b. Call witnesses on their behalf. Witnesses must be members of the University community, unless the hearing body determines that witness has direct knowledge of the facts pertaining to the matter at issue. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing body in lieu of testifying only with the express permission of the hearing body. Expert or character witnesses are not allowed, except as deemed necessary by the hearing body. The hearing body may limit the number of witnesses.
 - c. Submit information in support of their positions.
 - d. Be accompanied to the hearing by an advisor, who must be a member of the University-community. If criminal charges related to the alleged violation are pending, the respondent may have an attorney who is not a member of the University community at the hearing as his/her advisor. If the respondent is criminally charged with a sex offense related to the alleged violation when the hearing occurs, the complainant may also have an attorney present at the hearing as his/her advisor.
- The advisor or attorney may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing body grants the attorney or advisor permission to have a limited voice.⁴
- e. Question any witness who appears at the hearing.
8. The hearing body shall determine whether each allegation has been supported by a preponderance of the evidence. If an allegation is not supported by a preponderance of the evidence, the respondent shall be found "not responsible" for that allegation. If the allegation is supported by a preponderance of the evidence, the hearing body may impose one or more of the sanctions listed in Section H of this Article.
9. The hearing body shall prepare and deliver a written decision within five class days of the hearing. The report shall include rationale for the decision and notification of the right to appeal. A copy of the report shall be provided

3 The hearing bodies described in this document should refer to University policies and applicable laws regarding confidentiality of information.

4 The chair or hearing administrator shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

to the complainant and respondent, who will be required to maintain the confidentiality of the document to the extent permitted by law.

F. Appeals

1. The University Student Appeals Board has jurisdiction over all appeals of decisions made by a hearing body under this Article.
2. A respondent may appeal an adverse decision on the basis that the information presented does not support the decision reached by the hearing body or that the sanction recommended is incommensurate with the seriousness of the offense.
3. Either the complainant or respondent may appeal on the basis that applicable procedures were not followed or there was a conflict of interest involving a member of the hearing body.
4. A written appeal must be filed as directed in the decision letter within five class days after the date on which the decision was sent to the complainant and respondent. Any sanctions imposed will be held in abeyance while the appeal is pending.
5. The University Student Appeals Board shall take necessary precautions to avoid any conflict of interest on the part of its members. Upon receipt of the appeal, the complainant and respondent shall be provided with the names of the members of the University Student Appeals Board. Both the complainant and respondent shall have two class days from receiving such notice to challenge any member for cause.
6. The University Student Appeals Board shall review the case and the procedures used, request additional information if needed, and then do one of the following:
 - a. Reject the appeal for lack of jurisdiction.
 - b. Affirm or reverse the original decision.
 - c. Direct the original hearing body to rehear the case or to reconsider or clarify its decision.
 - d. Conduct a hearing of its own, from which the University Student Appeals Board may affirm, reverse or modify the original decision.
7. The University Student Appeals Board shall issue a written decision, including the rationale for its decision, within ten class days of convening to consider the appeal or conducting a hearing. A copy of the decision shall be provided to the complainant and respondent, who will be required to maintain the confidentiality of the document to the extent permitted by law. Except in cases where a suspension or dismissal is recommended, the decision of the University Student Appeals Board is final and shall be effective immediately.
8. Decisions of the University Student Appeals Board resulting in a suspension or dismissal may be appealed by either the complainant or respondent to the Vice President on the basis that a finding of responsibility is not supported

by the information presented or that the penalty is incommensurate with the seriousness of the offense.

9. Decisions resulting in a suspension or dismissal that are not appealed will be forwarded to the Vice President for approval and implementation.

G. Requests for Reconsideration. Each hearing body shall allow a complainant or respondent to request reconsideration of a case within 30 calendar days of its decision, if either party can demonstrate that new information has arisen. An exception to the 30-day time limit may be granted by the appropriate hearing body only upon a showing of good cause.

H. Sanctions for Personal Misconduct. Disciplinary sanctions imposed should be based on a consideration of all circumstances in a particular case, including a student's prior record of misconduct, if any. Such sanctions may include any one or more of the following:

1. Warning: An official written statement expressing disapproval of the behavior and notifying the student it must not occur again.
2. Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that any additional violations may result in more severe disciplinary action. This period may be accompanied by stipulations, including but not limited to restitution, participation in an educational program, or loss of specified University privileges.
3. Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.
4. Change of residence: The student shall be required to move from his or her current on-campus residence, either to an off-campus location or to another location within the University housing system.
5. Other: The student may be required to complete an educational program or activity or comply with the reasonable conditions of a behavioral contract.
6. Disenrollment from a course: If the complainant is based on disruptive behavior in a specific class, the hearing body may recommend to the Provost that the student be disenrolled from that course.
7. Suspension: A suspension is temporary removal from the University for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission. Only the Vice President may impose the sanction of suspension from the University.

8. Dismissal: A dismissal is a permanent removal from the University. Only the Vice President or Provost may impose the sanction of dismissal from the University.

I. Urgent Disciplinary Cases. If the Vice President is presented with credible information that a student's continued presence at the University poses a clear and present danger to the health or safety of persons or property, the Vice President may temporarily suspend a student from the University. Before temporarily suspending a student, the Vice President will make a reasonable attempt to notify the student of the potential interim suspension and offer the student an opportunity to present information that he/she does not pose a threat to persons or property.

The interim suspension shall not preclude, render irrelevant, or predetermine the outcome of subsequent disciplinary action relating to conduct on which the interim suspension is based. Nor shall an interim suspension create a presumption that the respondent violated University policy. Students placed on interim suspension may petition for reinstatement at any time, with the following guidelines.

1. Such petitions will be considered by either the Vice President or the Provost as requested by the petitioner.
2. Within five class days after receipt of a student's petition, the Vice President or the Provost shall meet with the student for the sole purpose of deciding whether to continue the interim suspension or grant reinstatement.
3. The outcome of the meeting shall not preclude, render irrelevant, or predetermine the outcome of subsequent disciplinary action.

Students placed on interim suspension shall face disciplinary action for the underlying conduct pursuant to this Article, regardless of where the conduct occurred.

II. Non-Academic Student Grievances

Any student may file a grievance against a registered student organization, student governing group, or University employee alleging a violation of this document or a violation of the student group's constitution, bylaws, or policies. Any student may also file a grievance pursuant to this section to challenge a University policy or regulation as being inconsistent with the guidelines established in this document. Such grievances should be filed in writing with the Vice President pursuant to the established procedure.

A. Informal Resolution. Prior to filing a student grievance, the grievant should first attempt to resolve the grievance informally. Informal resolutions may include involvement of the student organization's advisor or another University employee, or alternative forms of dispute resolution (e.g., restorative justice, mediation).

B. Jurisdictional Findings. The Vice President shall review the grievance and forward it to the appro-

priate hearing board to determine whether it has jurisdiction to hear the case. The hearing board shall then forward a copy of the grievance to the respondent and invite a written response. After considering all submitted information, the hearing board may:

1. Schedule a hearing.
2. Reject the request for lack of jurisdiction and provide a written explanation for that decision.
3. Invite all parties to meet with the hearing board for an informal discussion of the issues. Such a discussion shall not preclude a subsequent hearing.

C. Hearing Procedures

1. At least five class days prior to a hearing, the parties shall receive written notification of the hearing from the appropriate hearing board. This notice of hearing shall include:
 - a. The date, time, and location of the hearing;
 - b. The names of the hearing board members; and
 - c. The names of the parties' witnesses and advisors (if known).
2. Both the respondent and grievant shall have two class days from receiving the hearing notice to challenge any hearing board members for cause. The standard the chair of the hearing board shall follow in ruling on challenges for cause is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with the complainant, respondent, or a witness, the challenged person would be able to hear the case fairly and impartially. If the challenge is to the chair of the hearing body, the challenge shall be decided by the Vice President.
3. The parties shall have two class days from receiving the hearing notice to provide the chair of the hearing body with the names of their witnesses and advisors, if such names are not already listed on the hearing notice. Both parties will receive a second notice containing this information no less than one class day prior to the hearing.
4. Either party may request, for good cause, that the hearing be postponed. The chair of the hearing body may grant or deny such a request.
5. The hearing shall be open unless the hearing body determines that the hearing should be closed to protect the confidentiality of information. An open hearing is open to any member of the University community. The hearing body may close an open hearing at any time to maintain order or protect the confidentiality of information.
6. Both parties are expected to appear at the hearing to present their cases. If appearance in person is not feasible, the hearing body may permit either party to present its case through other communication channels (phone, webcam, video conference, etc.). If the grievant

fails to appear, the hearing body may either postpone the hearing or dismiss the case. If the respondent fails to appear, the hearing body may either postpone the hearing or hear the case in the respondent's absence. The respondent's failure to appear shall not result in any presumption favoring the grievant.

7. Both parties shall be entitled to:

- a. Receive a timely hearing.
- b. Call witnesses on their behalf. Witnesses must be members of the University community, unless the hearing board determines that non-members have direct knowledge of the matter at issue. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing body in lieu of testifying only with the written permission of the chair of the hearing body. Expert witnesses are generally not allowed. The hearing board may limit the number of witnesses.
- c. Submit information in support of their positions.
- d. Be accompanied by an advisor, who must be a member of the University community. The advisor may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing body grants the advisor permission to have a limited voice in the hearing.⁵
- e. Question any witness who appears at the hearing.

8. The hearing body shall determine whether the allegation has been supported by a preponderance of the evidence. If the allegation is not supported by a preponderance of the evidence, the grievance shall be decided in favor of the respondent. If the allegation is supported by a preponderance of the evidence, the hearing body may impose one or more of the sanctions listed in Section D below.

9. The hearing body shall prepare a written report within five class days of the hearing. The report shall include the rationale for the hearing body's decision and notification of the right to appeal. The hearing body will send a copy of its report to both parties, who will be required to maintain the confidentiality of the document to the extent permissible by law.

D. Sanctions and Other Actions

1. With respect to a registered student organization or student governing group:
 - a. Warning: An official written statement expressing disapproval of the behavior and notifying the respondent it must not recur.
 - b. Probation: An official written statement establishing a period of time for observing and evaluating a student group's conduct and

indicating that further violations may result in more severe consequences. This probation may be accompanied by conditions.

- c. Revocation of privileges for a registered student organization or student governing group.
- d. Revocation of registration of a student organization.
- e. Completion of an educational program or an activity.
- f. A formal recommendation to the organization or group to correct the action, policy, or regulation in question.

2. With respect to an employee: A formal recommendation to the appropriate administrator to address the employee's action.

3. With respect to a University policy or regulation: A formal recommendation to the appropriate administrator to correct or revise the policy or regulation in question.

E. Appeals. Either party may appeal the decision of the hearing board on the basis that (i) the information presented does not support the decision reached by the hearing board, (ii) the information presented does not support the sanction imposed or recommended by the hearing board, or (iii) the procedures described above for adjudicating the case were not followed. A written appeal must be filed with the chair of the University Student Appeals Board within five class days after the hearing board's report has been sent to the parties. Any sanctions imposed will be held in abeyance while the appeal is pending.

F. Temporary Restraining Actions

1. The codes of operation for student judiciaries described in Article 4 of this document shall include provisions for expedited consideration of urgent cases in which a restraining action is sought because (i) a group action allegedly threatens immediate and irreparable harm through action contrary to the constitution of any undergraduate or graduate student governing group within the judiciary's jurisdiction; or (ii) a regulation or administrative decision allegedly threatens immediate and irreparable harm through infringement of rights defined by this document.

2. Upon receipt of such a request, the relevant hearing board shall conduct a preliminary review to determine whether a temporary restraining action is appropriate. This review should include opportunity for both the grievant and the respondent to present information, either in writing or in person at the discretion of the hearing board. The purpose of the review is to consider the nature and potential extent of irreparable harm and other alternatives to remedy the situation. The review shall not preclude, render irrelevant, or predetermine the outcome

⁵ The chair shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

of the ultimate decision of the hearing board on the grievance in question.

3. If the hearing board decides to take a temporary restraining action, the appropriate individual, group, or administrative unit shall be required to postpone or withdraw the action in question pending a hearing on the merits of the grievance by the appropriate hearing board.
4. The hearing board shall make every reasonable effort to meet whatever exigencies of time may exist in such a case. If necessary, the hearing board may announce its decision regarding a temporary action without a written statement of its reasons, provided that such a statement of its reasons shall be made available to the parties as soon as is reasonably possible.

ARTICLE 6

ACADEMIC HEARING BOARD STRUCTURES

This Article describes the composition and jurisdiction of all academic hearing boards that hear cases involving undergraduate students. Academic hearing boards that hear cases involving graduate students are described in the *Graduate Student Rights & Responsibilities* document. Academic hearing boards that hear cases involving medical students are described in the *Medical Student Rights & Responsibilities* document. Non-academic hearing boards are described in Article 4 of this document.

I. Composition of Hearing Boards

- A. *Pool of potential Hearing Board members.* The three hearing boards described in this Article (University Academic Grievance Hearing Board, University Academic Integrity Hearing Board, and the University Academic Appeal Board) will all draw their members from the same pool of potential hearing board members. This pool will consist of three faculty members from each college and three undergraduate students nominated from each college that offers undergraduate courses.
- B. *Composition.* The senior faculty member on the University Academic Grievance Hearing Board, the University Academic Integrity Hearing Board, and the University Academic Appeal Board shall act as the chair of that hearing board. The chair shall serve without vote, except in the event of a tie. In addition to the chair, each Board will consist of an equal number (no fewer than two) of voting undergraduate students and faculty members. All members of the board shall be drawn from the pool of potential hearing board members. Members of the pool not selected to serve on a hearing board shall serve as alternates. Board composition is specified in the relevant code of operations for each board.
- C. *Terms of Office.* Pool members (faculty and students) shall be nominated no later than the middle of Spring Semester for terms of one calendar year, beginning at the start of Summer Semester and ending at the end of the following Spring Semester. Colleges can opt to appoint faculty to

two-year terms. In the event that colleges are late to nominate pool members, currently serving pool members will extend their service until a replacement is nominated. The specific hearing board procedures shall include provisions for filling vacancies, including provisions for appointments on an interim basis during Summer Semester. Members can serve up to three consecutive terms, not to exceed four consecutive years.

II. University Academic Grievance Hearing Board

- A. *Jurisdiction.* The University Academic Grievance Hearing Board shall have initial jurisdiction over student academic grievances alleging violations of student academic rights (see Article 2).
- B. *Decisions.* The University Academic Grievance Hearing Board may direct the appropriate administrator to implement whatever redress it considers appropriate to the specific case.
- C. *Appeals.* Decisions of the University Academic Grievance Hearing Board may be appealed to the University Academic Appeal Board.

III. University Academic Integrity Hearing Board

- A. *Jurisdiction.* The University Academic Integrity Hearing Board shall have jurisdiction over academic grievances brought by a student to contest a charge of academic misconduct or the severity of the penalty grade imposed by an instructor. The University Academic Integrity Hearing Board shall also have jurisdiction over academic disciplinary hearings involving academic misconduct.
- B. *Decisions.* The University Academic Integrity Hearing Board may accept or reject the recommended sanction of the college, or may impose a lesser sanction than recommended by the college, chosen from Article 7, Section VI.
- C. *Appeals.* Decisions of the University Academic Integrity Hearing Board may be appealed to the University Academic Appeal Board.

IV. University Academic Appeal Board

- A. *Jurisdiction.* The University Academic Appeal Board shall have appellate jurisdiction over (i) decisions by the University Academic Integrity Hearing Board, and (ii) decisions by the University Academic Grievance Hearing Board.
- B. *Decisions.* If the University Academic Appeal Board agrees to hear an appeal of an academic disciplinary or academic grievance decision, the Board may accept or reject the decision or reduce the sanction imposed by the University Academic Integrity Hearing Board or the University Academic Grievance Hearing Board.
- C. *Appeals.* All decisions of the University Academic Appeal Board may be appealed in writing to the Provost within 10 class days of the Appeal Board decision. The Provost may affirm or reverse the decision, reduce the sanction imposed, or direct that the case be reheard.

ARTICLE 7

ADJUDICATION OF ACADEMIC CASES

The University undertakes, within the limits of its resources and the limits imposed by due respect for the professional rights of the faculty, to supply an appropriate remedy for legitimate student grievances. The limits of the University's resources proceed from factors that, while subject to its influence, are not always subject to its control.

I. Academic Grievances

- A. For the purposes of this Article, a grievance is an allegation filed by a student against a faculty or staff member within the time periods set forth in Section III.C below.
- B. A grievance may (i) allege a violation of any of the academic rights of students under this document, (ii) challenge an academic evaluation on the grounds that the evaluation was based entirely or in part upon factors other than a good faith judgment of the student's academic performance, including compliance with applicable professional standards, or (iii) contest a penalty grade or other disciplinary sanctions (e.g., written assignments) based on a charge of academic misconduct.⁶
- C. A student who has been dismissed by a college for lack of academic progress may file a grievance under this section alleging procedural violations. Students may not file a grievance challenging such a decision to dismiss on substantive grounds.
- D. Where an instructor or a committee has rendered a judgment regarding a student's academic performance, that judgment is presumed to be made in good faith and the grievant bears the burden of proving the contrary, with the exception of allegations of academic misconduct. In those cases, the instructor or committee bears the burden of proof.

II. Academic Complaints

- A. For the purposes of this Article, a complaint is an allegation filed by a member of the University community against a student within the time periods set forth in Section III.C below.
- B. A complaint may allege academic dishonesty, violation of professional standards, or falsification of academic or admissions records ("academic misconduct").⁷ (See also *Integrity of Scholarships and Grades* policy.)

III. Filing a Request for an Academic Grievance Hearing

- A. If problems arise in the relationship between instructor and student, they should attempt to resolve them in informal, direct discussions. If the problem remains unresolved, they should consult

the unit administrator. If the problem remains unresolved, the student may file a request for a grievance hearing. A grievance hearing will not be scheduled until a good-faith effort to resolve the issue informally has been made.

- B. To file a request for a grievance hearing, the student must submit a written, signed statement that contains the following information to the Dean of Undergraduate Studies. In cases of ambiguous jurisdiction, the appropriate hearing board will be selected by the Dean of Undergraduate Studies. Anonymous grievances will not be accepted.
 1. Student's name and PID;
 2. Student's local address, phone number, and email address;
 3. A detailed explanation of the facts underlying the grievance;
 4. The name of the instructor against whom the grievance is being filed and (where appropriate) the title and number of the course;
 5. The date the problem arose;
 6. The redress sought to rectify the grievance.
- C. Grievances must be filed not later than the middle of the semester (including summer semester) following the one in which the problem that is the basis for the grievance first occurred. The middle of the semester is calculated by the Registrar's Office and published on the Academic Calendar. Grievances that are not filed by the deadline will not be accepted. If either party to a grievance is absent from the University during that semester, or if other appropriate reasons exist, an exception to this time limit may be granted by the Dean of Undergraduate Studies. Exceptions will be granted rarely. If either party to the grievance leaves the University prior to its resolution, the grievance may proceed at the discretion of the chair of the hearing board or the Dean of Undergraduate Studies.

IV. Judicial Procedures

- A. The Dean of Undergraduate Studies shall establish hearing board procedures consistent with this document. A copy of these procedures shall be filed with the Office of the Ombudsperson. These hearing procedures shall be reviewed at regular intervals not to exceed five years.
- B. Members of the hearing board pool must receive training as deemed appropriate by the Dean of Undergraduate Studies before they can serve on any of the hearing boards described in this section. Delivery of this training shall be the responsibility of the Dean of Undergraduate Studies.

⁶ Instructors and deans seeking sanctions for academic dishonesty other than, or in addition to, penalty grades must file a complaint under Section II.B of this Article.

⁷ Allegations of falsification of records submitted for admission to the University are processed through the Office of the Provost to determine whether the individual's admission will be rescinded. The Dean of Undergraduate Studies or the Dean of Graduate Studies (as appropriate) may decide whether to rescind an applicant's admission because of falsification of admissions materials. Such a decision may be appealed to the Provost within ten calendar days of the decision. Allegations of falsification of records submitted by a current student for admission to a school, college, or program are handled through the academic disciplinary process as allegations of academic misconduct.

C. The adjudication of grievances and complaints should proceed in a timely manner, as described below.

1. Within five class days of its receipt, the Dean of Undergraduate Studies shall forward a copy of the request for a complaint/grievance hearing to the hearing board members and to the respondent.
2. The Dean of Undergraduate Studies shall take necessary precautions to avoid any conflict of interest on the part of the hearing board's members. The Dean of Undergraduate Studies must promptly notify each party of the names of the hearing board members. Within three days of that notice, either party may submit a written challenge to the Dean of Undergraduate Studies seeking to remove any member of the hearing board for cause. The challenge must explain the cause for removing the hearing board member.⁸
3. The Dean of Undergraduate Studies shall rule promptly on any challenge, replace any removed hearing board member from the pool of hearing board alternates, and promptly forward the name of the new hearing board member to the parties.
4. Within five class days of being established, the hearing board shall review the request for a complaint/grievance hearing to determine whether it meets the requirements established by this Article. If it does, the chair of the hearing board shall invite a written response from the respondent. After considering the submitted documents, the hearing board shall:
 - a. Accept the request, in whole or in part, and schedule a hearing.
 - b. Reject the request if the written complaint/grievance does not contain the information required in Section III.B above.
5. At least five class days prior to the hearing, the Dean of Undergraduate Studies shall provide the parties with written notice of the hearing. This notice shall include:
 - a. The names of the parties;
 - b. A copy of the request for a complaint/grievance hearing and the response to it; and
 - c. The date, time, and place of the hearing.
6. At least three class days before the hearing, the parties shall provide the Dean of Undergraduate Studies with the names of their witnesses (if any) and advisor (if any). The Dean of Undergraduate Studies shall forward this information to both parties before the hearing.
7. Any amendment to a complaint/grievance must be filed at least five class days before the hearing.

8. Either party may request, with good cause, that the chair of the hearing board postpone the hearing. The chair may grant or deny the request.
9. Each party is expected to appear at the hearing and present his/her case to the hearing board. If it is not feasible for a party to appear in person, the hearing board may permit that party to present his/her case to the hearing board through other available communication channels (phone, webcam, video conference, etc.).
10. The chair of the hearing board may permit either party to submit a written statement from a witness to the hearing board and to the opposing party if the witness is unavailable to testify at the hearing in person or by another means of communication. The statement must be submitted at least three class days before the scheduled hearing.
11. Should the respondent fail to appear at a hearing, in person or through another communication channel, the hearing board may postpone the hearing if an acceptable excuse for the absence has been offered, or hear the case in the absence of the respondent. Should the grievant/complainant fail to appear at a scheduled hearing, in person or through another communication channel, the hearing board may postpone the hearing if an acceptable excuse for the absence has been offered, or dismiss the case.
12. The hearing board shall maintain a collegial atmosphere in hearings.
13. Hearings are closed unless an open hearing is requested by the student. An open hearing is open to any member of the University community. The hearing board may close an open hearing to maintain order or protect the confidentiality of information.
14. Each party may choose to be accompanied to the hearing by an advisor who must be a member of the University community. The respondent may be accompanied to the hearing by an attorney who is not a member of the University community if criminal charges related to the subject matter of the complaint/grievance are pending against the respondent at the time of the hearing. If the respondent is charged with a sex offense related to the subject matter of the grievance/complaint when the hearing occurs, the complainant may have an attorney present at the hearing as his/her advisor. The advisor/attorney may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing board grants the attorney or advisor a limited voice.⁹
15. Witnesses must be members of the University

⁸ The standard to be used in ruling on challenges is whether, in light of the challenged person's knowledge of the case or personal or professional relationships with a party or witness, the challenged person would be able to fairly and impartially hear the case.

⁹ The chair shall normally grant permission for a student representative from the undergraduate student defender program to have voice in the hearing.

community, unless the hearing board determines that they have direct knowledge of the matter at issue. Witnesses may be present in the hearing only when testifying. Expert witnesses are generally not allowed. The hearing board may limit the number of witnesses.

16. During the hearing, each party shall have an opportunity to make an opening statement, present evidence, question witnesses, ask questions of the opposing party, present a rebuttal, and present a closing statement. The chair of the hearing board may set time limits on each party's presentation.

D. The hearing board shall render a decision and prepare a written report of its findings and supporting rationale. The hearing body shall determine whether each allegation has been supported by a preponderance of the evidence. As part of its decision, the hearing board shall determine what, if any, redress or sanction should be implemented by the appropriate unit administrator (normally, the head of the unit in which the problem occurred). The chair of the hearing board shall forward copies of the report to the Dean of Undergraduate Studies who then forwards it to the parties and the appropriate unit administrator within three class days of the hearing.

E. Upon receipt of the hearing board's report, the appropriate unit administrator shall implement the redress or sanction (other than recess or dismissal from the University) within five class days. All recipients of the report are expected to respect the confidentiality of the report. If an appeal is filed pursuant to Section VII below, any redress or sanctions imposed will be held in abeyance while the appeal is pending.

F. Either party to a hearing may request reconsideration of a hearing board's recommendation within 30 days of the hearing board's decision on the basis that new evidence has arisen.

G. At any time during the grievance/complaint hearing process, the parties may consult with the Office of the Ombudsperson.

V. Academic Disciplinary Hearings

A. In cases in which a complaint is filed against an undergraduate student for academic misconduct and the student's dean has requested an academic disciplinary hearing, the complaint will be forwarded to the Dean of Undergraduate Studies.

B. Upon receiving a complaint, the Dean of Undergraduate Studies shall promptly notify the student in writing that he or she has been accused of academic misconduct and that the student's dean has requested an academic disciplinary hearing. The student shall be required to meet with the Dean of Undergraduate Studies to discuss the alleged academic misconduct and review the academic disciplinary hearing process. The Dean of Undergraduate Studies also will inform the student of his or her right to contest the allegation before

the University Academic Integrity Hearing Board as part of the academic disciplinary hearing process.

C. The student shall have ten class days to request an academic grievance hearing to contest an allegation of academic misconduct, including a penalty grade. If the University Academic Integrity Hearing Board and any subsequent appeals determine that the student did not commit academic misconduct, the student will not face any additional sanctions based on that charge.

D. In cases in which the student's dean has requested an academic disciplinary hearing for a complaint involving the violation of academic misconduct, the Dean of Undergraduate Studies will meet with the student to review the academic disciplinary process. At that meeting, the Dean of Undergraduate Studies will discuss the allegations and ask the student to select either a hearing conducted by the Dean of Undergraduate Studies or by the University Academic Integrity Hearing Board. If the student chooses to have a Board hearing, the Dean of Undergraduate Studies will forward the complaint to the chair of the University Academic Integrity Hearing Board. If the student requests a hearing with the Dean of Undergraduate Studies, the Dean of Undergraduate Studies will proceed with the hearing.

E. A student who admits his/her academic misconduct to the Dean of Undergraduate Studies waives the right to a hearing to contest the allegation. In such a situation, the Dean of Undergraduate Studies shall impose an appropriate redress or sanction for the academic misconduct. The student may appeal the appropriateness of the sanction/redress imposed to the University Academic Appeal Board.

F. If a student fails to meet with the Dean of Undergraduate Studies when so required by this Article, the academic misconduct complaint will be referred to the University Academic Integrity Hearing Board. (See also *Integrity of Scholarship and Grades Policy* and *General Student Regulation 1.00: Protection of Scholarship and Grades*.)

VI. Sanctions for Academic Misconduct

The academic disciplinary sanctions imposed on a student should be based on a consideration of all circumstances in a particular case, including the student's prior record of academic misconduct, if any. In addition to any penalty grades assessed by the instructor, such sanctions may include one or more of the following:

A. Warning: An official written statement expressing disapproval of the behavior and notifying the student that it must not recur.

B. Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that further academic misconduct may result in more severe disci-

plinary action. This probation may be accompanied by stipulations, including, but not limited to, restitution, participation in an educational program, or the loss of specified privileges.

- C. Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.
- D. Disenrollment from a course: If a complaint is based on disruptive behavior in a specific class, the hearing body may recommend to the Provost that the student be disenrolled from that course.
- E. Recess: A recess is temporary removal from the University or a department, school, or college for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A recess may also be a conditional recess, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission. Only the Dean of Undergraduate Studies may impose the sanction of recess from the University. Only the dean of the relevant college may impose the sanction of recess from a school/college.
- F. Dismissal: A dismissal is a removal from the University or a department/school and college. Only the Dean of Undergraduate Studies may impose the sanctions of dismissal from the University. Only the dean of the relevant college may impose the sanction of dismissal from a school/college. Dismissal does not preclude application for readmission.
- G. Other: The student may be required to complete an educational program or activity or comply with the reasonable conditions of a behavioral contract.¹⁰

VII. Appeals to the University Academic Appeal Board

- A. Appeals must be filed with the Dean of Undergraduate Studies within five class days following the date of the hearing board's decision and may challenge the substance of the decision and/or the procedures employed in the adjudication. Any redress or sanctions imposed will be held in abeyance while the appeal is pending.
- B. Appeals must be in writing and signed by the party filing the appeal and must specify the basis for appeal in sufficient detail to justify further proceedings. Presentation of new evidence will normally be inappropriate at an appeal hearing, unless it constitutes new information.
- C. The Dean of Undergraduate Studies shall take necessary precautions to avoid any conflict of interest on the part of the University Academic Appeal Board's members. The Dean of Undergraduate Studies must promptly notify each party of the names of the appeal board members and provide either party with an opportunity to file a written challenge to any hearing board member for cause.

- D. The Chair of the University Academic Appeal Board shall review the appeal and forward a copy of the appeal to the other party and invite a written response. After considering the appeal and response, the Board may:
 - 1. Decide that it does not have jurisdiction and let the decision of the initial hearing board stand;
 - 2. Direct the initial hearing board to rehear the case or clarify its decision; or
 - 3. Decide that sufficient reasons exist for an appeal and schedule an appellate hearing in a timely manner.
- E. When the University Academic Appeal Board decides the case in favor of the grievant and redress is possible, it shall recommend that redress be provided. The relevant academic dean, after reviewing the decision of the appeal board, shall implement the redress.
- F. The University Academic Appeal Board shall issue findings and recommendations in a written report that includes its supporting rationale within ten class days of the appeal hearing. The appeal board may accept or reject the decision of the hearing board or reduce the sanction imposed by the hearing board. Copies of this report shall be provided to the Dean of Undergraduate Studies, who will forward the report to both parties and the relevant academic dean.

ARTICLE 8 REGULATIONS, POLICIES, AND RULINGS

The University community's expectations for student and group conduct which hold the potential for disciplinary action shall be promulgated as General Student Regulations, Student Group Regulations, Living Group Regulations, and All-University Policies as defined herein. Administrative decisions which mediate the flow of services and privileges in the operation of the University are Administrative Rulings. All regulations, policies, and rulings promulgated by the University shall be consistent with this document.

I. General Student Regulations

- A. General Student Regulations shall be those regulations established within the University community to secure the safety of members of the University community and University facilities, maintain order, and ensure the successful operation of the institution. Such regulations shall apply to all students, regardless of class level, place of residence, or group affiliation, as well as to all governing bodies, governing groups, living groups, and registered student organizations.
- B. Any governing body, governing group, living group, or registered student organization or any individual member of the University community may propose amendments to the General Student Regulations by submitting that proposal to the UCSA. The UCSA may also propose amendments to the General Student Regulations.

¹⁰ An academic dean may request additional sanctions only in accordance with the *Integrity of Scholarships and Grades Policy*.

- C. Proposals submitted to the UCSA may be approved or rejected. If rejected, the UCSA shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the UCSA shall forward the proposal to the University Council.
- D. The University Council may approve or reject the proposal. If the University Council rejects the proposal, a written explanation of the rejection shall be forwarded to the UCSA. The written explanation may include suggestions for modification of the proposal. If the proposal is approved, the University Council shall forward the proposal to the President.
- E. The President may approve or reject the proposal. If the President rejects the proposal, a written explanation of the rejection shall be forwarded to the UCSA. The written explanation may include suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the President.

II. Student Group Regulations

- A. Student Group Regulations shall be those regulations established within the University community to govern the conduct of the constituent members of a governing body or a governing group and the activities of living groups and registered student organizations under a governing body or governing group's jurisdiction. Such Regulations shall apply only to the students, bodies, groups, and organizations specified by the Regulations.
- B. Any constituent member of a governing body or governing group or any living group or registered student organization under its jurisdiction may propose amendments to the Student Group Regulations by submitting that proposal to the governing body or group with the appropriate legislative authority. A governing body or governing group may also propose amendments to the General Student Regulations.
- C. Proposals submitted to the appropriate student governing body (ASMSU or COGS) may be approved or rejected. If rejected, the student governing body shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the student governing body shall forward the proposal to the UCSA.
- D. The UCSA may approve or reject the proposal. If rejected, the University Committee on Student Affairs shall forward a written explanation to the appropriate student governing body (ASMSU or COGS). The explanation may include suggestions for modification of the proposal. If approved, the proposal shall be forwarded to the Vice President.
- E. The Vice President may approve or reject the proposal. If the Vice President rejects the proposal, a written explanation of the rejection shall be forwarded to the UCSA. The explanation may include

suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the Vice President.

III. Living Group Regulations

- A. Living Group Regulations shall be those regulations established within the University community to govern the conduct of residents and other students who are visitors and guests while within the building or buildings defining the living group. Such Regulations shall apply to all students regardless of class level, place of residence, or group affiliation.
- B. Any constituent member of a living group may propose amendments to that group's Living Group Regulations by submitting such proposals to the living group with appropriate legislative authority. Living groups may also propose amendments to their own Living Group Regulations.
- C. Proposals submitted to the living group may be approved or rejected. If rejected, the living group shall forward a written explanation to the initiator of the proposal. The explanation may include suggestions for modification of the proposal. If approved, the living group shall forward the proposal to the appropriate student governing body.
- D. The student governing body may approve or reject the proposal. If rejected, the student governing body shall forward a written explanation to the initiator of the proposal. If approved, the student governing body shall forward the proposal to the UCSA.
- E. The UCSA may approve or reject the proposal. If rejected, the UCSA shall forward a written explanation to the appropriate student governing body. The explanation may include suggestions for modification of the proposal. If approved, the proposal shall be forwarded to the Vice President.
- F. The Vice President may approve or reject the proposal. If the Vice President rejects the proposal, a written explanation of the rejection shall be forwarded to the UCSA. The explanation may include suggestions for modification of the proposal. If the proposal is approved, the amendment shall take effect upon its approval by the Vice President.

IV. All-University Policies

- A. All-University Policies shall be policies established within the University community to define and prescribe broad areas of institutional concern. Such policies shall apply to the individuals, groups, and organizations specified by the policies.
- B. All-University Policies are established by the Board of Trustees, usually following University-wide discussion and endorsement or as the result of a recommendation by an administrative unit or committee. It is the expectation that the appropriate academic governance bodies will be provided with an opportunity to review and provide input on such Policies as part of the approval process. All-University Policies may also be initiated and enacted by the Board itself.

V. Administrative Rulings

- A.** Administrative Rulings shall be those policies, procedures, and practices established to implement the functions of the University's various administrative units. Such Rulings shall apply to the individuals, groups, and organizations specified by the Rulings. The various administrative units are delegated authority, by the Board of Trustees through the President, to establish Administrative Rulings.
- B.** The process by which Administrative Rulings are developed shall be consistent with the legislative and advisory duties and prerogatives of the relevant academic governance bodies. The process shall reflect concern for student input when the substance of a ruling affects students.
- C.** When a student is alleged to be noncompliant with an Administrative Ruling that may result in disciplinary action under Article 5 of this document, the relevant unit administrator shall invite the student to a meeting to allow the student an opportunity to clarify the situation.
 - 1.** The administrator shall determine whether the alleged noncompliance may violate a General Student Regulation, Student Group Regulation, or Living Group Regulation, or an All-University Policy. If so, the administrator may refer the student for disciplinary action under Article 5 of this document.
 - 2.** The administrator shall assess the situation and decide whether any interim or temporary non-disciplinary actions must be taken during the pendency of his/her investigation (if applicable) or to prevent similar acts from occurring. The administrator may not impose disciplinary sanctions against a student without going through the judicial process described in Article 5 of this document.
 - 3.** The administrator shall notify the student, in writing, of any non-disciplinary action taken, the rationale for the action, and whether the Administrative Ruling provides any avenue of appeal of the decision. The student may challenge the Administrative Ruling itself pursuant to Article 5, Section II of this document.

ARTICLE 9

INDEPENDENT AND UNIVERSITY-SUPPORTED STUDENT PUBLICATIONS

I. Definitions

- A.** Independent student publications: Publications that are prepared and distributed, at least in part, by students and that are not funded by the administrative units of the University. Independent student publications are typically publications of student living units, governing groups, registered student organizations, or student groups.
- B.** University-supported student publications: Publications that receive funding from administrative units of the University.

II. General Guidelines

- A.** Students and student groups shall have maximum freedom to express opinions and communicate ideas by preparing and distributing independent student publications.
- B.** The University shall neither authorize nor prohibit the solicitation of advertising by an independent student publication.
- C.** Administrative units may provide advice and counsel, but all University-supported student publications shall be guaranteed freedom of content and editorial policy.
- D.** The withdrawal of financial support as a means of censorship over those University-supported student publications which are in substance a forum for free speech is recognized to be inappropriate.
- E.** A University-funded publication should identify the campus unit responsible for its preparation and distribution.
- F.** Regulations governing distribution of publications shall apply equally to all publications.
- G.** Each on-campus living unit shall decide what policies shall be formulated for distribution of publications within that living unit.
- H.** For buildings other than organized living units, the Secretary of the Board of Trustees and the all-University student governing bodies, after consultation with the administrative, faculty, and student occupants of the building, shall determine designated places for the distribution of publications.
- I.** Publications may be distributed in living units, classroom buildings, and office buildings, but only in the places established through the procedures described above. Hand-to-hand distribution is permitted in all public areas of campus buildings, subject only to building security and access rules and such limitations as are necessary to prevent interference with scheduled University activities.
- J.** Publications shall be permitted outside campus buildings, subject only to such limitations as are necessary to prevent interference with the use of streets, sidewalks, and building entrances for other purposes.
- K.** The offices of the Secretary of the Board of Trustees and ASMSU shall keep available for inspection an up-to-date list of places of distribution within campus buildings.
- L.** Any regulations necessary to implement these guidelines shall be developed in accordance with Article 8 of this document.

ARTICLE 10

OFFICE OF THE OMBUDSPERSON

- I.** The President shall appoint a senior faculty member or executive manager with the title of University Ombudsperson. The ombudsperson shall respect the sensitive and confidential nature of the position and the privacy of all persons soliciting assistance from the Office of the Ombudsperson, thereby protecting them

against retaliation. The Ombudsperson's functions shall include the following charges:

- A. The Ombudsperson shall establish simple, orderly procedures for receiving requests, complaints, and grievances from students.
 - B. The Ombudsperson shall assist students in accomplishing the expeditious settlement of their problems and may advise a student that the student's request, complaint, or grievance lacks merit, or that the student should seek a remedy elsewhere in the University. The Ombudsperson may also assist the student in obtaining an informal settlement of the student's problem.
- II. The Ombudsperson shall have broad investigatory powers and direct and ready access to all University officials, including the President.
 - III. When necessary, the Ombudsperson shall report directly to the President valid complaints for which no remedy has been found. The Ombudsperson shall also report any recommendations regarding such complaints.
 - IV. The Ombudsperson shall make periodic reports to the President regarding the operation of the Office of the Ombudsperson.

ARTICLE 11

DEFINITIONS AND ACRONYMS

For the purposes of this document, the following definitions shall apply:

Academic Disciplinary Case: A case brought against a student accused of academic misconduct involving sanctions other than or in addition to a penalty grade.

Academic Misconduct: Instances of academic dishonesty, violations of professional standards, and falsification of academic records or records for admission to a department, school, or college. See also *General Student Regulation 1.00, Scholarship and Grades, Integrity of Scholarships and Grades Policy*.

Administrators: University employees who manage University budgets, direct work units, or formulate, evaluate, and/or administer University policy.

Advisor: A member of the student body, faculty, or staff of the University chosen by a party to assist in the preparation of a case.

ASMSU/Associated Students of Michigan State University: All-University undergraduate student governing body.

Associate Provost: Associate Provost for Undergraduate Education of Michigan State University or the Associate Provost's designee.

Class Day: A day on which classes are held, including the days of Final Exam Week but excluding weekends.

Clear and Present Danger: An immediate and significant danger to the health or safety of persons or property.

COGS/Council of Graduate Students: All-University graduate student governing body.

Complainant: A member of the University community

who initiates a proceeding against a student under this document.

Complaint: An allegation of a violation of a University regulation, ordinance, or policy filed by a member of the University community against a student.

Dean of Graduate Studies: Dean of Graduate Studies of Michigan State University or the Graduate Dean's designee.

Dean of Undergraduate Studies: Dean of Undergraduate Studies of Michigan State University or the Undergraduate Dean's designee.

Direct discussion: Conversation in person, by phone, email, or other communication medium.

Faculty: All persons appointed by the University to the rank of professor, associate professor, assistant professor, or instructor, all persons appointed by the University as librarians, and all other University employees with approved titles in the academic personnel system whose duties involve instructional activities.

Falsification of Admission or Academic Records: Falsification of any record submitted for admission to the University or an academic unit of the University. Falsification of any record created, used, and/or maintained by the Office of the Registrar, the Office of Admissions, or academic units (e.g., colleges, departments, and schools).

Good Cause: Reasons including, but not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.

Graduate Student: A student enrolled in a master's, doctoral, or educational specialist program or in a graduate non-degree program, including Lifelong Education.

Grievance: An allegation of rights violation, filed by a student, against a member of the University community.

Grievant: A student who initiates a proceeding against a member of the University community under this document.

Hearing Body: A hearing administrator or duly constituted judiciary as described in this document.

Jurisdiction: Official authority to make decisions and judgments under conditions specified herein (e.g., permissible bases for appeal, adherence to stated deadlines).

Living Group: A campus residence hall or residential complex, or a floor in such a residence hall or complex.

Major Governing Groups: The Greek Governing Boards, Student Housing Cooperative, Owen Graduate Association, RHA, and UACOR.

New Information: Relevant information or documents previously unavailable to a party although the party acted with due diligence to obtain such information.

Non-Academic Disciplinary Case: A case brought against a student accused of violating a General Student Regulation, University ordinance, or University policy.

Office of the Provost: The Provost of Michigan State University or the Provost's designee.

Ombudsperson: The University Ombudsperson, a senior faculty member or executive manager who assists members of the MSU community in resolving complaints or con-

cerns confidentially, informally, impartially, and independently.

Penalty Grade: A grade assigned to a student by a faculty member based on a charge of academic misconduct.

Preponderance of the Evidence: Evidence that is more convincing, more credible, and of greater weight.

President: The President of Michigan State University or the President's designee.

Professional Standards: Codes of expected professional conduct, sometimes referred to as honor codes.

Provost: The Provost of Michigan State University, the Office of the Provost, or a designee of the Provost.

Respondent: An individual or group against whom or which a complaint or grievance is filed.

RHA/Residence Halls Association: The residence halls governing body.

Semester Start Date: The first date in the semester on which the University opens its residence halls to student residents.

Staff: Employees of the University other than administrators or faculty.

Student: An individual is considered a student from the Semester Start Date of the first term for which the individual has enrolled until graduation, recess, dismissal, or withdrawal from the University or he/she fails to register¹ for more than one consecutive semester.

UACOR: University Apartments Council of Residents.

UCSA: University Committee on Student Affairs.

Undergraduate: A student enrolled in a program leading to a bachelor's degree or in an undergraduate non-degree program, including Lifelong Education.

University Community: All University students, Trustees, administrators, faculty, and staff.

Voice (limited voice): Authority to speak (authority to speak if and when granted by a hearing-body).

Vice President: Vice President for Student Affairs and Services of Michigan State University or the Vice President's designee.

Written/in writing: In paper or electronic form.

ARTICLE 12

PROCEDURES FOR AMENDING AND REVISING THIS DOCUMENT

This document may be amended and revised according to the following procedures.

- I. The University Committee on Student Affairs shall review this document at least once every five years.
- II. Any member of the University community and any constituent body of the University may propose amendments to this document by forwarding them to the University Committee on Student Affairs.

¹ A student is considered to have failed to register for a semester after the drop/add period has ended (typically during the second week of classes).

III. The University Committee on Student Affairs shall review any such proposals. It may approve, reject, or amend the proposal.

IV. If the University Committee on Student Affairs approves the proposal, it shall forward the proposal to ASMSU and COGS. ASMSU and COGS shall review the proposal. Each may approve or reject it.

V. If either ASMSU or COGS rejects the proposal, it shall submit a written explanation of the rejection to the University Committee on Student Affairs. This explanation may include suggestions for alteration of the proposal.

VI. If ASMSU and COGS both approve the proposal, it shall be returned to the Chairperson of the University Committee on Student Affairs for presentation to the University Council.

VII. The University Council shall review the proposal and either approve or reject it in accordance with the *Bylaws for Academic Governance*. If it rejects the proposal, the University Council shall return the proposal to the University Committee on Student Affairs, ASMSU, and COGS, along with a written explanation for the rejection. This explanation may include suggestions for alteration of the proposal. If it approves the proposal, the University Council shall forward the proposal to the President who shall submit it to the Board of Trustees for action.

VIII. The Board of Trustees shall review the proposal. If the Board rejects the proposal, the Board shall return the proposal to University Council with an explanation. If the Board approves the proposal, the amendment shall take immediate effect, unless the Board specifies another effective date.

IX. The University community shall be promptly informed of all action taken on proposed amendments to this document.

HISTORY OF APPROVAL ORIGINAL DOCUMENT

Academic Council	January 10, 1967
Academic Senate	February 28, 1967
Board of Trustees	March 16, 1967

AMENDMENTS

Board of Trustees	June 18, 1971
Board of Trustees	July 1, 1971
Board of Trustees	June 24, 1977
Board of Trustees	June 24, 1983

COMPLETE REVISION

UCSA	February 28, 1983
ASMSU Student Board	March 8, 1983
UCSA	March 10, 1983
Elected Student Council	April 12, 1983
Academic Council	January 17, 1984
Board of Trustees	July 27, 1984

UCSA
 ASMSU Academic Assembly
 COGS
 Academic Council
 Board of Trustees
 UCSA
 ASMSU
 COGS
 University Council
 Board of Trustees

December 4, 2009
 December 8, 2009
 December 9, 2009
 January 26, 2010
 February 12, 2010
 February 7, 2014
 February 20, 2014
 March 12, 2014
 April 22, 2014
 June 20, 2014

GSRR

SRR

GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES

This document provides the framework for graduate student rights and responsibilities within the university, specifically regarding student conduct, academic pursuits, keeping of records, and employment. It describes procedures for formulating regulations governing graduate student conduct and for providing due process in the adjudication of graduate student disciplinary cases. It also defines channels and procedures for student complaints and grievances.

ARTICLE 1: Graduate Student Rights and Responsibilities

ARTICLE 2: Academic Rights and Responsibilities for Graduate Students

ARTICLE 3: Student Records at Michigan State University

ARTICLE 4: Graduate Student Support

ARTICLE 5: Adjudication of Cases Involving Graduate Student Rights and Responsibilities

ARTICLE 6: Academic Governance

ARTICLE 7: Procedure for Amending and Revising This Document

ARTICLE 8: Definitions

HISTORY OF APPROVAL

Medical Student Rights and Responsibilities (MSSR)

The term “graduate assistant” referred to in the GSRR, Article 4, refers to graduate assistants who are not covered by the Graduate Employees Union (GEU) collective bargaining contract. Graduate teaching assistants in the GEU are covered by the GEU contract; not by the provisions in Article 4.

GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES AT MICHIGAN STATE UNIVERSITY

ARTICLE 1 GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES AT MICHIGAN STATE UNIVERSITY

- 1.1** Michigan State University is a community of scholars whose members include its faculty, staff, students, and administrators. The basic purposes of the University are the advancement, dissemination and application of knowledge. The most basic condition for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease, and research, teaching, and learning are stifled. Knowledge is as broad and diverse as life itself, and the need for freedom is equally broad. Yet absolute freedom in all aspects of life means anarchy, just as absolute order means tyranny. Both anarchy and tyranny are antithetical to the purposes and necessities of the University. Therefore, the University always must strive to strike that balance between maximum freedom and necessary order that best promotes the University's basic purposes by providing an environment most conducive to the many faceted activities of instruction, research, and service.
- 1.2** Each right of an individual places a reciprocal responsibility upon others: the responsibility to permit the individual to exercise the right. The graduate student, as a member of the academic community, has both rights and responsibilities. Within that community, the graduate student's most essential right is the right to learn. The University has a duty to provide for the graduate student those privileges, opportunities and protections that best promote the learning process in all its aspects. The graduate student has duties to other members of the academic community, the most important of which is to refrain from interference with those rights of others which are equally essential to the purposes and processes of the University.
- 1.3** Regulations governing the activities and conduct of graduate students individually or collectively should not be comprehensive codes of desirable conduct; rather, they should be limited to the prescription of procedures for meeting the practical, routine necessities of a complex community and to the prohibition or limitations of acts that cannot be tolerated because they seriously interfere with the basic purposes and processes of the academic community, or with rights essential to other members of the community.
- 1.4** The graduate student is not only a member of the academic community, but also a citizen of the larger society who retains those rights, protections, and guarantees of fair treatment held by all citizens, which the University may not deny. The enforcement of

the graduate student's duties to the larger society is, however, the responsibility of the legal and judicial authorities duly established for that purpose.

GUIDELINES

- 1.5** To protect graduate student rights and to facilitate the definition of graduate student responsibilities at Michigan State University, the following guidelines shall apply to those stipulations and conditions by which graduate student conduct is regulated, broadly referred to as "regulations" in the remainder of this Article.
- 1.5.1** There shall be no regulation unless there is a demonstrable need that is reasonably related to the basic purposes and necessities of the University as stipulated herein.
- 1.5.2** To the maximum extent feasible, graduate students shall participate in formulating and revising regulations governing graduate student rights and responsibilities.
- 1.5.3** All regulations governing graduate student rights and responsibilities shall be made public in an appropriate manner.
- 1.5.4** Every regulation shall be as brief, clear, and specific as possible.
- 1.5.5** Wherever rights conflict, regulations shall, to the maximum extent feasible, permit reasonable scope for each conflicting right by defining the circumstances of time, place, and means appropriate to its exercise.
- 1.5.6** Regulations shall respect the free expression of ideas and shall encourage competition of ideas from diverse perspectives.
- 1.5.7** Procedures and penalties for the violation of regulations shall be designed for guidance or correction of behavior only.
- 1.5.8** Penalties shall be commensurate with the seriousness of the offense. Repeated violations may justify increasingly severe penalties.
- 1.5.9** There shall be clearly defined channels and procedures for the appeal and review of:
- a. The finding of a violation of a regulation.
 - b. The reasonableness, under the circumstances, of the penalty imposed for a specific violation.
 - c. The substance of a regulation or administrative decision that is alleged to be inconsistent with the guidelines in this document.
 - d. The lack of adherence to the applicable procedures in the adjudication.

1.5.10 Every regulation shall specify to whom it applies and whether responsibility for compliance lies with graduate students either individually or collectively.

1.6 A handbook of the University's current regulations and structures relating to student rights and responsibilities shall be made available to every member of the academic community.

ARTICLE 2

ACADEMIC RIGHTS AND RESPONSIBILITIES FOR GRADUATE STUDENTS

2.1 Preamble

2.1.1 The establishment and maintenance of the proper relationship between instructor and student are fundamental to the University's function and require both instructor and student to recognize the rights and responsibilities that derive from it. The relationship between instructor and student as individuals should be founded on mutual respect and understanding together with shared dedication to the educational process.

2.2 Role of the Faculty in the Instructional Process

2.2.1 No provision for the rights of graduate students can be valid that suspends the rights of the faculty. The graduate student's right to competent instruction must be reconciled with the rights of the faculty, consistent with the principle that the competency of a professional can be rightly judged only by professionals. It is therefore acknowledged and mandated that competence of instruction shall be judged by the faculty.

2.2.2 Colleges and departments/schools shall provide appropriate and clearly defined channels for the receipt and consideration of graduate student complaints concerning instruction. In no instance shall the competence of instruction form the basis of an adversarial proceeding before any of the judicial bodies established in this document.

2.2.3 Faculty shall have authority and responsibility for academic policy and practices in areas such as degree eligibility and requirements, course content and grading, classroom procedure, and standards of professional behavior in accordance with the *Bylaws for Academic Governance*, the *Code of Teaching Responsibility*, and other documents on faculty rights and responsibilities.

2.2.4 No hearing board established under this document shall direct a change in the evaluation of a graduate student that represents a course instructor's or guidance committee's good faith judgment of the graduate student's performance. In the event that an evaluation is determined to be based on inappropriate or irrelevant factors, the dean of the college shall cause the student's performance to be reassessed and good faith evaluation established. (See also Sections 2.3.10, 2.4.8, and Article 5.)

2.3 Rights and Responsibilities of the Graduate Student

2.3.1 In all areas of graduate education, faculty and students shall comply with the MSU Anti-Discrimination Policy.

2.3.2 The graduate student has a right to be governed by written academic regulations. The graduate student has a right to accurate, timely, and clearly stated information concerning the general academic requirements for establishing and maintaining an acceptable academic standing, the graduate student's academic relationship with the University, and the details of any special conditions that may apply. Requirements for the student's academic program and written academic regulations, including codes of professional behavior, shall be made known and made available by the administering unit at the time of the student's first enrollment. Graduate students are responsible for informing themselves of University, college, department, and school requirements as stated in unit publications and in the University catalog. In planning to meet such requirements, students are responsible for consulting with their academic advisers and guidance committees.

2.3.3 The graduate student, regardless of degree program, has a right to receive accurate information. Faculty will strive to provide the best advice possible concerning program planning, research, professional expectations, selection of courses and professors, and general degree requirements.

2.3.4 Units shall maintain records for their graduate students, specifying and/or containing degree requirements, course waivers and substitutions, program changes, and other stipulations directly affecting their degree programs. Graduate students shall be provided access to and/or a copy of these records upon request.

2.3.5 The graduate student shall be free to take reasoned exception to information and views offered in instructional contexts and to reserve judgment about matters of opinion, without fear of penalty or reprisal.

2.3.6 Graduate students and faculty share the responsibility of maintaining classroom decorum and a collegial atmosphere that ensures teaching and learning.

2.3.7 The graduate student shares with the faculty the responsibility for maintaining the integrity of scholarship, grades, and professional standards.

2.3.8 The graduate student is responsible for learning the content of a course of study according to standards of performance established by the faculty and for adhering to standards of professional behavior established by the faculty.

2.3.9 The graduate student has a right to academic evaluations that represent good faith judgments

of performance by course instructors and guidance committees. Course grades shall represent the instructor's professional and objective evaluation of the graduate student's academic performance. The graduate student shall have the right to know all course requirements, including grading criteria and procedures, at the beginning of the course. (See also the *Code of Teaching Responsibility*.)

2.3.10 The graduate student has a right to protection against improper disclosure of information concerning academic performance and personal characteristics, such as values, beliefs, organizational affiliations, and health. (See also Article 3.)

2.3.11 Graduate students and faculty members share the responsibility for maintaining professional relationships based on mutual trust and civility.

2.3.12 Graduate students have a right to be protected from personal exploitation and to receive recognition for scholarly assistance to faculty.

2.4 Academic Programming

2.4.1 The department/school or college is responsible for informing, in writing, all incoming graduate students of program requirements and procedures.

2.4.2 Guidance Committee. It shall be the responsibility of each graduate student admitted to a doctoral program or to a master's program that requires a guidance committee to form a guidance committee with the concurrence of the unit chairperson/director or designated representative. Composition of the guidance committee will be in accord with University, college, and department/school guidelines. In the event that a student is unable to form a guidance committee, it shall be the responsibility of the unit chairperson/director to intervene with the faculty of the unit to resolve the problem.

2.4.2.1 For graduate students in doctoral programs, the guidance committee shall be formed within the first two semesters of doctoral study, or within two semesters beyond the master's degree or its equivalent. Within one semester after the committee is formed, the chairperson of the guidance committee shall file a guidance committee report with the dean of the college, listing all degree requirements. A copy of this guidance committee report shall also be given to the graduate student. This guidance committee report, as changed or amended in full consultation between the graduate student and the committee and as approved by the appropriate department chairperson or school director and the dean of the college, shall be regarded as the statement of program requirements. The program will not be considered

binding unless signed by the student.

2.4.2.2 Once designated, the guidance committee has the responsibility to meet periodically to oversee the graduate student's progress as long as the graduate student continues in good standing. Any desired or required changes in the membership of the guidance committee may be made by the graduate student with the concurrence of the unit chairperson/director or designated representative, or by the unit with the concurrence of the graduate student, in accordance with University, college, and unit policy. The guidance committee, with the concurrence of the graduate student, may form a thesis/dissertation committee to supersede or supplement the guidance committee. Committee or thesis/dissertation chairpersons on leave shall provide for the necessary guidance of their advisees during their absence.

2.4.3 Residency. Academic residency requirements and residency fee policies shall be made known to the graduate student at the time of admission.

2.4.4 Time Limits. The time limitations for candidates seeking advanced degrees shall be made known to the graduate student at the time of first enrollment. Application for extension shall be submitted to the department/school and transmitted for approval by the dean of the college.

2.4.5 Program Changes. Each department/school or college shall establish procedures for altering individual student programs that have been approved in accordance with the provisions of Section 2.4.2.1. Graduate students shall be involved in developing such procedures. (See also Section 6.1.1.)

2.4.6 Dissertation and Thesis. The nature and scope of the doctoral dissertation and master's thesis (or its equivalent) shall be defined by the department/school or college and the guidance or dissertation committee according to the professional and scholarly research standards of the discipline. The department/school or college shall specify in advance the acceptable style and form of the dissertation or thesis in accordance with *The Graduate School Guide to the Preparation of Master's Theses and Doctoral Dissertations*.

2.4.6.1 Standards for formatting, duplicating and binding of dissertations and theses – as well as the stipulations covering abstracts, numbers of copies, dates and deadlines for acceptance, and regulations for microfilming and publication shall be established and published by The Graduate School.

2.4.7 Code of Professional Standards. Each department/school and college shall communicate in writing to its graduate students, at the time of their first enrollment in a degree program or in a course in the unit, any specific codes of professional and academic standards covering the conduct expected of them.

2.4.8 Evaluation. Graduate students have a right to periodic evaluations to assess their academic progress, performance, and professional potential. Evaluation of graduate students shall be made only by persons who are qualified to make that evaluation. Written descriptions of unit/program methods of evaluation and the general rationale employed shall be provided to graduate students and the faculty. Written evaluations shall be communicated to the graduate student at least once a year, and a copy of such evaluations shall be placed in the graduate student's file. (See also Section 2.5.2.4.)

2.4.8.1 When determination is made that a graduate student's progress or performance is unsatisfactory, the student shall be notified in writing in a timely manner, and a copy of the notice shall be placed in the student's academic file.

2.4.8.2 When a graduate student's status in a program has been determined to be in jeopardy, the graduate student shall be informed in writing in a timely manner, and a copy of the notice shall be placed in the student's academic file.

2.4.9 Dismissals and Withdrawals. Each department/school and college shall establish criteria for the dismissal or withdrawal of students enrolled in its programs. Such criteria shall be published and given to students at the time they begin their programs. Should a decision to dismiss a student be made, the affected student shall be notified in writing in a timely manner. All information regarding the decision is to be held in strict confidence between the student and those faculty and administrators with responsibility for the student, on a need to know basis; release may be only with the written consent of the student involved unless the decision becomes the substance for a grievance procedure, in which case such information shall be released to the grievance committee. All records and information created under this article shall be released only in accordance with the University's published policies governing privacy and release of student records. The same privacy is to be accorded the reasons for a student's temporary or permanent withdrawal from the University. Should a decision to dismiss be held in abeyance, pending completion of the stipulated conditions, these conditions must be communicated in writing in a timely manner to the student.

2.5 Educational Training of Graduate Students in Teaching Roles (not covered by the Graduate

Employees Union collective bargaining contract)

2.5.1 Colleges and department/schools are responsible for establishing orientation and in-service training programs for all graduate students in teaching roles. Such programs shall include an introduction to course goals, grading criteria and practice, and classroom procedures as well as periodic classroom visitation. The graduate student in a teaching role is held responsible for full and active participation in all such programs.

2.5.2 Graduate students who are involved in teaching roles are expected to fulfill their assigned responsibilities at a high level of performance. To gain feedback for monitoring and increasing their teaching effectiveness, such graduate students shall use, where applicable, confidential instructional rating reports in each course that they teach. These reports shall be submitted to the unit in accordance with the stated policy of the University Council.

2.5.2.1 The coordinator of each course staffed by graduate students in teaching roles shall submit each semester to the unit administrator or to the appropriate unit committee a formal written evaluation of each of the graduate students in teaching roles. After notifying the graduate student, appropriate members of the college/department/school should visit and observe the student's teaching in the instructional setting, and information from these visits and observations should be used in the evaluation.

2.5.2.2 The graduate student instructional rating reports (or summaries thereof), formal written evaluations, and any supplementary information shall be placed in a confidential file for use by the student and by faculty members in accordance with 2.5.2.3. This material shall remain on active file until the graduate student's teaching role is terminated, after which a copy of the file becomes the graduate student's personal property upon request. If evaluations or summaries of them are kept beyond the student's tenure at the University, these records should be altered so as to be anonymous.

2.5.2.3 Evaluation material described in 2.5.2.2 may be used in overall evaluations and in determining such matters as renewal of assistantships, teaching assignments, recommendations, and the need for further training.

2.5.2.4 An evaluation of teaching shall be given to the graduate student who has a teaching role at least once each year. (See also 2.4.8)

ARTICLE 3

STUDENT RECORDS AT MICHIGAN STATE UNIVERSITY

3.1 Achieving educational goals, providing direction to graduate students, and extending service to society demand that the University keep records. All policies and practices concerning records shall be based on respect for the privacy of the individual graduate student as well as current federal and State law.

3.1.1 Because of respect for the privacy of the individual graduate student, record keeping must be performed only by University personnel whose job responsibilities require record keeping.

3.2 All policies and practices governing access to, and maintenance and release of, graduate student records shall conform to the University's published guidelines. (See the *MSU Access to Student Information* policy: <http://www.reg.msu.edu/AcademicPrograms/Text.asp?Section=112#s542>).

3.2.1 No record shall be made, reproduced, or retained unless there is a demonstrable need for it that is reasonably related to the basic purposes and necessities of the University.

3.2.2 The University shall not make, reproduce, or retain records of a graduate student's religious or political beliefs or affiliations without the graduate student's knowledge and consent.

3.2.3 Graduate students shall have the right to inspect any of their own educational records, except as waived by the graduate student (e.g., confidential letters of recommendation). Student educational records include official transcripts, student disciplinary records, and records regarding academic performance. Students shall have the right to provide a written explanation for documents in their files. The explanation shall be included in the graduate student's educational records file.

3.2.4 All policies and practices dealing with the acquisition and dissemination of information in graduate student records shall be formulated with due regard for the graduate student's right to privacy and access.

3.2.5 All graduate student educational records used to make determinations of progress in the graduate student's academic program or employment shall include a notation of the name of the person who supplied the information and the date of its entry, where practical, with the exception of central, Student Information System records.

3.2.6 Confidential records shall be responsibly handled. Units shall train persons handling such records in appropriate methods of keeping and disposing of confidential records.

3.2.7 No one outside the faculty or administrative staff of Michigan State University, except as permitted or specified by law, may have access to the record of a graduate student's offenses

against University regulations without the written permission of the student.

3.2.8 All policies governing the maintenance and the selective release of records and of portions of records shall be made public in an appropriate manner and shall be subject to judicial review as provided in Article 5.

3.2.8.1 These policies and practices shall conform to current federal and State law. In addition, any changes to the policies shall be made known to the graduate student body through the all-University graduate student governing body.

ARTICLE 4

GRADUATE STUDENT SUPPORT

4.0 The term "graduate assistant" in this Article refers to graduate assistants who are not covered by the Graduate Employees Union collective bargaining contract. Employment policies and the issues that are encompassed by employment and involve students who are included in the collective bargaining unit shall be covered by the GEU contract.

4.1 Classes of Support

4.1.1 Students receiving support through the University primarily constitute three groups:

- graduate assistants
- University employees
- fellowship, scholarship and/or grant recipients

4.2 Graduate Assistants

4.2.1 Graduate assistants are graduate students currently enrolled in degree programs who are appointed through established University procedures and in accordance with University policies governing graduate assistantships. Duties assigned to graduate assistants may include (but are not limited to) classroom instruction, student advising, writing supervision, reading of papers and examinations, and research. The responsibilities delegated to a graduate assistant must be performed under the supervision of an appropriate faculty member or administrator.

4.2.2 With the participation of graduate student representatives, each unit appointing graduate assistants shall develop policies and make available current information covering, but not limited to, the following:

- criteria for selecting new graduate assistants
- criteria for renewing and/or continuing graduate assistantships
- stipends (see 4.2.4)
- stipend advancement and promotion
- tax status of stipends (according to IRS policy)
- procedures for evaluating performance (see also 2.5.2–2.5.2.4)
- length of term of appointment, including continuance and renewal of graduate assis-

tantships

- h. work load, duties, and vacation schedules
- i. grievance procedures

4.2.3 By April 15th of each calendar year, units shall advise each graduate assistant in writing of one (or more) of the following: (a) the assistantship will be renewed for the following academic year or a portion thereof; (b) the assistantship will be renewed provided the assistant is able to meet certain specified conditions; (c) the assistantship will be renewed provided the unit is able to meet certain specified conditions; (d) the assistantship will not be renewed for the following academic year. If the assistantship is not renewed, the reasons shall be indicated. When citing (b) above, the unit shall include the date by which the student must satisfactorily complete the specified criteria and the date by which the unit will notify the student about its decision to renew the assistantship for the appropriate semester(s). When citing (c) above, the unit shall include the date by which it will notify the student about its decision to renew the assistantship for the appropriate semester(s). Evaluative judgments about students should be communicated in accordance with guidelines in 2.4.8. (See all Sections 2.5.2–2.5.2.4.)

4.2.4 The Office of the Provost shall establish a campus-wide policy for graduate assistant stipends, taking into account (a) the amount of stipend adequate in relation to the current cost of living, (b) the need to be competitive with other universities, and (c) the availability of resources for graduate assistant stipends. (The Office of the Provost shall consult with the Dean of The Graduate School and the University Committee on Graduate Studies on graduate assistant stipend levels.)

4.2.5 Graduate assistants are entitled to all benefits normally accorded to full-time graduate students, except as specified under policies established in accordance with 4.2.7.

4.2.6 All graduate assistants are entitled to such clerical-secretarial help and supplies as are commensurate with their assigned responsibilities and the resources of the unit.

4.2.7 The Office of the Provost, in consultation with the Dean of the Graduate School and the University Committee on Graduate Studies and other appropriate, duly authorized authorities, shall review and publish policies for graduate assistants relating to (a) sick leave, (b) parking privileges, (c) bus privileges, (d) travel off campus, (e) insurance, (f) health care, and (g) tuition waivers.

4.2.8 Within the constraints of their training, experience, and responsibilities, graduate assistants have a right to the same professional respect as that accorded to regular faculty.

4.3 University-Employed Graduate Students

4.3.1 The University's student employment office shall publish annually minimum and maximum salaries and hourly wages for University-employed graduate students. This office shall have the authority to approve unit requests for all payments above the established maximums.

4.3.2 The University shall not deny a regular employee's fringe benefits solely because the person also is registered as a student.

4.3.3 University employees who are pursuing graduate study are bound by collective bargaining agreements or other applicable University personnel policies and agreements.

4.3.4 Employment-related grievances of graduate students employed in non-academic positions should be filed with the employing units under their respective procedures.

4.4 Fellowship, Scholarship and Grant Recipients

4.4.1 A graduate student supported by a fellowship, scholarship and/or grant shall have a right to such information as (a) the responsibilities and performance required for retention of support, (b) the privileges and status associated with support, and (c) grievance procedures.

4.5 University Policies Relating to Graduate Student Support Recipients

4.5.1 Michigan State University is an Affirmative-Action, Equal-Opportunity Employer. Therefore, employment appointment policies shall be consistent with anti-discrimination policies of Michigan State University.

4.5.2 Graduate students shall be informed of all employment policies when a position is tendered.

4.5.3 The University retains the right to demote, suspend, terminate, or otherwise discipline graduate students receiving support through the University for cause and for failure to meet their responsibilities. The University also retains the right to terminate graduate students' participation in an academic program, which in turn may terminate the graduate student's assistantship or other financial support. Graduate students who believe they have a grievance under this article may utilize the judicial procedures outlined in Article 5.

4.5.3.1 In cases where the graduate student contends that action of the University may cause irreparable harm, the student may appeal to the appropriate judiciary for an expedited hearing.

ARTICLE 5 ADJUDICATION OF CASES INVOLVING GRADUATE STUDENT RIGHTS AND RESPONSIBILITIES

5.1 Judicial Structure

Hearing Boards shall establish their own procedures in a

manner consistent with this document. A copy of procedures adopted by each unit shall be filed with the Office of the Ombudsperson and with the Office of the Dean of the Graduate School.

5.1.1 To promote effective functioning of the system of graduate student rights and responsibilities, an appropriate judicial structure and process shall be established for hearing and adjudicating all cases brought by and against graduate students in the following areas:

- a. Academic rights and responsibilities
- b. Professional rights and duties of graduate assistants not covered by the Graduate Employees Union collective bargaining contract
- c. Professional rights and duties of other Graduate Students

5.1.2 Department/School/Program Hearing Boards.

For adjudication to be conducted at the department/school level the parties shall attempt first to resolve the problem in informal, direct discussions. If the problem remains unresolved, adjudication may be handled formally through a department/school hearing board. The hearing board shall be composed of equal numbers of faculty and graduate students selected by their respective groups in accordance with the department/school/program hearing procedures. If the unit administrator is involved in the case, the unit administrator may not serve on the hearing board.

5.1.3 College Graduate Hearing Board. Each college shall establish a judiciary composed of the chair of the college graduate committee or designee and equal numbers of faculty and graduate students selected by their respective groups in accordance with college hearing procedures. Each college shall provide training to its hearing board members.

5.1.4 University Graduate Judiciary. A judiciary shall be established at the University level composed of the Dean of the Graduate School or designee, who shall serve as chairperson, three elected faculty members of the University Committee on Graduate Studies, and three graduate students chosen by the all-University graduate student governing body.

5.1.5 Each hearing board or judiciary shall be chaired by a faculty member. Each board or judiciary shall provide a suitable number of alternate members chosen in accordance with the procedures established above.

5.1.6 Term of Office. Hearing board or judiciary members at all levels shall be selected during spring semester for the upcoming summer semester and shall serve one year. The one-year term shall not preclude reappointment of any member the following year. Hearing boards and judiciaries shall establish provisions for filling vacancies, including making appointments on

an interim basis during summer semester.

5.1.7 Members of a hearing board or judiciary involved or possessing other conflicts of interest in a case at issue shall be disqualified from sitting on the hearing board or judiciary for that specific case.

- a. An approved alternate member from the appropriate faculty or student group will replace such person(s) in accordance with established guidelines.
- b. Either the complainant or respondent may submit to the chair of the hearing board or judiciary a challenge of board or judiciary members in instances of alleged conflicts of interest. Such challenges will be decided by the chair in a timely manner. The decision will be reported to both parties in writing three (3) class days after rendering a decision.
- c. Either party may remove a total of two board members, excluding the chair, without stated cause. The name(s) of the individual(s) must be transmitted to the chair no later than three (3) class days after receiving notification of the board's or judiciary's membership.

5.2 Jurisdiction of Alleged Violations (other than grievances)

5.2.1 Except as specified in this document (particularly in Section 5.1), alleged violations of student group regulations, general student regulations, or all-University policies as they apply to all students (undergraduate, graduate, graduate-professional) will be referred to the appropriate judiciary as outlined in the *Michigan State University Student Rights and Responsibilities*.

5.3 Redress of Grievances

5.3.1 With respect to allegations of violation(s) by or against a graduate student in the areas cited in 5.1.1, where possible, a student grievant or faculty complainant is encouraged to seek resolution and redress informally with the appropriate individual(s).

5.3.2 If problems arise in the relationship between instructor and student, the parties attempt first to resolve them in informal, direct discussions. If the problem remains unresolved, then the student shall consult with the unit administrator. If still aggrieved, a student may then submit a formal, written grievance for consideration by an appropriate hearing board. The formal grievance alleging violations of academic rights must include a proposed remedy, which could be implemented by a responsible administrator. The grievant or respondent may consult with the University Ombudsperson at any stage of the process.

5.3.3 The University undertakes, within the limits of its resources and the limits imposed by due respect for the professional rights of the faculty, to supply an appropriate remedy for legitimate

student grievances that have judicial merit. (See Section 5.4.6.) The limits of the University's resources proceed from factors that, while subject to its influence, are not always subject to its control.

5.3.4 To overcome the presumption of good faith in course instructors' and graduate committees' judgments of performance, grievances concerning academic evaluations must produce facts that provide clear and convincing evidence that demonstrates that an evaluation was based entirely or in part upon factors that are inappropriate or irrelevant to academic performance and applicable professional standards. (See 2.2 as well as 2.3.11 and 2.4.8.)

5.3.5 Any member of the academic community of Michigan State University may initiate a grievance involving the rights and responsibilities of graduate students. Grievances alleging violation of the academic rights of an undergraduate student by a graduate student shall be heard by the unit level judiciaries outlined in the *Michigan State University Student Rights and Responsibilities*.

5.3.6 In submitting a formal grievance to an appropriate hearing board (see Section 5.3.6.2) alleging violation(s) by or against a graduate student in the areas cited in 5.1, a grievant must submit a written, signed statement that specifies with sufficient particularity to justify proceedings the point(s) forming the basis of the grievance, the person(s) and/or unit(s) against whom/which the grievance is filed, and the redress that is sought.

5.3.6.1 Grievances must normally be initiated no later than mid-term of the semester following the one wherein the alleged violation occurred (exclusive of summer semester). If the involved instructor or student is absent from the University during that semester, or if other appropriate reasons exist, an exception to this provision may be granted by the appropriate hearing board. If, before the formal grievance procedures are completed, the involved instructor is no longer employed by the University, the grievance process may nevertheless proceed.

5.3.6.2 Student grievances alleging violation of academic and professional rights must be initiated at the lowest administrative level feasible; normally, the department/school/program. With the approval of the college dean, departments/schools/programs may waive jurisdiction and refer grievances to the college hearing board. A college dean may request a change of jurisdiction if the dean has concerns about a fair hearing.

5.4 Judicial Procedures

5.4.1 Departments/schools/programs and colleges shall review their hearing board procedures every five (5) years.

5.4.2 Procedures for the adjudication of grievances must proceed in a timely manner as defined below.

5.4.3 Upon receipt of a request for a formal grievance, the unit chair/director shall forward a copy of the grievance request to the chair of the hearing board who in turn shall transmit a copy of the grievance request within five (5) class days to the hearing board members and to the respondent.

5.4.4 In urgent cases in which it is alleged that a regulation or an administrative decision or action threatens immediate and irreparable damage to any of the parties involved, the hearing board or judiciary shall expedite the hearing and final disposition of the case.

5.4.5 A hearing board or judiciary is empowered to act on a request to direct an individual or unit to discontinue or postpone an administrative decision or action that threatens immediate and irreparable damage to any of the parties involved pending final disposition of the case. The hearing board or judiciary shall expedite the hearing and final disposition of this urgent case.

5.4.6 A department/school/program or college hearing board shall review each hearing request for jurisdiction and judicial merit and may then forward a copy of the request to the appropriate individual(s) and invite a written response. After considering all submitted information, the board may:

- a. Accept the request, in full or in part, and proceed to schedule a hearing.
- b. Reject the request and provide an appropriate explanation.
- c. Invite all parties to meet with the board for an informal discussion of the issues. Such a discussion shall not preclude a later hearing.

5.4.7 Notice of Hearing. At least five (5) class days prior to a formal hearing, both the respondent and the grievant shall be sent a written notification of hearing from the appropriate hearing body. This notice of hearing shall state:

- a. The nature of the issues, charges, and/or conflicts to be heard with sufficient particularity to enable both the respondent and the grievant to prepare their respective cases.
- b. The time and place of the hearing.
- c. The body adjudicating the case and the names of the members that make up the body, including the names of all alternate members.
- d. The names of the respondent and grievant.

5.4.7.1 At least three (3) class days before the hearing, the parties shall provide the chair of the hearing board with the

names of their witnesses (if any) and advisor (if any). The chair of the hearing board shall forward this information to both parties to the hearing.

5.4.8 Either the grievant or the respondent may request, with cause, a postponement prior to the scheduled time of a hearing. The hearing board may grant or deny such a request.

5.4.9 Both the respondent and the grievant shall be expected to appear at the hearing and present their cases to the hearing board.

- a. Should the grievant fail to appear, the hearing board may either postpone the hearing or dismiss the case.
- b. Should the respondent fail to appear, the hearing board may either postpone the hearing or, only in unusual circumstances, hear the case in his or her absence.
- c. The hearing board may accept written statements from a party to the hearing in lieu of a personal appearance, but only in unusual circumstances. Such written statements must be submitted to the judiciary at least three (3) class days prior to the scheduled hearing.

5.4.10 Hearing boards shall ensure that a collegial atmosphere prevails in grievance hearings. Either party shall have the right to be accompanied by an advisor (see definition in Article 8). Permission will be granted to the respondent to be accompanied by an attorney if there are criminal charges pending.

5.4.10.1 The advisor may be present throughout the hearing but has no voice in the hearing unless the chair of the hearing board grants the advisor permission to participate.

5.4.10.2 During the hearing, parties to a grievance shall have an opportunity to state their cases, present evidence, designate witnesses, ask questions, and present a rebuttal.

5.4.10.3 Witnesses must be members of the University community, unless the hearing board determines that they have direct knowledge of the alleged behavior in question. Witnesses may be present in the hearing only when testifying. Witnesses may submit written statements to the hearing board in lieu of attending only with the written permission of the chair of the hearing board. Expert or character witnesses are generally not allowed. The hearing board may limit the number of witnesses.

5.4.10.4 Hearings are closed unless the student requests an open hearing. An open hearing is open to any member of the University community. The hearing board may close an open hearing to maintain order or protect the confiden-

tiality of information.

5.4.11 The hearing board shall prepare a written report of findings and rationale for the decision and shall forward copies to the parties involved, to the responsible administrator(s), to the University Ombudsperson, and to the Dean of the Graduate School. The report shall indicate the major elements of evidence, or lack thereof that support the hearing board's decision. All recipients are expected to respect the confidentiality of this report. When a hearing board finds that a violation of academic rights has occurred and that redress is possible, it shall direct the responsible administrator to provide redress. The administrator, in consultation with the hearing board, shall implement an appropriate remedy.

5.4.12 Appeals. The decision of the original hearing board may be appealed by either party to a grievance only to the next level hearing board. If the original hearing was by a department/school/program hearing board, the appeal shall be made to the college hearing board. If the original hearing was by a college hearing board, the appeal should be made to the University Graduate Judiciary.

5.4.12.1 Appeals must allege either that applicable procedures for adjudicating the case were not followed in the previous hearing or that the findings of the hearing board were not supported by the facts that provided clear and convincing evidence. (Presentation of new information will normally be inappropriate at an appeal hearing.)

5.4.12.2 All appeals must be written and signed and must specify the alleged defects in the previous adjudication(s) in sufficient particularity to justify further proceedings. The appeal must also specify the redress that is sought.

5.4.12.3 Appeals must be filed with the chair of the appropriate appellate board (i.e., a college hearing board or the University Graduate Judiciary) within five (5) class days following a notice of a decision. The original decision shall be held in abeyance while under appeal.

5.4.12.4 An appellate board (i.e., a college hearing board or the University Graduate Judiciary) shall review each appeal request and may then forward a copy of the request to the appropriate individual(s) and invite a written response. After considering all submitted information, the appellate board may:

- a. decide that sufficient reasons for an appeal do not exist and that the decision of the lower hearing body shall stand;

- b. direct the lower hearing body to rehear the case or to reconsider or clarify its decision; or
- c. decide that sufficient reasons exist for an appeal and accept the request, in full or in part, and proceed to schedule an appeal hearing.

5.4.12.4.1 Following an appeal hearing, an appellate board may affirm, reverse, or modify the decision of the lower hearing body.

5.4.13 Reconsideration. Each judiciary or hearing board shall make provision to allow the parties to a grievance to request reconsideration of a case within thirty (30) days if it is determined that new information has arisen. An exception to the time provision may be granted by the appropriate judiciary or hearing board.

5.5 Academic Dismissal and Academic Disciplinary Cases

5.5.1 In cases in which a student is charged with academic misconduct and the student's dean has notified the student, in writing, of the charge and requested an academic disciplinary hearing, the complaint will be forwarded to the Dean of the Graduate School.

5.5.2 Upon receiving the request for an academic disciplinary hearing, the Dean of the Graduate School (or designee) shall promptly notify the student that s/he is required to meet with the Dean of the Graduate School (or designee) to discuss the alleged academic misconduct and review the academic disciplinary hearing process. (See 5.5.4 and 5.5.5.)

5.5.2.1 At this time, the Dean of the Graduate School (or designee) will also inform the student of his or her right to contest the allegation before the relevant department/school/college hearing board.

5.5.2.2 The student shall have ten (10) class days to request an academic grievance hearing to contest a penalty grade, or to contest a failure to pass comprehensive exams based on academic misconduct, or any other charge of academic or professional standards misconduct. If the student files a request for a grievance hearing, the student will not meet with the Dean of the Graduate School (or designee) until the unit-level hearing board has heard the student's academic grievance and all appeals, if any, are final. If the hearing board determines that the student did not commit academic misconduct, the student will not face any additional sanctions based on that charge.

5.5.2.3 In such a hearing, the burden of proof shall rest upon the instructor or guidance committee (for comprehensive

exams) whose prior assignment of the penalty grade will constitute a charge of academic misconduct. The hearing board shall proceed in compliance with applicable University and/or unit academic legislation on the integrity of scholarship, grades, and professional standards; and the procedural and appeal provisions of this document shall apply.

5.5.3 In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving the violation of professional standards, the Dean of the Graduate School (or designee) will meet with the student to determine the appropriate college hearing board for the hearing and review the academic disciplinary process.

5.5.4 In cases in which the student's dean (or designee) has requested an academic disciplinary hearing for a complaint involving academic misconduct other than a violation of professional standards, the Dean of the Graduate School (or designee) will meet with the student to discuss the allegations and ask the student to select either an administrative hearing conducted by the Dean of the Graduate School (or designee) or a disciplinary hearing conducted by the appropriate college hearing board. If the student chooses to have a college hearing, the Dean of the Graduate School (or designee) will forward the complaint to the chair of the appropriate college hearing board. If the student requests an administrative hearing, the Dean of the Graduate School (or designee) will proceed with the hearing.

5.5.5 A student who admits his/her academic misconduct to the Dean of the Graduate School (or designee) waives the right to a hearing to contest the allegation. In such a situation, the Dean of the Graduate School (or designee) shall impose an appropriate redress or sanction for the academic misconduct. The student may appeal the appropriateness of the sanction/redress imposed to the Provost within five (5) class days (see 5.4.12.3).

5.5.6 If a student fails to meet with the Dean of the Graduate School (or designee) when so required by this document, the academic misconduct complaint will be referred to the appropriate college hearing board.

5.5.7 In cases of ambiguous jurisdiction, the Dean of the Graduate School will select the appropriate judiciary.

5.5.8 The academic disciplinary sanctions imposed on a student should be based on a consideration of all circumstances in a particular case, including the student's prior record of academic misconduct, if any. Such sanctions may include one or more of the following:

Warning: An official written statement expressing disapproval of the behavior and notifying the student that it must not recur.

Probation: An official written statement establishing a period of time for observing and evaluating a student's conduct and indicating that further academic misconduct may result in more severe disciplinary action. This probation may be accompanied by stipulations, including, but not limited to, restitution, participation in an educational program, or the loss of specified privileges.

Restitution: A requirement that a student pay for property damages or losses resulting from acts committed by the student, with the date by which the restitution must be completed.

Other: The student may be required to participate in an educational program deemed appropriate to a specific case or set of behaviors or lose specified University privileges.

Suspension: A suspension is temporary removal from the University or a department/school/college for a particular period of time, at the conclusion of which the student is eligible to apply for readmission. A suspension may also be a conditional suspension, in which case the student must demonstrate that he/she has fulfilled stated conditions prior to applying for readmission.

Dismissal: A dismissal is a permanent removal from the University or a school/college.

Only the University Graduate Judiciary and the Dean of the Graduate School may impose the sanctions of suspension or dismissal from the University. Only the dean of the relevant college and the University Graduate Judiciary may impose the sanction of suspension or dismissal from a school/college.

5.6 When sanctions other than or in addition to a penalty grade are involved, the college hearing board has original jurisdiction, and the University Graduate Judiciary has appellate jurisdiction over academic dismissals and disciplinary cases against graduate students relating to academic misconduct.

5.7 The University Graduate Judiciary is the final hearing body within the judicial structure related to graduate academic rights and responsibilities, in cases that were initiated at the college level.

5.7.1 The University Graduate Judiciary shall have available to it the full range of decisions provided to hearing boards through this document. In addition, the University Graduate Judiciary may make whatever recommendations it may consider appropriate to specific cases. When the Judiciary finds that a violation of academic rights has occurred and that redress is possible, the Judiciary shall direct the responsible administrator to provide redress. The administrator, in consultation with the University Graduate Judiciary, shall implement an appropriate remedy.

ARTICLE 6

ACADEMIC GOVERNANCE

6.1 Graduate student representatives shall participate in academic governance at the department/school/program, college and University levels.

6.1.1 At the department/school level, graduate student participation in the policy-making process shall include, but not necessarily be limited to, the following:

Graduate curriculum and degree requirements.
Graduate financial aids and awards.
Graduate admissions criteria.

6.1.2 Graduate student representatives shall participate as voting members on all policy-making committees at the departmental/school/program and college levels that are directly concerned with graduate student affairs.

6.1.2.1 The department/school/program advisory committees or their equivalent, in consultation with representatives of graduate students in the unit, shall determine which unit-level committees are directly concerned with graduate student affairs.

6.1.2.2 Each department/school/program and college shall inform its graduate students in a timely way of the committee positions that graduate students may hold, the duties and lengths of appointment of said positions, the processes by which individuals are selected for appointment, and the names of the appointed representatives.

6.1.3 At the University level, graduate students shall be selected and shall have voting membership on the University Committee on Graduate Studies, University Council and other such committees as may be specified by the *Bylaws for Academic Governance*.

ARTICLE 7

PROCEDURE FOR AMENDING AND REVISING THIS DOCUMENT

7.1 Any member of the Michigan State University community may initiate a proposal to amend or revise this document.

7.1.1 A graduate student shall submit such a proposal to the all-University graduate student governing body for approval. The all-University graduate student governing body may approve the proposal by a majority vote of the members present. If approved, the proposal, with recommendation for its adoption, shall be submitted to the University Committee on Graduate Studies through the all-University graduate student governing body's regular representatives.

7.1.2 A faculty member shall submit such a proposal to the colleges graduate committee for its

approval. The college graduate committee may approve the proposal by a majority vote of the members present. If approved, the proposal, with a recommendation for its adoption, shall be submitted to the University Committee on Graduate Studies through the college's regular representative(s).

- 7.1.3** Any other member of the Michigan State University community (not a graduate student or a regular faculty member) may submit a proposal to the Graduate School for transmission to the University Committee on Graduate Studies.
- 7.2** All proposals to amend or revise this document must be approved by both the all-University graduate student governing body and the University Committee on Graduate Studies by a majority vote of the members present, unless there is a legal reason to immediately revise this document to comply with State or federal laws.
- 7.3** If approved by the University Committee on Graduate Studies and by the all-University graduate student governing body, the proposal, with recommendations for its approval, shall be submitted to the University Council.
- 7.4** The University Council shall review all amendments and revisions and either approve or reject them in accordance with the *Bylaws for Academic Governance*. A proposed amendment or revision that is rejected by the University Council shall be returned to the University Committee on Graduate Studies and to the all-University graduate student governing body along with a written explanation for the rejection. This explanation may include suggestions for alteration of the proposal. A proposed amendment or revision that is approved by the University Council shall be forwarded to the President, who shall present it to the Board of Trustees.
- 7.5** The Board of Trustees shall review all amendments and revisions and may approve the proposal, at which time it shall become operative unless the Board specifies a different effective date or reject the proposal and return it to the University Council with an explanation.
- 7.6** The University community shall be promptly informed of all action taken on proposed amendments and revisions.

ARTICLE 8

DEFINITIONS

- 8.1** Various terms appearing in other Articles of this document are defined below.
- 8.1.1 Academic Disciplinary Case:** A case brought against a student accused of academic misconduct involving sanctions other than or in addition to a penalty grade.
- 8.1.2 Academic Misconduct:** Instances of academic dishonesty, violations of professional standards, and falsification of academic records or records for admission to a department/school/program/college. See also *General Student Regulation*
- 1.00, Scholarship and Grades; Integrity of Scholarships and Grades Policy.**
- 8.1.3 Administrators:** University employees who manage University budgets, direct work units, or formulate, evaluate, and/or administer University policy.
- 8.1.4 Advisor:** A member of the student body, faculty, or staff of the University chosen by a party to assist in the preparation of a case.
- 8.1.5 All-University Graduate Student Governing Body:** Council of Graduate Students (COGS).
- 8.1.6 Class Day:** A day on which classes are held, including the days of Final Exam Week but excluding weekends.
- 8.1.7 Clear and Convincing Evidence:** Evidence that reaches the standard of being more highly probable to be true than not true and for which hearing board members have a firm belief in its factuality.
- 8.1.8 Complainant:** A member of the University community who initiates a judicial proceeding under this document. A student complainant is a grievant.
- 8.1.9 Faculty:** All persons appointed by the University to the rank of professor, associate professor, assistant professor, or instructor, all persons appointed by the University as librarians, and all other University employees with approved titles in the academic personnel system whose duties involve instructional activities.
- 8.1.9.1 Regular Faculty:** All persons appointed under the rules of tenure and holding the rank of professor, associate professor, assistant professor, or instructor, and persons appointed as librarians. In addition, the principal administrative officer of each major educational and research unit of the University shall be a member of the "regular faculty."
- 8.1.10 Falsification of Admission or Academic Records:** Falsification of any record submitted for admission to the University or an academic unit of the University. Falsification of any record created, used, and/or maintained by the Office of the Registrar, the Office of Admissions, or academic units (e.g., colleges, departments, programs and schools).
- 8.1.11 Good Cause:** Good cause includes, but is not limited to, circumstances outside of a party's control, such as illness, death in the family, or a class conflict.
- 8.1.12 Graduate Student:** A graduate student enrolled in a master's, doctoral, or educational specialist program or in a graduate non-degree program, including Lifelong Education.
- 8.1.13 Graduate-Professional (Medical or Law) Student:** A graduate student enrolled in a medical degree program in the College of Human Medicine, College of Osteopathic Medicine, or

College of Veterinary Medicine. Those students who are enrolled in graduate-professional non-degree programs, including Lifelong Education shall be deemed graduate-professional students.

- 8.1.14 Hearing Body:** A duly constituted hearing board or judiciary as described in this document.
- 8.1.15 New Information:** Relevant information or documents previously unavailable to a party to a proceeding, although the party acted with due diligence to obtain such information.
- 8.1.16 Non-Academic Disciplinary Case:** A case brought against a student accused of violating a General Student Regulation, University ordinance, or University policy. Such a case is heard pursuant to the *Michigan State University Student Rights and Responsibilities* document.
- 8.1.17 Ombudsperson:** The University ombudsperson is a senior faculty member or executive manager who assists members of the MSU community in resolving complaints or concerns confidentially, informally, impartially, and independently.
- 8.1.18 Penalty Grade:** A grade assigned to a student by a faculty member based on a charge of academic misconduct.
- 8.1.19 Professional Standards:** Codes of expected professional conduct, including University-approved honor codes.
- 8.1.20 Respondent:** An individual or group against whom or which a grievance is filed.
- 8.1.21 Staff:** Employees of the University other than administrators or faculty.
- 8.1.22 Student:** An individual is considered a student from the time he or she attends his/her first class until graduation, recess, dismissal, suspension, or withdrawal from the University, or he/she fails to register for more than one consecutive semester. An individual is considered a graduate student from the time he or she begins participation in official graduate programs or activities.
- 8.1.23 Undergraduate:** A student enrolled in a program leading to a bachelor's degree or in an undergraduate non-degree program, including Lifelong Education.
- 8.1.24 University Community:** All University students, Trustees, administrators, faculty, and staff.

HISTORY OF APPROVAL

ORIGINAL DOCUMENT

Academic Council	May 19, 1971
Board of Trustees	June 18, 1971

PARTIAL REVISION

Board of Trustees	February 12, 2010
Revision effective	August 16, 2010

COMPLETE REVISION

University Graduate Council/COGS	January 16, 1984
Academic Council	February 28, 1984
Board of Trustees	July 27, 1984
Revision effective	July 27, 1984

COMPLETE REVISION

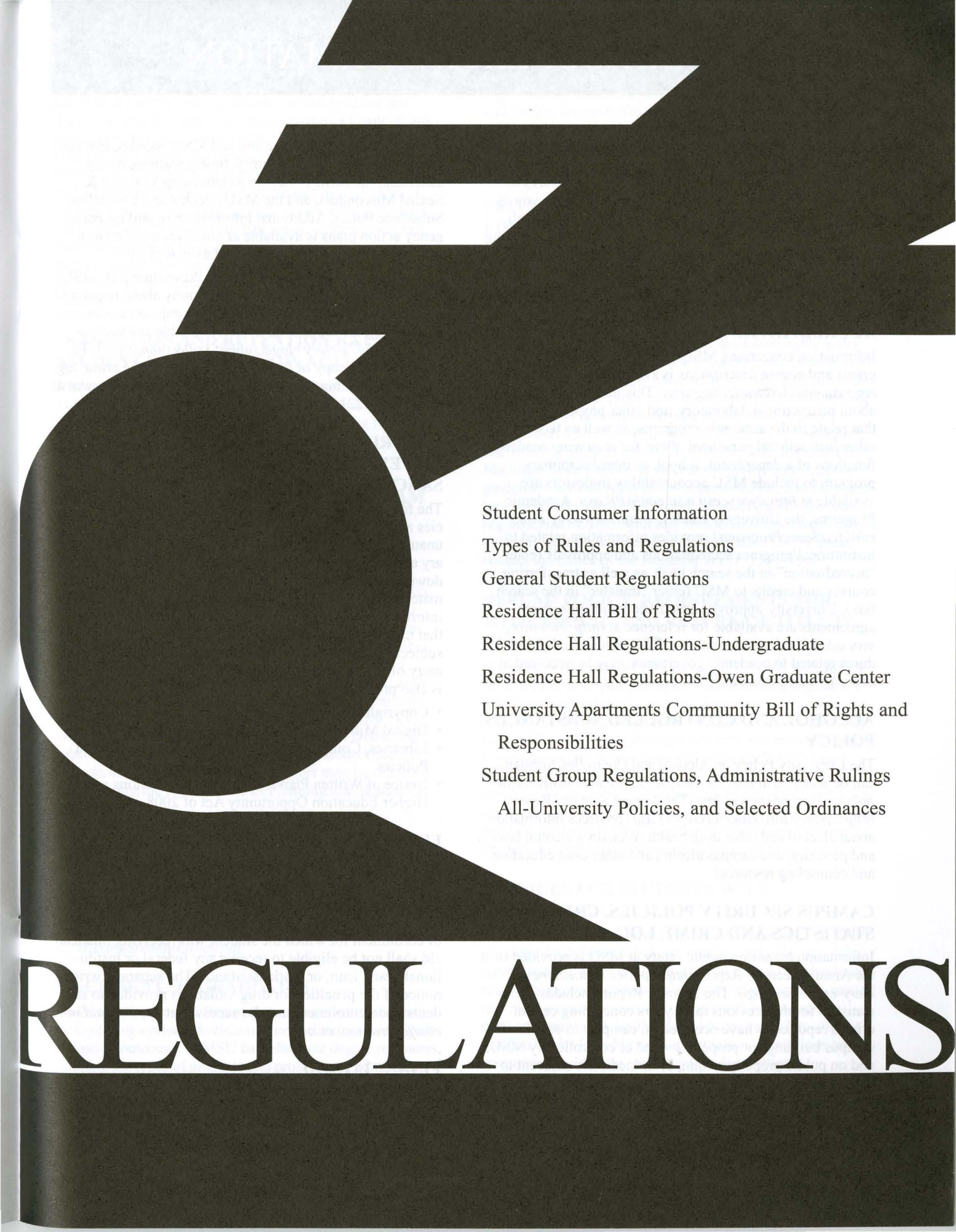
University Graduate Council	November 4, 2002
Council of Graduate Students	November 17, 2002
Academic Council	February 25, 2003
Board of Trustees	April 11, 2003
Revision effective	April 11, 2003
University Committee on Graduate Studies	February 3, 2014
Council of Graduate Students	February 5, 2014
University Council	April 22, 2014
Board of Trustees	June 20, 2014

MSRR

Medical Student Rights and Responsibilities

The *Medical Student Rights and Responsibilities*, was approved by the MSU Board of Trustees on June 6, 1986 and revised in 2006. This document applies to medical students enrolled in the College of Human Medicine, the College of Osteopathic Medicine, and the College of Veterinary Medicine. The MSRR closely parallels the Graduate Student Rights and Responsibilities, but contains provisions designed for the special circumstances of medical students.

Copies of the MSRR are available in the offices of the Deans of the Medical Colleges, the Graduate School, the Office of the Provost, the Office of the Ombudsperson, and in 162 Student Services. The document is also printed in the *Graduate Student Handbook* published by the Council of Graduate Students.



REGULATIONS

Student Consumer Information

Types of Rules and Regulations

General Student Regulations

Residence Hall Bill of Rights

Residence Hall Regulations-Undergraduate

Residence Hall Regulations-Owen Graduate Center

University Apartments Community Bill of Rights and
Responsibilities

Student Group Regulations, Administrative Rulings

All-University Policies, and Selected Ordinances

STUDENT CONSUMER INFORMATION

The Higher Education Opportunity Act of 2008 (HEOA) requires that postsecondary institutions participating in federal student aid programs make certain disclosures to students. The following information is disclosed to you as a student at Michigan State University (MSU) in compliance with federal law. For additional information, including requesting a paper copy of any materials, please call the appropriate office or visit the indicated websites.

ACADEMIC PROGRAMS AND ACCREDITATIONS

Information concerning MSU's current educational programs and course descriptions is available at <http://www.reg.msu.edu/AcademicPrograms>. This includes information about instructional, laboratory, and other physical facilities that relate to the academic programs, as well as faculty and other instructional personnel. Plans for reviewing academic functions of a department, school, or interdisciplinary program to include MSU accountability indicators are available at <http://www.esp.msu.edu/APR.asp>. Academic Programs, the University catalog, (<http://www.reg.msu.edu/AcademicPrograms>) provides information related to institutional/program accreditations and approvals (enter "accreditation" in the search box), as well as transferring courses and credits to MSU (enter "transfer" in the search box). University-approved articulation and consortium agreements are available for reference at (<http://www.reg.msu.edu/UCC/articulation.asp>). The policies and procedures related to academic governance may be accessed at <http://www.reg.msu.edu/UCC/policies.asp>.

ALCOHOL AND CONTROLLED SUBSTANCES POLICY

The University Policy on Alcohol and Controlled Substance can be accessed at <http://www.hr.msu.edu/documents/uwide-polproc/contsubstances.htm>. The Annual Security Report (<http://police.msu.edu/cleryreport.asp>) provides information about alcohol and other drug health risks, drug alcohol laws and penalties, and campus alcohol and other drug education and counseling resources.

CAMPUS SECURITY POLICIES, CRIME STATISTICS AND CRIME LOG

Information regarding public safety at MSU is provided in the Annual Security Report (<http://police.msu.edu/news/clery-crime-fire-log/>). The Security Report includes crime statistics for the previous three years concerning certain crimes reported to have occurred on campus; in certain off-campus buildings or property owned or controlled by MSU; and on public property within, or immediately adjacent to and accessible from, the campus. The Security Report also includes information about police and public safety resources, reporting crimes, coordination between law enforcement agencies, fire and medical emergencies, crime prevention,

victim support services, the law and MSU policies, campus facilities, residence hall security, timely warning policy statement, the MSU Policy on Relationship Violence & Sexual Misconduct, and the MSU Alcohol and Controlled Substance Policy. Additional information regarding emergency action plans is available at <http://www.police.msu.edu/?s=action+plans&submit.x=0&submit.y=0>.

Pursuant to the Campus Sex Crimes Prevention Act, MSU's statement advising the campus community about registered sex offenders is available at <http://www.mipsor.state.mi.us/>. A crime log for the past 60 days is available at <http://police.msu.edu/?s=clery+log&submit.x=0&submit.y=0>. To obtain a paper copy of the Security Report or the crime log, contact the Michigan State University Police Department at (517) 355-2221.

COPYRIGHT INFRINGEMENT AND PEER-TO-PEER FILE SHARING POLICIES AND SANCTIONS

The following links provide information about MSU policies and sanctions related to copyright infringement and unauthorized peer-to-peer file sharing, including disciplinary action taken against students who engage in illegal downloading or unauthorized distribution of copyrighted materials using MSU information technology systems. The information also includes a notice that informs students that unauthorized distribution of copyrighted material may subject the students to civil and criminal liabilities. A summary of the penalties for violation of federal copyright laws is also provided.

- Copyright Permissions Center
- Digital Millennium Copyright Act Procedures
- Libraries, Computing and Technology Guidelines and Policies
- Notice of Written Plan for Copyright Provisions of the Higher Education Opportunity Act of 2008

FEDERAL STUDENT FINANCIAL AID PENALTIES FOR DRUG LAW VIOLATIONS

Federal law provides that a student who has been convicted of an offense under any federal or state law involving the possession or sale of a controlled substance during a period of enrollment for which the student was receiving financial aid shall not be eligible to receive any federal or institutional grant, loan, or work assistance. The separate, written notice of the penalties for drug violations provided to students upon enrollment may be accessed at <http://finaid.msu.edu/federalnotices.asp>.

FINANCIAL AID

The Office of Financial Aid website (<http://finaid.msu.edu>) includes information about the following: need-based and non-need-based federal, state, local, private, and institutional financial assistance programs available to students;

eligibility requirements and procedures for applying for aid; criteria for selecting recipients and determining amount of award; methods and frequency of disbursements of aid; financial aid terms and conditions, including terms applicable to employment provided as part of a financial aid package; rights and responsibilities of students receiving Title IV, HEA loans; the availability of financial aid for study abroad programs; how financial aid is handled when students withdraw; and whom to contact for questions regarding financial aid. Federal notices concerning the terms and conditions of federal student loans, entrance and exit counseling information, drug violation penalties, and the code of conduct for financial aid professionals and advisory disclosure are available at <http://finaid.msu.edu/federalnotices.asp>.

GRADUATION AND RETENTION RATES (STUDENT RIGHT-TO-KNOW ACT)

Graduation data of degree-seeking, full-time undergraduate students at MSU is available at <https://reg.msu.edu/RO-Info/HEOAnotices.aspx>. Information concerning retention rates is available at the IPEDS Data Center (<http://nces.ed.gov/ipeds/>).

INTERCOLLEGIATE ATHLETIC PROGRAM PARTICIPATION RATES AND FINANCIAL SUPPORT DATA (EQUITY IN ATHLETICS DISCLOSURE ACT)

In compliance with the Equity in Athletics Disclosure Act, information on men's and women's athletic programs at MSU is available at <http://opb.msu.edu/functions/institution/equity-athletics.html>. The report includes the number of participants by gender for each team, operating and recruiting expenses, coaches' salaries, revenues, and athletically related student aid. A copy of the report is available online on the U.S. Department of Education Office of Post-secondary Education Equity in Athletics Disclosure website at <http://www.ed.gov/finaid/prof/resources/athletics/eada.html>. A paper copy of the report may be obtained by contacting the MSU Office of Planning and Budgets at (517) 355-9271.

MISSING STUDENT NOTIFICATION PROCEDURES

Notification procedures to be followed when a student residing in on-campus housing has been reported missing for more than 24 hours are available at <http://reg.msu.edu/read/pdf/MissingStudentPolicy.pdf>.

PLACEMENT OF GRADUATES

The Destination Survey Report (<http://careernetwork.msu.edu/exploring-options/destination-survey.html>) provides post-graduation outcomes of MSU baccalaureate degree recipients, including the types of graduate and professional education programs in which graduates enrolled. The report is prepared using information obtained annually from students who received a baccalaureate degree, offering a snapshot of their progress during the transition out of college.

PRICE OF ATTENDANCE

Information concerning the cost of attending MSU is available at <http://www.ctr.msu.edu/COStudentAccounts/#maincontent>. These costs consist of tuition and fees, books and supplies, room and board, transportation, and any additional costs for a program in which the student is enrolled or expresses an interest.

PRIVACY OF STUDENT RECORDS (FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT)

The Family Educational Rights and Privacy Act (FERPA) is a federal law that gives students the right to review their education records, to request amendment of their records, to consent to disclosures of personally identifiable information, and to file complaints with the U.S. Department of Education. Additional information regarding student rights under FERPA is available at <http://www.reg.msu.edu/read/NotificationandDirectoryInformationNotice.pdf>. This information includes MSU procedures for reviewing and requesting amendment of education records, notice of the types of information MSU has designated as directory information, and students' right to opt-out of directory information. The Michigan State University Access to Student Information guidelines, a FERPA PowerPoint presentation, and the directory restriction request form may be accessed at <http://www.reg.msu.edu/ROInfo/Notices/PrivacyGuidelines.aspx>. If you have any questions about your rights under FERPA, please contact the Office of the Registrar at (517) 355-3300.

REFUND POLICY, REQUIREMENTS FOR WITHDRAWAL, AND RETURN OF TITLE IV, HEA FINANCIAL AID

If a student withdraws or drops a course, MSU will adhere to its refund policy as published in Academic Programs, the University catalog, available at <http://www.reg.msu.edu/AcademicPrograms> (enter "refund" in the search box). Information regarding the requirements and procedures for students seeking to withdraw officially is also available in Academic Programs at <http://www.reg.msu.edu/AcademicPrograms> (enter "withdrawal" in the search box). Requirements for return of Title IV, HEA grant or loan aid are available at <http://www.ctr.msu.edu/COStudentAccounts/operationPolicies.aspx#FinancialAidRefPolicy>.

SERVICES FOR STUDENTS WITH DISABILITIES

The Resource Center for Persons with Disabilities (RCPD) provides disability-related information and referrals; documents disability and conducts needs assessments; facilitates reasonable accommodations; and provides disability-related technical assistance, auxiliary aids/services, and advocacy and training. Visit the RCPD homepage (<http://www.rcpd.msu.edu>) for additional information on services and resources available to students with disabilities.

STUDENT BODY DIVERSITY

Information about student body diversity, including the number of enrolled full-time students by gender and race/

ethnicity, is provided in the Common Data Set (<https://opb.msu.edu/functions/institution/cds.html>). The number of undergraduate students who receive a Federal Pell Grant is available at <http://nces.ed.gov/collegenavigator>.

TEXTBOOK INFORMATION/REQUIRED COURSE MATERIALS

Detailed lists of required course materials will be made available to students through Schedule of Courses.

UNIVERSITY DIRECTORY AND INFORMATION SERVICES: CONTACTMSU

ContactMSU staff are available to help you navigate campus, find the information you need, learn about events, or connect you with departments, individual staff or students with published numbers. Their service is available 24 hours a day, 365 days a year. You may reach them at (517) 355-1855 or by dialing 0 from campus phones. The directory that the ContactMSU staff utilize is also populated by the contact information stored within the University's staff and student databases.

**Answer your MSU questions,
connect with the MSU community 24/7/365**
call, text or email
(517) 355-1855
contactmsu@msu.edu

VACCINATION POLICIES

MSU policies regarding vaccinations are available at <http://uphys.msu.edu/student>.

VOTER REGISTRATION

Information on voting in local, state, and federal elections, including a copy of the Michigan voter registration application form, may be accessed at <http://youvote.msu.edu>.

TYPES OF RULES AND REGULATIONS

The University has established several types of rules which govern the conduct of students and organized student groups which are described below.

UNIVERSITY ORDINANCES:

- a. Apply to all individuals—students, employees, visitors on campus.
- b. Final approval by the Board of Trustees.
- c. Enforced by the MSU Police Department with the support of students, faculty, and administrative personnel.
- d. Adjudicated through criminal court proceedings in the same manner as city ordinances or state laws.

(Although this book contains only selected ordinances, everyone is expected to comply with all University ordinances, which are available for reference at the Information Desk, Main Library, or at <http://trustees.msu.edu/ordinances/>.)

GENERAL STUDENT REGULATIONS:

- a. Apply to the conduct of all registered students and organizations.
- b. Final approval by the University president.
- c. Enforced by all students, faculty, and administrative personnel, with support of the MSU Police Department.
- d. Adjudicated through University procedures.

STUDENT GROUP REGULATIONS:

- a. Apply to those students specified in the regulation.
- b. Final approval by the Vice President for Student Affairs and Services.
- c. Enforced by students, faculty, and administrative personnel.
- d. Adjudicated through University procedures.

ADMINISTRATIVE RULINGS:

- a. Apply to those specified in the ruling.
- b. Adopted by various offices of the University for implementing delegated administrative responsibility, usually after consultation with student-faculty advisory committees.
- c. Enforced by administrative personnel in the respective offices, supported by students and faculty.
- d. Adjudicated through administrative action.

ALL-UNIVERSITY POLICIES:

- a. Apply to those specified in the policy.
- b. Final approval by the Board of Trustees for carrying out major University responsibilities.
- c. Enforced by students, faculty, and administrative personnel.
- d. Adjudicated through administrative action, University procedures, or as provided in the policy.

In general, all-University policies and administrative rul-

ings apply only to those individuals registered as students. Some, however, also apply to University employees. Where such is the case, mention is made of the fact immediately before the text of the policy or ruling.

ADDITIONAL REGULATIONS:

Students are, of course, expected to live in accordance with local, state, and national laws. The enforcement of such laws is the responsibility of the legal and judicial authorities duly established for that purpose. Conduct alleged to have violated both law and University regulations may be handled concurrently through the courts and University disciplinary proceedings. The complainant may choose whether to file criminal charges and/or an internal disciplinary complaint.

ARRANGEMENT OF THIS SECTION

The regulations which follow are arranged so as to list the General Student Regulations, Residence Hall Regulations and University Apartments Regulations first. All other regulations follow, arranged alphabetically by title. Each regulation includes, besides the text, an identification of type; a citation of approving agencies and date of final approval or most recent amendment; and a cross reference to other regulations on the same topic where applicable.

Note: *All regulations, policies, administrative rulings and ordinances are subject to change.*

Academic Honesty

Academic honesty is central to the educational process and acts of academic dishonesty are serious offenses within the University community. Suspension from the University could be the consequence for acts of academic dishonesty.

Students should be familiar with *General Student Regulation 1.00 on Protection of Scholarship and Grades*, and with the all-University policy on *Integrity of Scholarship and Grades*. In addition, it is important that students clearly understand the specific expectations of their individual instructors with regard to this important matter. The process for adjudicating cases of academic dishonesty is outlined in Article 7 Section IV of *Michigan State University Student Rights and Responsibilities*.

GENERAL STUDENT REGULATIONS

INTRODUCTION

General student regulations shall be those regulations established within the University community (students, trustees, administrators, faculty, and staff) to secure the safety of members of the University community and University facilities, maintain order, and ensure the successful operation of the institution. Such regulations shall apply to all students regardless of class level, place of residence, or group affiliation as well as to all governing bodies, governing groups, living groups, and registered student organizations (Article 8, Section I.A *Student Rights and Responsibilities* document).

The regulations apply to students and student groups while on the land governed by the Board of Trustees of Michigan State University or when students or student groups are engaged in University-sponsored or student group-sponsored (student governing groups and registered student organizations) activities off campus, or when the conduct of student poses a clear and present danger to the health or safety of person or property.

The regulations relating to scholarship and grades, University functions and services, and University property apply without reference to where the activity occurs. Because technology is constantly changing teaching, learning, and administrative processes, it is understood that the general principles that govern these regulations should be extended to apply to new and unanticipated situations.

Any member of the University community may file a complaint involving the alleged violation of these regulations by a student or student group. The University through its internal judicial system shall maintain jurisdiction over these regulations and conduct hearings in accordance with established University procedures. In the application of the regulations, it is intended that one be held accountable for conduct that fails to meet the standard of what a reasonable and prudent person would or would not have done under similar circumstances.¹

1.00 PROTECTION OF SCHOLARSHIP AND GRADES

The principles of truth and honesty are fundamental to the educational process and the academic integrity of the University; therefore, no student shall:

- 1.01 claim or submit the academic work of another as one's own.

- 1.02 procure, provide, accept or use any materials containing questions or answers to any examination or assignment without proper authorization.
- 1.03 complete or attempt to complete any assignment or examination for another individual without proper authorization.
- 1.04 allow any examination or assignment to be completed for oneself, in part or in total, by another without proper authorization.
- 1.05 alter, tamper with, appropriate, destroy or otherwise interfere with the research, resources, or other academic work of another person.
- 1.06 fabricate or falsify data or results.

(See also: *Integrity of Scholarship and Grades* and *Spartan Code of Honor Academic Pledge*.)

2.00 PROTECTION OF INDIVIDUALS

Physical security and an environment free of harassment are necessary for individuals if they are to successfully pursue their educational endeavors and fulfill responsibilities; therefore, no student shall:

- 2.01 cause or threaten physical harm to another or endanger the physical safety of another.
- 2.02 engage in sexual misconduct as defined by University policy.²
- 2.03 engage in domestic violence or dating violence as defined by University policy.
- 2.04 continuously or persistently intimidate another individual so as to coerce that individual into some action or avoidance of action.
- 2.05 engage in repeated, unwanted verbal or written communication or personal contact with another individual, including stalking or bullying.³
- 2.06 harass any other individual in violation of the Anti-Discrimination Policy.
- 2.07 engage in hazing.
- 2.08 possess or use any firearms, explosive materials, incendiary device or other dangerous objects or substance without proper University authorization.
- 2.09 obstruct or disrupt the activities of another individual as protected by law, ordinance, regulation, or policy.
- 2.10 enter or remain in another individual's place of residence or work without permission of that individual or without proper authorization.
- 2.11 possess, use, manufacture, produce, sell, exchange or

1 These regulations shall not be interpreted to abridge First Amendment rights and the protections of the First Amendment must be carefully considered in any student conduct complaint involving speech or expressive conduct.

2 Definitions of sexual misconduct, domestic violence, dating violence, and stalking are included in the Relationship Violence and Sexual Misconduct Policy.

3 Definitions of hazing and bullying are included in Appendix A.

otherwise distribute any drug prohibited by federal or state laws.

- 2.12** possess, consume, furnish, manufacture, sell, exchange or otherwise distribute any alcoholic beverages except as permitted by state law and University ordinance.

(See also: *Alcoholic Beverages; Anti-Discrimination Policy; Disorderly Assemblages or Conduct; Distribution of Literature; Facilities and Services; Residence Hall Regulations 1.0, 2.0 and 3.0; Residence Hall Room Entry Policy; and Safety.*)

3.00 PROTECTION OF REGISTERED STUDENT ORGANIZATIONS AND GOVERNING GROUPS

The functions of student groups serve to extend and provide support for the learning environment; therefore, no student shall:

- 3.01** obstruct or disrupt the activities or functions of a group as protected by law, ordinance, regulation, or policy.
- 3.02** continuously or persistently intimidate a group so as to coerce that group into some action or avoidance of action.
- 3.03** provide false information to a group for the purpose of gaining membership, service, or privilege.
- 3.04** represent a group falsely or use the resources of a group without proper authorization.

(See also: *All-University Events and Activities; Anti-Discrimination Policy; Campaigning, Canvassing and Petition Drives; Disorderly Assemblages or Conduct; Distribution of Literature; Facilities and Services; Non-Disciplinary Judicial Process; Residence Hall Regulations 1.0, 2.0 and 3.0; and Safety.*)

4.00 PROTECTION OF PROPERTY

It is important that the property of individuals, student groups, and the University be protected if the University and the members of the academic community are to engage in their activities and to effectively discharge their responsibilities; therefore, no student shall:

- 4.01** damage, deface, or destroy the property of another person or the University.
- 4.02** tamper with or misuse University fire or safety equipment, including, but not necessarily limited to, fire extinguishers, fire hoses, and alarm systems.
- 4.03** copy, take or use the property of another without proper authorization.
- 4.04** remove property or goods from their assigned place without proper authorization or accept or convey property or goods which have been procured without proper authorization.
- 4.05** use any University facility, equipment, or materials except for their authorized purposes.
- 4.06** procure, alter, damage, remove, manufacture, or use, any University key card, lock, password, or other security device without proper authorization.

- 4.07** without proper authorization enter or remain in any University building or on University property.

- 4.08** place posters, signs, or handbills except on one's own personal property or in areas authorized by the University.

(See also: *Bicycles-Illegal Taking; Closing Hours; Distribution of Literature; Facilities and Services; Plant Materials; Residence Regulations 4.0, 6.0 and 7.0; Residence Hall Room Entry; Signs.*)

5.00 PROTECTION OF UNIVERSITY FUNCTIONS AND SERVICES

Functions, services, and processes of the University must be protected if the institution is to be effective in discharging its responsibilities; therefore, no student shall:

- 5.01** knowingly provide false information to any office, agency, or individual acting on behalf of the University.
- 5.02** obstruct, disrupt, or interfere with the functions, services, or directives of the University, its offices, or its employees (e.g., classes, social, cultural, and athletic events, computing services, registration, housing and food services, governance meetings, and hearings).
- 5.03** alter or forge any University document and/or record, including identification materials, issued or used by the University.
- 5.04** allow any University document and/or record, including identification materials, issued by the University for one's own use to be used by another.
- 5.05** use any University document and/or record for other than its authorized purpose, including identification materials issued to another.
- 5.06** act as an agent of the University unless authorized to do so.
- 5.07** fail to properly identify oneself or present University-issued identification when requested to do so by a non-law enforcement University employee acting in the performance of assigned job responsibilities or who has reasonable suspicion that the student may be involved in the violation of a University policy or regulation.
- 5.08** sell or make contracts for purchase or delivery of any commercial merchandise or services for personal profit or gain, or solicit voluntary contributions for organizations, without proper authorization.

(See also: *Campus Bus Policy; Disorderly Assemblages or Conduct; Distribution of Literature; Facilities and Services; Housing Policy; Non-Disciplinary Judicial Process; Records; Residence Hall Regulation 6.0; and Student Identification Cards.*)

APPENDIX A: DEFINITIONS

For the purposes of these General Student Regulations, the following definitions will apply:

Bullying: An intentional electronic, written, verbal, or physical act, or a series of acts, directed at another person that is severe, persistent, or pervasive and has the effect of doing any of the

following:

- Substantially interfering with a student's education;
- Creating a threatening environment; or
- Substantially disrupting the orderly operation of the University.

Hazing: Requiring or encouraging any act, whether or not the act is voluntarily agreed upon, in conjunction with initiation, affiliation with, continued membership, or participation in any group that causes or creates a substantial risk of causing mental or physical harm or humiliation.

Original Document:

- University Committee on Student Affairs, February 19, 1988
- Academic Council, January 17, 1989
- President, September 1, 1989

Revisions:

- University Committee on Student Affairs, February 13, 2015
- University Council, March 24, 2015
- President, May 18, 2015

Fire Safety

It is imperative that students residing in University housing be confident that their neighbors and visitors not engage in acts that will increase the likelihood of fire or loss of life from fire. Setting off explosives (including firecrackers) or setting a fire in University housing, or falsely pulling a fire alarm in residence halls may result in suspension from the University and prosecution under the law.

Students should be familiar with General Student Regulation 2.01, 2.08, and 4.02 and Section 2 of the Residence Hall Regulations-Undergraduate Halls, Owen Graduate Center, and University Apartments Community. The process for adjudicating alleged violations of these regulations is outlined in Article 5 of *Michigan State University Student Rights and Responsibilities*.

RESIDENCE HALL BILL OF RIGHTS— UNDERGRADUATE AND GRADUATE HALLS

(Student Group Regulation)

Each person, as a resident of Michigan State University residence halls, possesses certain individual rights and responsibilities which must be held in high regard. This document is intended to define minimal expectations of rights and responsibilities of hall residents, in actualizing their freedoms, without placing constraints upon such rights of other residents. Each individual has the right to engage in those physical, educational, and social pursuits that are a necessary part of his or her university life. However, these rights carry with them a reciprocal responsibility on the part of the individual to insure those same rights for other residents.

1. Primary rights of the individual include:

- a. The right to read and study free from undue interference in one's room: One of the basic purposes of the University is the dissemination and application of knowledge. Unreasonable noise and other distractions inhibit the exercise of this right.
- b. The right to sleep, the right to one's personal belongings, the right to free access to one's room and suite facilities, and the right to a clean environment in which to live: Optimum physical conditions are essential as they support and reinforce and provide for positive conditions in which to learn and live.
- c. The right for redress of grievances: If the academic and residence hall communities are to function in the most educationally profitable manner the right to initiate actions and referrals for impartial and fair adjudication of grievances is held paramount. In exercising this right, the student further holds the right to be free from

fear of intimidation, physical and/or emotional harm, and without the imposition of sanctions apart from due process.

2. Subordinate rights of the individual are those which should be protected, but which should not infringe upon the reasonable exercise of the primary rights defined above. These subordinate rights include:

- a. The right to personal privacy: All persons should have freedom from interference with their personal activities, and should be able to maintain privacy for other than academic reasons.
- b. The right to host visitors: All persons should have the opportunity to maintain personal contacts and friendships with other persons to fulfill their needs for socialization. Visitors are to respect the above stated rights of hall residents and to adhere to all regulations.

Any abuse of these rights is subject to review and action according to the procedures given in *Michigan State University Student Rights and Responsibilities*. However, processes of mediation, involving students and hall staff, should also be considered as means for resolving conflicts.

Nothing in the Residence Hall Bill of Rights and/or its implementation shall deny any individual his or her basic rights guaranteed under the United States Constitution, nor deny other alternatives for redress of grievances that are available under the individual's status as a student and as a citizen of the State of Michigan.

RESIDENCE HALL REGULATIONS— UNDERGRADUATE HALLS

(Student Group Regulation)

The following regulations are established to govern the conduct of individuals living and visiting in residence halls. They shall apply to all students regardless of class level, place of residence, or group affiliation when they are in or around any residence hall.

1.0 INDIVIDUAL RESPONSIBILITIES AND COMMUNITY RIGHTS

The Residence Hall Bill of Rights provides a clear statement of each individual's rights within the residence hall community. These rights are best secured through clear

statements of each individual's responsibilities.

- 1.1 No person shall cause or otherwise contribute to unreasonable noise in residence halls. (Unreasonable noise is that which interferes with, or has the potential for interfering with the legitimate rights of others.)
- 1.2 No person shall interfere with attempts of others to study.
- 1.3 No person shall interfere with attempts of others to sleep during reasonable and/or posted consideration hours.
- 1.4 No person shall interfere with the free access of another

er to and from his/her own room, suite, apartment, work area, or office in a residence hall.

- 1.5 No person shall play any athletic games in a common area of a residence hall without proper authorization.
- 1.6 No person shall interfere with the safe or clean environment of others.
- 1.7 No person shall allow an animal, bird, or other pet to enter a residence hall. (Fish and guide dogs are exceptions.)
- 1.8 No person shall fail to make an effort to discourage another person from violating a regulation and/or to report a violation of which one has knowledge.

(See also: *General Student Regulation 2.00* and *3.00*.)

2.0 SAFETY OF THE INDIVIDUAL AND COMMUNITY

Fundamental to the protection of the individual is the maintenance of an environment that is physically safe and predictable. As members of a group, each individual has a special responsibility to ensure that safety hazards are eliminated, fire equipment is maintained, and fire procedures established and followed.

- 2.1 No person shall create, or help to create a safety hazard.
- 2.2 No person shall throw or drop anything out of a residence hall window.
- 2.3 No person shall possess or use firecrackers, fireworks, firearms, or other dangerous weapons or explosives. (NOTE: Legal weapons must be stored at the MSU Police Department.)
- 2.4 No person shall possess or use in a residence hall, without proper authorization, any chemical or other dangerous substance, compound, or container of such substances, which may injure, molest, or cause damage.
- 2.5 No person shall set a fire in residence halls or areas immediately associated with residence halls.
- 2.6 No person shall falsely report a fire, nor interfere in any way with emergency services or procedures, nor fail to conform to established safety regulations.
- 2.7 No person shall tamper with fire equipment, nor use such equipment for other than the prevention or control of fire. (Fire equipment shall include, but not be limited to thermal detectors, fire alarms, fire extinguishers, fire extinguisher boxes, fire hoses, and any other fire-fighting devices.)

(See also: *General Student Regulation 2.00*, *3.00* and *4.00*.)

3.0 HARASSMENT AND INTIMIDATION

To succeed personally and academically, an individual must be able to live free from unnecessary emotional stress caused by others. Physical or emotional harassment will not be tolerated in a residence hall community.

- 3.1 No person shall harass or abuse any other person. (This shall include, but not be limited to, harassment or abuse based on race, creed, ethnic origin, sex, age, political persuasion, sexual orientation, or disability.)

- 3.2 No person shall exhibit behavior which harms or threatens to harm another person or another person's property.
- 3.3 No person shall abuse, threaten, or harass any residence hall employee.
- 3.4 No person shall abuse, threaten, harass, or exhibit behavior that intimidates any complainant, respondent, counsel, witness, or judiciary member prior to, during, and after a judicial hearing.

(See also: *General Student Regulation 2.00* and *3.00*.)

4.0 PERSONAL AND COMMUNITY PROPERTY

The protection of personal property is important to the well being of the individual. Protection of community property protects the investment all residents make through the payment of their room and board.

- 4.1 No person shall tamper with or borrow without permission the personal property of others.
- 4.2 No person shall, without proper authorization, remove any property from its assigned place in a residence hall.
- 4.3 No person shall damage, deface, or destroy any property.

(See also: *General Student Regulation 4.00*.)

5.0 ALCOHOL

The residence hall community is part of a larger community, and as such, is not only governed by its own regulations, but by University policies and state law. The State of Michigan establishes the age at which alcohol consumption is legal. Furthermore, alcohol may not be consumed on state land, except by special exception of the body governing the land, which in this case is the MSU Board of Trustees. Because the majority of hall residents are under age, the privilege of drinking alcohol is extended only to those of legal age in their private rooms, suites, or apartments.

- 5.1 No person shall possess open alcoholic beverages within a residence hall, except within the confines of student rooms, suites, or apartments or at social events approved by the Office of the Vice President for Student Affairs and Services.
- 5.2 No person shall organize or participate in a student group event where alcohol is consumed but not approved for consumption (e.g., floor party).
- 5.3 No person shall allow the presence of more than five times the normal occupancy (excludes over or under assignment) in a student room, suite, or apartment where alcohol is being consumed.
- 5.4 No person shall possess or use a common source of alcohol (e.g., keg, trash can, etc.), nor shall any person participate in an event where a common source is present.

(See also: *General Student Regulation 2.00*.)

6.0 IDENTIFICATION OF INDIVIDUALS

Certain privileges are extended to individuals by virtue of their membership in the residence hall community. In order

to protect the community's welfare, the integrity of this identification must be maintained.

- 6.1 No person shall permit others to use his or her University identification, including a meal card or room key, for the purpose of improperly gaining access to a residence hall, a residence hall dining room, an RHA or hall sponsored event, or use of RHA or hall equipment.
- 6.2 No person shall use the University identification of another, including a meal card or room key, for the purpose of improperly gaining access to a residence hall, a residence hall dining room, or an RHA or hall sponsored event or use of RHA or hall equipment.
- 6.3 No person shall refuse to provide his or her name and show appropriate identification to a staff member performing his or her duty, upon request.

(See also: *General Student Regulation 3.00, 4.00 and 5.00.*)

7.0 FOOD SERVICE

Meal times should be an opportunity for residents and their visitors to dine in a sociable manner without the fear of inappropriate distractions or interference. The misuse of meal I.D.s or removal of food from the dining room increases the cost of food service for all residents.

- 7.1 No person shall initiate or otherwise engage in throwing of food, utensils, or other objects in any residence hall dining room or housing facility.
- 7.2 No person shall, without authorization, remove any food or utensils from a residence hall dining room.
- 7.3 No person shall enter a residence hall dining room

without proper authorization.

(See also: *General Student Regulation 2.00, 4.00 and 5.00.*)

8.0 VISITORS

All members of the residence hall community have some responsibility to help secure the community's welfare by communicating to visitors the expectations established through these regulations.

- 8.1 No person shall permit a non-resident visitor to remain in or use the facilities of a residence hall, including one's residence hall room, for more than three continuous days during any given week.
- 8.2 No person shall fail to take responsibility for his or her visitor.
- 8.3 No person, if a non-resident, shall be a visitor in any residence hall between the official closing and opening hours without a resident escort.
- 8.4 No person shall interfere with the entertaining of a visitor by another, unless the visitor is infringing upon his or her rights.

—Residence Halls Association

—Associated Students of Michigan State University

—Approved on an interim basis by the Vice President for Student Affairs and Services

—July 13, 1981

—Amended July 18, 1984

—Amended August 8, 1988

RESIDENCE HALL REGULATIONS— OWEN GRADUATE CENTER (Student Group Regulation)

The following regulations are established to govern the conduct of individuals living and visiting in Owen Graduate Center. They shall apply to all students regardless of class level, place of residence or group affiliation when they are in or around Owen Graduate Center.

1.0 INDIVIDUAL RESPONSIBILITIES AND COMMUNITY RIGHTS

The Owen Graduate Center Bill of Rights provides a clear statement of each individual's rights within the hall community. These rights are best secured through clear statements of each individual's responsibilities.

- 1.1 No person shall cause or otherwise contribute to unreasonable noise in Owen Graduate Center or areas immediately surrounding the hall. (Unreasonable noise is that which interferes with, or has the potential for

interfering with the legitimate rights of others.)

- 1.2 No person shall interfere with attempts of others to study.
- 1.3 No person shall interfere with attempts of others to sleep during reasonable and/or posted consideration hours.
- 1.4 No person shall interfere with the free access of another to and from his/her room, suite, apartment, work area or office in Owen Graduate Center.
- 1.5 No person shall play any athletic games in a common area of Owen Graduate Center without proper authorization.
- 1.6 No person shall interfere with the safe or clean environment of others.
- 1.7 No person shall allow an animal, bird or other pet to enter Owen Graduate Center. (Non-carnivorous fish

and guide dogs are exceptions.)

- 1.8 No person shall fail to make an effort to discourage another person from violating a regulation and/or report a violation of which one has knowledge.

(See also: *General Student Regulation 2.00 and 3.00.*)

2.0 SAFETY OF THE INDIVIDUAL AND COMMUNITY

Fundamental to the protection of the individual is the maintenance of an environment that is physically safe and predictable. As members of a group, each individual has a special responsibility to insure that safety hazards are eliminated, fire equipment is maintained, and fire procedures are established and followed.

- 2.1 No person shall create, or help to create, a safety hazard.
- 2.2 No person shall throw or drop anything from a hall window or balcony.
- 2.3 No person shall possess or use firecrackers, fireworks, firearms or other dangerous weapons or explosives. (NOTE: Legal weapons must be stored at the MSU Police Department.)
- 2.4 No person shall possess or use in Owen Graduate Center, without proper authorization, any chemical or other dangerous substance, compound or container of such substances, which may injure, molest or cause damage.
- 2.5 No person shall set a fire in Owen Graduate Center or areas immediately associated with the hall.
- 2.6 No person shall falsely report a fire, nor interfere in any way with emergency services or procedures, nor fail to conform to established safety regulations.
- 2.7 No person shall tamper with fire equipment, nor use such equipment for other than the prevention or control of fire. (Fire equipment shall include, but not be limited to, thermal detectors, fire alarms, fire extinguishers, fire extinguisher boxes, fire hoses and any other fire-fighting devices.)
- 2.8 No person shall use unauthorized cooking appliances in his or her room, suite, floor study room or other unauthorized hall facilities. (Unauthorized cooking appliances include hot plates, toasters, toaster ovens, rice cookers, woks, crock pots and other electrical devices intended for the preparation, heating or cooking of substantial food items.)

(See also: *General Student Regulation 2.00, 3.00 and 4.00.*)

3.0 HARASSMENT AND INTIMIDATION

To succeed personally and academically, an individual must be able to live free from unnecessary emotional stress caused by others. Physical or emotional harassment will not be tolerated in Owen Graduate Center.

- 3.1 No person shall harass or abuse any other person. (This shall include, but not be limited to, harassment or abuse based on race, creed, ethnic or national origin/citizenship, sex, age, political persuasion, sexual orientation, or disability.)

- 3.2 No person shall exhibit behavior which harms or threatens to harm another person or another person's property.

- 3.3 No person shall abuse, threaten or harass any hall employee.

- 3.4 No person shall abuse, threaten, harass or exhibit behavior that intimidates any complainant, respondent, counsel, witness or judiciary member prior to, during or after a judicial hearing.

(See also: *General Student Regulation 2.00 and 3.00.*)

4.0 PERSONAL AND COMMUNITY PROPERTY

The protection of personal property is important to the well-being of the individual. Protection of community property protects the investment all residents make through the payment of their room and board.

- 4.1 No person shall tamper with or borrow without permission the personal property of others.
- 4.2 No person shall, without proper authorization, remove any property from its assigned place in Owen Graduate Center.
- 4.3 No person shall damage, deface or destroy any property.

(See also: *General Student Regulation 4.00.*)

5.0 ALCOHOL

Owen Graduate Center is part of a larger community, and as such, is not only governed by its own regulations, but by University policies and state law. The State of Michigan establishes the age at which alcohol consumption is legal. Furthermore, alcohol may not be consumed on state land, except by special exception of the body governing the land, which in this case is the MSU Board of Trustees.

- 5.1 No person shall possess open alcoholic beverages within areas of Owen Graduate Center that are publicly accessible (e.g., lobby, cafeteria, serving area, hallways).
- 5.2 No person shall organize or participate in an unapproved student group event where alcohol is consumed without obtaining an Owen Graduate Center Alcohol Permit.
- 5.3 No person shall allow the presence of more than five times the normal occupancy (excludes over and under assignment) in a student room or suite where alcohol is being consumed.

(See also: *General Student Regulation 2.00.*)

6.0 IDENTIFICATION OF INDIVIDUALS

Certain privileges are extended to individuals by virtue of their residency in Owen Graduate Center. In order to protect the residents' welfare, the integrity of this identification must be maintained.

- 6.1 No person shall permit others to use his or her University identification, including a meal card or room key, for the purpose of improperly gaining access to Owen Graduate Center facilities, equipment or events.

- 6.2 No person shall use the University identification of another, including a meal card or room key, for the purpose of improperly gaining access to Owen Graduate Center facilities, equipment or events.
- 6.3 No person shall, upon request, refuse to provide his or her name and show appropriate identification to a staff member performing his or her duty.

(See also: *General Student Regulation 3.00, 4.00 and 5.00.*)

7.0 FOOD SERVICE

Meal times should be an opportunity for residents and their visitors to dine in a sociable manner without the fear of inappropriate distractions or interference.

- 7.1 No person shall initiate or otherwise engage in throwing food, utensils or other objects in Owen Graduate Center Cafeteria or hall facilities.
- 7.2 No person shall, without authorization, remove any utensils, equipment or condiments from Owen Cafeteria.

(See also: *General Student Regulation 2.00, 4.00 and 5.00.*)

8.0 VISITORS

All residents of Owen Graduate Center have some responsibility to help secure the residents' welfare by communicating to visitors the expectations established through these regulations.

- 8.1 No person shall permit a non-resident visitor to remain in or use the facilities of Owen Graduate Center, including one's room, for more than three continuous days during any given week.
- 8.2 No person shall fail to take responsibility for his or her visitor.
- 8.3 No person shall interfere with the entertaining of a visitor by another, unless the visitor is infringing upon his or her rights.

—Owen Graduate Student Association
 —Associated Students of Michigan State University
 —Council of Graduate Students
 —Vice President for Student Affairs and Services
 —June 6, 1986

UNIVERSITY APARTMENTS COMMUNITY BILL OF RIGHTS AND RESPONSIBILITIES (Student Group Regulation)

These rights and responsibilities are established to govern the conduct of all residents and visitors in University Apartments. The student/resident may be held responsible for the actions of his or her spouse, children or visitors, through the Michigan State University judicial system.

The community, through its representative body, the University Apartments Council of Residents (UACOR), establishes this document.

1. All residents living in University Apartments shall enjoy the right to study and live in an environment free from unreasonable noise and other distractions. (Unreasonable noise is that which interferes with the legitimate rights of others.)
2. All residents shall enjoy the right to live in a safe and clean environment.

Responsibilities of each resident to insure this right shall include, but are not limited to, the following:

- a. Avoid creating or helping to create a safety hazard. (This includes blocking safety tunnels, sidewalks, or entrances with bikes, motorcycles, toys, clothes lines, etc.)
- b. Avoid possessing or using fireworks on University Apartments property.
- c. Avoid discharging a firearm on University Apartments property.
- d. Park his or her motor vehicles only in the lined parking spaces provided.

- e. Keep the area immediately in front of his or her apartment clean, orderly and free from safety hazards.

3. All residents shall enjoy the right to their personal property, and equal access to all property provided by University Apartments for residents.

Responsibilities of each resident to insure this right shall include, but are not limited to the following:

- a. Avoid tampering with, or borrowing without permission, the personal property of another.
- b. Avoid vandalizing or defacing any University Apartments property. (This includes bulletin boards, flower beds, recreational or playground equipment, etc.)
4. All University Apartments residents shall enjoy the right to live free from harassment, intimidation or assault. (This shall include, but not be limited to, written harassment, physical attack, peeping Toms, harassment by telephone, verbal harassment, etc.)
5. The student/resident shall be held responsible for using all reasonable efforts to monitor the actions of his or her spouse, children, or visitors.
6. Suggestions for modification of this document may be presented to the University Apartments Council of Residents (UACOR), RCUA, at any time.

(See also: *General Student Regulation 2.00, 3.00 and 4.00.*)

STUDENT GROUP REGULATIONS, ADMINISTRATIVE RULINGS, ALL-UNIVERSITY POLICIES, AND SELECTED ORDINANCES

- Academic Policies and Requirements
- Acceptable Use for MSU Information Technology Resources
- Address Change
- Address Withholding Policy
- Alcoholic Beverages
- All-University Events and Activities
- Animals
- Anti-Discrimination Policy
- Bad Check/Returned ACH Collection
- Bicycles
- Campaigning, Canvassing, and Petition Drives
- Camping
- Campus Mail Service
- Code of Teaching Responsibility
 - Hearing Procedures
- Conflict of Interest In Educational Responsibilities Resulting from Consensual Amorous or Sexual Relationships
- Copyright Notice
- Disorderly Assemblages or Conduct
- Distribution of Literature
- Distribution of Material in Residence Halls
- Drug and Alcohol Policy, MSU
- Email Notice for Students
- Examinations
- Facilities and Services, University
- Financial Accounts-Student Organizations
- Firearms or Weapons
- Fires
- Food, Public Sale on Campus
- Funding Student-Sponsored Programs and Activities by University Administrative Units, Criteria For
- Grief Absence Policy
- Guidelines Regarding Bulk Emailing by Internal Users on MSUnet
- Holds on Enrollment, Registration, Readmission, and University Services
- Housing Policy, Student
- Hoverboards, Skateboards and Similar Devices
- Identification Cards
- Insurance
- Integrity of Scholarship and Grades
- Library Policy
- Mandatory Assessment and Involuntary Withdrawal Policy
- Officer Eligibility-Student Organizations
- Outside Speakers Sponsored by Registered Student Organizations
- Free Speech Rights & Responsibilities: President's Statement
- Parades, Processions, and Sound Trucks
- Plant Materials

- Public Address Equipment
- Records
- Registered Student Organizations
- Relationship Violence & Sexual Misconduct, Policy On
- Religious Observance, Policy On
- Residence Hall Room Entry Policy
- Residential Safety and Security
- Safety
- Selling and Advertising
- Selling and Solicitation Central Guidelines
- Signs and Structures
- Smoke and Tobacco-Free Policy
- Smoking
- Student Disorderly Conduct Policy, MSU
- Student Events-Social
- Student Fee Collection
- Undercover Surveillance Involving MSU Student Organizations
- University Trademarks
- Vehicles
- Impounded Vehicles
- Withdrawal Procedures and Policies
- Other Ordinances

ACADEMIC POLICIES AND REQUIREMENTS

All-University academic requirements and policies that apply to both undergraduate and graduate study are stated in the *Academic Programs*, www.reg.msu.edu/AcademicPrograms/. Students are encouraged to consult their academic advisers concerning academic requirements.

ACCEPTABLE USE FOR MSU INFORMATION TECHNOLOGY RESOURCES

(Administrative Ruling)
January 27, 2012

A trusted and effective information technology environment ("IT environment") is vital to the mission of Michigan State University. To that end, the University provides an IT environment which includes an array of institutional electronic business systems, computing services, networks, databases, and other resources (collectively, "MSU IT resources" or "resources"). These resources are intended to support the scholarship and work activities of members of the University's academic community and their external collaborators, to support the operations of the University, and to provide access to services of the University and other publicly available information.

Access to and usage of MSU IT resources entails certain

expectations and responsibilities for both users and managers of the IT environment. These are stated below.

I. APPLICABILITY

- 1.1** This Policy applies to all individuals using MSU IT resources ("Users"), regardless of affiliation and irrespective of whether these resources are accessed from MSU's campus or from remote locations.
- 1.2** Within MSU's IT environment, additional rules may apply to specific computers, computer systems or facilities, software applications, databases and data sources, data types, or networks, and to the uses thereof, or to local workplaces, or to specific types of activities (collectively, "local rules"). Local rules must be consistent with this Policy, but also may impose additional or more specific requirements or responsibilities on Users.
- 1.3** Users will be notified of, or given ready access to (e.g., on a website), this Policy and local rules that govern use of MSU IT resources.

II. PURPOSES AND APPROPRIATE USES

- 2.1** MSU IT resources are provided for University-related purposes, including support for the University's teaching, research, and public service missions, its administrative functions, and student and campus life activities.
- 2.2** Users are granted access to MSU IT resources for the purposes described in this Policy. Use should be limited to those purposes, subject to Section 2.3.
- 2.3 Incidental Personal Use**
 - 2.3.1** Users may make incidental personal use of MSU IT resources, provided that such use is subject to and consistent with this Policy, including Article 3 of this Policy. In addition, incidental personal use of MSU IT resources by an MSU employee may not interfere with the fulfillment of that employee's job responsibilities or disrupt the work environment. Incidental personal use that inaccurately creates the appearance that the University is endorsing, supporting, or affiliated with any organization, product, service, statement, or position is prohibited.
 - 2.3.2** Users who make incidental personal use of MSU IT resources do so at their own risk. The University cannot guarantee the security or continued operation of any MSU IT resource.

III. USER RESPONSIBILITIES

- 3.1** Users are responsible for informing themselves of any University policies, regulations, or other documents that govern the use of MSU IT resources prior to initiating the use of MSU IT resources.
- 3.2 Use of Resources Accessed through MSU IT Resources**
 - 3.2.1** When using MSU IT resources or resources owned by third parties that are accessed using MSU IT resources, Users must comply with all applicable federal and state laws, all applicable

University rules, ordinances, and policies, and the terms of any contract or license which govern the use of third-party resource and by which the User or the University is bound.

- 3.2.2** In amplification and not in limitation of the foregoing, Users must not utilize MSU IT resources to violate copyright, patent, trademark, or other intellectual property rights.
- 3.3** Users may not engage in unauthorized use of MSU IT resources, regardless of whether the resource used is securely protected against unauthorized use.
- 3.4 Privacy of Other Users**
 - 3.4.1** Users are expected to respect the privacy of other Users, even if the devices and systems by which other Users access MSU's IT resources, the content other Users place on MSU IT resources, or the identities and privileges (rights to access and use certain systems and/or data), of other Users are not securely protected.
 - 3.4.2** Unauthorized use by a User of another User's personal identity or access (log-in) credentials is prohibited.
- 3.5** MSU IT resources have a finite capacity. Users should limit their use of MSU IT resources accordingly and must abide by any limits MSU places on the use of its IT resources or on the use of any specific IT resource. In particular, no User may use any IT resource in a manner which interferes unreasonably with the activities of the University or of other Users.
- 3.6** MSU IT resources may not be used to fund raise, advertise, or solicit unless that use is approved in advance by the University.
- 3.7 Partisan Political Activities**
 - 3.7.1** MSU IT resources may not be used to engage in partisan political activities on behalf of, or in opposition to, a candidate for public office.
 - 3.7.2** MSU IT resources may not be used to promote or oppose the qualification, passage, or defeat of a ballot question that does not affect the University's interests. MSU IT resources may not be used to promote or oppose the qualification, passage, or defeat of a ballot question that affects the University's interests unless that use is approved in advance by the President.
 - 3.7.3** These prohibitions do not apply to private devices that are attached to the University's network, provided that MSU IT resources are not used in a way that suggests the University endorses or supports the activity originating on the private device.
- 3.8** MSU IT resources may not be used to operate a business or for commercial purposes unless that use is approved in advance by the University.
- 3.9** MSU IT resources may not be used to support the operations or activities of organizations that are not affiliated with the University unless that use is approved in advance by the University.
- 3.10 Pornography and Sexually Explicit Content**

3.10.1 Unless such use is for a scholarly or medical purpose or pursuant to a formal University investigation, Users may not utilize MSU IT resources to store, display, or disseminate pornographic or other sexually explicit content. This prohibition does not apply to private devices that are attached to the University's network.

3.10.2 Child pornography is illegal. The use of MSU IT resources to store, display, or disseminate child pornography is absolutely prohibited. Any such use must be reported immediately to the MSU Police Department.

3.11 In operating its IT environment, the University expects Users to engage in "safe computing" practices, such as establishing appropriate access restrictions for their accounts, setting strong passwords and guarding those passwords, keeping their personal operating systems and software applications up-to-date and patched, and employing security measures on their personal devices.

IV. ENFORCEMENT

4.1 Use of MSU IT resources is a privilege and not a right. A User's access to MSU IT resources may be limited, suspended, or terminated if that User violates this Policy. Alleged violations of this Policy will be addressed by the Chief Information Security Officer or IT or his/her designee.

4.2 Users who violate this Policy, other University policies, or external laws may also be subject to disciplinary action and/or other penalties. Disciplinary action for violation of this Policy is handled through the University's normal student and employee disciplinary procedures.

4.3 In addition to its own administrative review of possible violations of this Policy and other University policies, the University may be obligated to report certain uses of MSU IT resources to law enforcement agencies. (See e.g., Section 3.10.2.)

4.4 If the Chief Information Security Officer determines that a User has violated this Policy and limits, suspends, or terminates the User's access to any MSU IT resources as a result, the User may appeal that decision to the Vice President for Information Technology and CIO. If the User believes that his/her appeal has not been appropriately addressed by the Vice President for Information Technology and CIO, he/she may seek further redress as follows:

4.4.1 if an undergraduate student, through the Vice President for Student Affairs, or his/her designee;

4.4.2 if a graduate or professional student, through the Dean of the Graduate School, or his/her designee;

4.4.3 if a member of the faculty or academic staff, through the Associate Provost and Associate Vice President for Academic Human Resources, or his/her designee;

4.4.4 if an employee covered by a collective bargaining agreement, through the Director of Employee Relations, or his/her designee.

4.5 Alleged violations of local rules will be handled by the local systems administrator, network administrator, or employee supervisor/unit manager, depending on the seriousness of the alleged violation. These individuals will inform and consult with the Chief Information Security Officer or his/her designee regarding each alleged violation of a local rule and the appropriate consequences for any violation of a local rule. Users who object to the limitation, suspension, or termination of their access to any MSU IT resources as a consequence of their violation of a local rule may appeal to the Vice President for Information Technology and CIO.

4.6 The Vice President for Information Technology and CIO may temporarily suspend or deny a User's access to MSU IT resources when he/she determines that such action is necessary to protect such resources, the University, or other Users from harm. In such cases, the Vice President for Information Technology and CIO will promptly inform other University administrative offices, as appropriate, of the action. Local MSU IT resource administrators may suspend or deny a User's access to the local resources they administer for the same reasons without the prior review and approval of the Vice President for Information Technology and CIO, provided that they immediately notify the Chief Information Security Officer and the Vice President for Information Technology and CIO of that action.

V. SECURITY AND OPERATIONS

5.1 The University may, without further notice to Users, take any action it deems necessary to protect the interests of the University and to maintain the stability, security, and operational effectiveness of its IT resources. Such actions may be taken at the institutional or local level, and may include, but are not limited to, scanning, sanitizing, or monitoring of stored data, network traffic, usage patterns, and other uses of its information technology, and blockade of unauthorized access to, and unauthorized uses of, its networks, systems, and data. Local and central institutional IT resources administrators may take such actions in regard to the resources they manage without the prior review and approval of the Vice President for Information Technology and CIO as long as the actions involve automated tools and not direct human inspection.

VI. PRIVACY

6.1 General Provisions

6.1.1 Responsible authorities at all levels of the MSU IT environment will perform management tasks in a manner that is respectful of individual privacy and promotes User trust.

6.1.2 Monitoring and Routine System Maintenance

6.1.2.1 While the University does not rou-

tinely monitor individual usage of its IT resources, the normal operation and maintenance of those resources requires the backup of data, the logging of activity, the monitoring of general usage patterns, and other such activities. The University may access IT resources as necessary for system maintenance, including security measures.

6.1.2.2 The University's routine operation of its IT resources may result in the creation of log files and other records about usage. This information is necessary to analyze trends, balance traffic, and perform other essential administrative tasks. The creation and analysis of this information may occur at central institutional and local levels.

6.1.2.3 The University may, without further notice, use security tools and network and systems monitoring hardware and software.

6.1.3 The University may be compelled to disclose Users' electronic records in response to various legal requirements, including subpoenas, court orders, search warrants, discovery requests in litigation, and requests for public records under the Michigan Freedom of Information Act ("MIFOIA").

6.1.4 The University reserves the right to monitor and inspect Users' records, accounts, and devices as needed to fulfill its legal obligations and to operate and administer any MSU IT resource.

6.1.5 The University may disclose the results of any general or individual monitoring or inspection of any User's record, account, or device to appropriate University authorities and law enforcement agencies. The University may also use these results in its disciplinary proceedings.

6.2 Provisions Regarding Inspections and Disclosure of Personal Information

6.2.1 General provisions:

6.2.1.1 In order to protect User privacy, the Vice President for Information Technology and CIO or his/her designee must review and approve *any* request for access by a person to an individual User's personal communications or electronically stored information within MSU IT resources.

6.2.1.2 Incidental access to the contents of an individual User's personal communications or electronically stored information resulting from system operational requirements described elsewhere in the Policy does not require the prior review and approval of the Vice President for Information Technology and CIO.

6.2.2 The University, acting through the Vice

President for Information Technology and CIO, may access or permit access to the contents of communications or electronically stored information:

6.2.2.1 When so required by law. If necessary to comply with the applicable legal requirement, such disclosures may occur, without notice to the User and/or without the User's consent.

6.2.2.2 In connection with an investigation by the University or an external legal authority into any violation of law or of any University policy, rule, or ordinance. When the investigational process requires the preservation of the contents of a User's electronic records to prevent their destruction, the Vice President for Information Technology and CIO may authorize such an action.

6.2.2.3 If it determines that access to information in an employee's electronic account or file is essential to the operational effectiveness of a University unit or program and the employee is unavailable or refuses to provide access to the information.

6.2.2.4 If it receives an appropriately prepared and presented written request for access to information from an immediate family member or the lawful representative of a deceased or incapacitated User.

6.2.2.5 If it must use or disclose personally identifiable information about Users without their consent to protect the health and well-being of students, employees, or other persons in emergency situations, or to preserve property from imminent loss or damage, or to prosecute or defend its legal actions and rights.

—Revised June 20, 2012, June 13, 2013

ADDRESS CHANGE

(Administrative Ruling)

The Housing Requirements and Procedures state the following: "Every student is required to report his or her correct local address at the time of registration and to report any change of address thereafter. Failure to register the actual address at which he or she is living, or failure to notify the University of a change of address within five class days after the change becomes effective, will be considered as falsification of University records. (Change of off-campus address is made on the web at www.reg.msu.edu. Change of on-campus address is made in the office of the Community Director.)"

—Vice President for Student Affairs and Services
—January 26, 1984

ADDRESS WITHHOLDING POLICY

(Administrative Ruling)

Students may, upon request, restrict the release of Directory information. To do so, go to <http://www.reg.msu.edu/ROInfo/Notices/PrivacyGuidelines.aspx>.

—Office of the Registrar
—June 2004

ALCOHOLIC BEVERAGES

1. MSU Ordinance 21.00

- .01 The use or possession of alcoholic beverages, including beer and wine, subject to state law, is permissible in housing facilities (rooms, suites, and apartments) assigned by Michigan State University.
- .02* The consumption and possession of alcoholic beverages is prohibited (a) in classrooms, lecture halls, laboratories, the libraries, and the chapel, and (b) during all intercollegiate athletic contests and during entertainment programs that are open to the general public, in the concourses and outdoor seating areas at Spartan Stadium, the arena and concourses at Breslin Student Events Center, and in all other athletic facilities.
- .03 The possession of open or uncapped containers of alcoholic beverages and the consumption of alcoholic beverages is prohibited in all public areas of lands governed by the Michigan State University Board of Trustees and in all public areas of campus buildings, except with respect to locations, events, or occasions for which the Secretary of the Board of Trustees has approved, in writing, an exception to this prohibition. Exceptions to this prohibition will be made pursuant to guidelines approved by the Board of Trustees.**

2. State Law

Michigan Law prohibits, among other things, possession, purchase, and consumption of alcoholic beverages by persons under 21 years of age. It also prohibits the sale and furnishing of alcoholic beverages to persons under 21 years of age.

There is a potential for legal responsibility when an individual, even if unlicensed, furnishes alcoholic beverages to persons under 21 years of age. If a minor to whom the beverage was furnished subsequently has an accident attributable to the beverage, then the unlicensed furnisher may be found to be legally liable.

Also under state law, open or unsealed containers of alcoholic beverages may not be transported in the passenger compartment of motor vehicles.

Students are encouraged to become familiar with their responsibilities under the State Liquor Control Act, which may be found in the MSU Library

*Denotes Civil Infraction

**http://trustees.msu.edu/ordinances/ordinances_sec21.html

Zero Tolerance

Michigan has a “zero tolerance” policy for drivers under 21, meaning their blood alcohol concentration cannot exceed .02 percent. This means that even one beer is too many.

Minors who have been consuming, possessing or purchasing alcohol are subject to arrest resulting in a misdemeanor and a criminal record. Penalties may include fine, community service, suspension of driver’s license, and substance abuse screening at the individual’s expense. Suspension of the driver’s license can occur whether or not the individual was driving at the time of arrest. Repeated offenses result in more severe penalties.

Use of fraudulent identification to purchase alcohol is also a misdemeanor and may result in fine, loss of license, and substance abuse screening.

Anyone 21 or older who furnishes alcohol to a minor will be fined \$1,000 and face up to 60 days in jail.

3. East Lansing Ordinances

East Lansing ordinances prohibit the possession of any alcoholic beverage in an open container or a container with a broken seal in any public place or private area open to the public, except a licensed liquor establishment or elsewhere as provided by ordinance. Partying and tailgating on public property with alcoholic beverages is prohibited within the city’s jurisdiction.

City ordinance also prohibits the use of any type of false identification to enter a bar or to purchase liquor from a carry-out store and requires liquor establishments to confiscate suspected false identification and turn it over to the Police Department.

Students are encouraged to become familiar with their responsibilities under East Lansing Ordinances, which may be obtained at East Lansing City Hall.

—Approved by the Board of Trustees
—September 15, 1964

—Revised April 17, 1970, December 10, 1994, April 14, 1995,
November 14, 2003, February 11, 2005, September 16, 2005

ALL-UNIVERSITY EVENTS AND ACTIVITIES

(Student Group Regulation)

All-University events and activities sponsored on the campus by registered student organizations, living unit organizations, and major governing groups must be processed through the Student Life Office, 101 Student Services Building.

ANIMALS

(Ordinance 23.00)

- .01 No person owning or being responsible for an animal brought upon property governed by the Board shall do so without securing the animal by appropriate use of a leash.
- .02 No person shall bring any animal into any University building.
- .03 No person shall bring any animal onto a University bus.
- .04 No person shall bring any animal into any University area, such as the Beal Botanical Garden or the Horticulture Gardens, posted to prohibit the presence of animals.
- .05 Exceptions to the above provisions shall include:
 - .051 Service animals providing assistance to individuals with disabilities
 - .052 Animals brought for treatment to the Veterinary Medical facilities or for University sponsored research
 - .053 Animals being transported and which remain inside a vehicle
 - .054 Animals brought to animal related University sponsored events
 - .055 Animals brought to animal related events sponsored by registered student organizations which have received prior authorization from the Office of the Secretary of the Board of Trustees
 - .056 Animals subject to the control of any police officer during the course of the police officer's duties

(See also: *Residence Hall Regulation 1.0.*)

—Board of Trustees, September 15, 1964

—Revised February 25, 1972

—Revised December 10, 1994

—Revised June 15, 2007

—http://trustees.msu.edu/ordinances/ordinances_sec23.html

ANTI-DISCRIMINATION POLICY

(All-University Policy)

(<http://oie.msu.edu/policies-procedures-forms/index.html>)

(Applicable to University employees as well as students.)

ARTICLE I: Purpose

ARTICLE II: Applicability

ARTICLE III: Prohibited Discrimination

- i This policy does not apply to the conduct of a contractor's internal affairs, nor does it apply to the conduct of contractual engagements to which the University is not a party.
- ii The Anti-Discrimination Policy User's Manual, University ordinances, written policies provide guidance on the conduct prohibited by Article III of this Policy.
- iii Limitations are inappropriate if they are not directly related to a legitimate University purpose. The Anti-Discrimination Policy User's Manual provides additional guidance on inappropriate limitation as defined by this policy.
- iv For the purpose of this Policy, "employment opportunity" is defined as job access and placement, retention, promotion, professional development, and salary.
- v For the purposes of this Policy, the reference to "gender identity" shall be interpreted to include protection against gender stereotyping based on a person's gender expression. In other words, gender stereotyping is impermissible discrimination or harassment based on a failure to conform to stereotypical gender norms.

ARTICLE IV: Informal Resolution

ARTICLE V: Complaints and Investigations

ARTICLE VI: Violations of the Policy

ARTICLE VII: History

ARTICLE I. PURPOSE

Michigan State University's scholarly community-building efforts occur within the context of general societal expectations, as embodied in the law. The University, consistent with its policies and governing law, promotes institutional diversity and pluralism through mechanisms such as affirmative action, within an over-arching strategy promoting equitable access to opportunity. The University's commitment to non-discrimination is the foundation for such efforts.

ARTICLE II. APPLICABILITY

This policy states expectations for institutional and individual conduct. It applies to all University community members, including faculty, staff, students, registered student organizations, student governing bodies, and the University's administrative units, and to the University's contractors in the execution of their University contracts or engagements,ⁱ with respect to the following:

1. All educational, employment, cultural, and social activities occurring on the University campus;
2. University-sponsored programs and activities occurring off-campus, including but not limited to cooperative extension, intercollegiate athletics, lifelong education, and any regularly scheduled classes;
3. University housing; and
4. Programs and activities sponsored by student governing bodies, including their constituent groups, and by registered student organizations.

ARTICLE III. PROHIBITED DISCRIMINATION

Unlawful acts of discrimination or harassment are prohibited.

In addition, the University community holds itself to certain standards of conduct more stringent than those mandated by law. Thus, even if not illegal, acts are prohibited under this policy if they:ⁱⁱ

1. Discriminate against any University community member(s) through inappropriate limitationⁱⁱⁱ of employment opportunity,^{iv} access to University residential facilities, or participation in education, athletic, social, cultural, or other University activities on the basis of age, color, gender, gender identity,^v disability

status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight; or

2. Harass any University community member(s) on the basis of age, color, gender, gender identity, disability status, height, marital status, national origin, political persuasion, race, religion, sexual orientation, veteran status, or weight.

These prohibitions shall not be construed in a manner that abridges University community members' right of free expression or other civil rights.

ARTICLE IV. INFORMAL RESOLUTION

Informal resolution of disputes, through consultation provided by offices serving the University, is encouraged.^{vi} Informal resolution is typically used when a claimant asks to participate in an informal resolution, requests anonymity, does not consent to participation in an investigation, or the alleged conduct, even if it does not rise to the level of a policy violation, suggests the need for remedial, educational, or preventive action. Participation in informal resolution is voluntary, and either party may terminate the informal resolution process at any time. If a party terminates attempts at informal resolution, or the parties are unable to resolve the matter informally, a formal review of the complaint will begin.^{vii}

ARTICLE V. COMPLAINTS AND INVESTIGATIONS

Complaints under this Policy are processed and investigated by the Office of Institutional Equity (OIE) pursuant to the OIE Complaint Procedures. Allegations involving gender discrimination, including sexual and gender-based harassment, assault, and violence, are processed and investigated pursuant to the Relationship Violence & Sexual Misconduct (RVSM) Policy.

CONTACT INFORMATION:

Office of Institutional Equity
Olds Hall
408 W. Circle, Room 4
Michigan State University
East Lansing, MI 48824
(517) 353-3922
oie@msu.edu
www.oie.msu.edu

The University investigates complaints involving conduct occurring at the locations, programs, and activities listed in Article II above. The University also investigates complaints of conduct occurring off-campus, even if not occurring in the context of a University program or activity, if the alleged conduct creates or contributes to a hostile environment on campus.

ARTICLE VI. VIOLATIONS OF THE POLICY

Violations of the policy may result in disciplinary action pursuant to the applicable student conduct or employee disciplinary process. Discipline may include, but is not limited to, suspension or dismissal for students or employees.

ARTICLE VII. HISTORY

This Policy was approved by the Board of Trustees on April 9, 1993 and revised on December 5, 2003, April 13, 2007, and October 30, 2015.

This document is currently pending approval from the U.S. Department of Education, Office for Civil Rights.

BAD CHECK/RETURNED ACH COLLECTION

(Administrative Ruling)

General Policy: Each individual is sent written notification that his or her check/Automated Clearing House (ACH) has been returned, requesting redemption, either by cash, money order, or certified check, plus a service charge within a period of three (3) weeks.

1. Check/ACH negotiated for the purpose of registering, including payment of holds, tuition, board and room:

Immediately upon receipt of the unpaid check/ACH by the University, a financial hold is placed against the student. Written notification is sent to each student indicating that a check/ACH was returned and requesting the student to redeem the check/ACH or contact the Cashier's Office within three (3) weeks. The notice also indicates that the student's registration may be cancelled if the check/ACH is not redeemed by the due date on the notice. A student whose registration has been cancelled may be allowed to reregister during the semester subject to class availability, department approval, and the payment of all outstanding obligations with certifiable funds. A service charge of \$75 is assessed unless the student presents a letter from his or her bank stating that the bank made an error. The \$75 service charge is comprised of a \$25 returned item service charge and a late registration fee of \$50.

2. Check/ACH negotiated for reasons other than registration:

Written notification is sent to a person indicating that his or her check/ACH has been returned. This notice requests redemption of the check/ACH within a period of three (3) weeks by cash, money order, or certified check plus a \$25 service charge.

- a. Non-Student Check/ACH—If there is no response to the notice, a follow-up letter will be mailed allowing

^{vi} Consultation with one or more of the following may be useful: the chairperson, director, or dean of the relevant unit; supervisory support personnel; the Title IX Coordinator or Deputy Title IX Coordinator for Investigations, a part of the Office of Institutional Equity; the ADA Coordinator; the Office for Inclusion and Intercultural Initiatives; the University Ombudsperson; the Faculty Grievance Official; REHS staff; faculty or staff academic advisors; and the MSU Counseling Center.

^{vii} The availability and appropriateness of informal resolution involving claims of gender discrimination, including sexual and gender-based harassment, assault, and violence, is governed by the Relationship Violence & Sexual Misconduct (RVSM) Policy.

three (3) more weeks in which to pay. If unpaid by the due date on the notice, the check/ACH is charged back to the department concerned. If the check/ACH amount and service charge totals \$25 or more it is sent to Delinquent Receivables and may be referred to a collection agency.

- b. Student Check/ACH—Immediately upon receipt of the unpaid check/ACH by the University, a financial hold is placed against the student. If the check and service charge remain unpaid, the account may be turned over to Delinquent Receivables for collection.

3. Check/ACH negotiated when it appears that the individual has full knowledge that funds were not available or the person admits to securing money under false pretenses:

- a. If the individual or student fails to make restitution as a result of normal follow-up procedures, and it appears that the individual has full knowledge that funds were not available, or the person admits to securing money under false pretenses, the case will be reviewed for possible prosecution.
- b. Individuals wishing to make restitution on a check/ACH referred to the MSU Police Department must make restitution at that office.

4. Bad Check List:

- a. A student, who has issued three (3) checks and/or ACH's to the University that have been returned within a 12 month period, will be sent written notification that his or her name is being placed on the Bad Check List. A student whose registration has been cancelled for nonpayment of a registration check/ACH will be immediately placed on the Bad Check List. All future payments to the University must be by cash, money order, or certified check.
- b. Placement on the Bad Check List may be cause for denying future short term loans.
- c. A student may request that his or her name be removed from the Bad Check List one year from the date his or her last returned check/ACH was paid in full by completing a form in the Cashier's Office.

5. Other Sanctions:

In addition, the University reserves the right to take one or more of the following actions:

- a. Refer past-due unpaid returned checks/ACH and service charge to an external collection agency and report the balance to a credit bureau.
- b. Refer the student to the Office of Student Affairs and Services for disciplinary action.
- c. Bring action against the individual for the amount of a returned check/ACH not redeemed within 30 days of the date of the notification letter and \$250 in costs. In addition, the court could rule that you must also pay the greater of \$100 or two times the amount of the returned check/ACH. If you pay the total amount due within 30 days, no civil action will be taken against you.

—Vice President for Finance and Treasurer

—January 1, 1975

(Amended 1981, 1982, 1985, 1988, 1989, 1990, 1993, 1994, 1998, 1999, 2000, 2003, 2011)

BICYCLES

(Abridges text from ordinances 10.00 and 33.00)

If a bicycle is operated, parked or possessed on MSU property, the MSU Police remind you that a bicycle must bear a current, valid and properly affixed permit issued by the Michigan State University Police Department, the City of Lansing, the City of East Lansing, Lansing Township or Meridian Township.

- 1. Registering.** Any bicycle operated or possessed on campus must bear a current, valid and properly affixed permit issued by the Michigan State University Police Department, the City of Lansing, the City of East Lansing, Lansing Township or Meridian Township. Permits issued by the University are available online at www.police.msu.edu. The bicycle's serial number or a self-selected number that has been engraved into the frame of the bicycle (engravers are available at the Police Desk) must be provided to register the bicycle. Permits must be attached according to the instructions on the back of the permit (to the frame post located below the bicycle seat).
- 2. Parking.** Unattended bicycles must be placed in bicycle racks and locked. Under no circumstances shall bicycles be parked in shrubbery, near building exits or entrances, in vehicle parking areas, or next to poles, posts, trees, hand rails, etc.
- 3. Impounding.** Bicycles not properly parked, not registered, parked unlocked or in disrepair may be impounded. It may be reclaimed Monday-Friday, 8:00 a.m.-4:30 p.m., at the MSU Parking Office upon proof of ownership and payment of the established impound fee. Impounded bicycles will be held at least 30 days, after which, unclaimed bicycles will be transferred to MSU Surplus to be sold.
- 4. Annual Cleanup.** Starting the week after spring semester and during the summer, MSU Parking performs an annual bike cleanup. Bikes that are not registered with a valid permit will be impounded whether they are attached to a bicycle rack or not. Impoundment includes bikes that are in disrepair, or attached to meters, signs, railings, etc. A bicycle in proper repair that is locked to a bicycle rack and bears a current, valid and properly affixed permit issued by the Michigan State University Police Department, the City of Lansing, the City of East Lansing, Lansing Township or Meridian Township should not be impounded.
- 5. Operation.** State law and local ordinances require that bicycles be operated as if they were motor vehicles. You are required to yield the right of way to pedestrians in marked crosswalks, obey all traffic control signs and devices and keep as far to the right on the roadway as is possible, using bicycle lanes when available. Riding on sidewalks or footpaths, riding more than two abreast or riding against traffic is prohibited.

6. **Equipment.** Bicycles operated during dusk, darkness or dawn hours shall show a white light to the front and a red light or reflector to the rear.
7. **Enforcement and Administration.** MSU Police is responsible for the enforcement and administration of the University Traffic Ordinance, the Michigan Motor Vehicle Code and the bicycle licensing (registering) and control provisions thereof.

General bicycle information may be found at the MSU Police website or in the Student Parking and Driving Regulations at www.police.msu.edu. Ordinance information may be found at www.trustees.msu.edu.

CAMPAIGNING, CANVASSING, AND PETITION DRIVES

Persons interested in conducting political activities on the University campus should contact the Student Life Office, 101 Student Services Building, for a copy of "Guidelines for Campaigning, Canvassing, and Petition Drives on the Michigan State University Campus". These guidelines contain information regarding the means by which political activities may be conducted on grounds governed by the Michigan State University Board of Trustees.

As referred to in the guidelines, "political activities" include:

1. **Campaigning** - for an issue or a candidate which appears or will appear on a duly constituted ballot for a University, local, state or national election.
2. **Petition drives** - to place an issue on a duly constituted ballot, to seek a recall, to have a referendum.
3. **Canvassing** - direct personal contact with individual voters to solicit their political support or opinions.
4. **Voter registration.**

CAMPAIGNING, CANVASSING, AND PETITION DRIVES IN THE RESIDENCE HALLS

Access to the living areas of residence halls is limited to residents and authorized University personnel in order to enhance the safety and security of the student residents. Candidates and other individuals (including students and student groups) who wish to campaign, canvass, or conduct petition drives may reserve tables in the public areas of University facilities for such purposes. Residents of University-operated residence halls may engage in campaigning, canvassing, or petition drives in the living areas of their own residence hall, provided that all applicable residence hall guidelines are followed.

Registered student organizations and student governing groups may reserve space in University facilities for campaigning, canvassing or petition drives through the Department of Student Life. All other individuals and groups who wish to reserve space for these purposes must request the use of University facilities through Residential and Hospitality Services. The sponsoring group or individual is responsible for any charges that might be incurred.

VOTER REGISTRATION IN THE RESIDENCE HALLS

Access to the living areas of residence halls is limited to residents and authorized University personnel in order to enhance the safety and security of the student residents. Individuals may engage in voter registration activities in the public areas of University facilities, subject to all applicable residence hall policies. Residents of University-operated residence halls may conduct voter registration activities in the living areas of their own residence hall, provided that all applicable residence hall guidelines are followed.

The guidelines contain specific information regarding the following types of activities: Registration of candidates or speakers, supporting candidates and/or issues; posters and signs; leaflets and handbills; fund-raising; use of University facilities; outdoor events, including use of public address equipment and bullhorns, and parades; voter registration in University residence halls.

Specific regulations and ordinances which apply and which are included by reference within the guidelines are listed below.

Speakers Policy, Outside
Signs and Structures (Ordinance 28)
Distribution of Material in Residence Halls
University Facilities and Services
Residence Hall Space Use Policy
Parades, Processions, and Sound Trucks
Public Address Equipment
Disorderly Assemblages or Conduct (Ordinance 15)

CAMPING

(Ordinance 13.00)

Except in connection with approved University activities which require overnight occupancy at the site of the activity, no person shall camp within the confines of land governed by the Board. "Camping" means the erecting of a tent or shelter of natural or synthetic material, preparing a sleeping bag or other bedding material for use, parking of a motor vehicle, motor home, or trailer for the apparent purpose of overnight occupancy. It shall be a violation of this ordinance to camp without a permit.

—Board of Trustees

—Enacted: September 15, 1964

—Amended: October 12, 1990 December 10, 1994

—http://trustees.msu.edu/ordinances/ordinances_sec13.html

CAMPUS MAIL SERVICE

(All-University Policy)

By action of the MSU Board of Trustees and the United States Postal Service Private Express Statutes, Campus Mail Service is limited to the distribution of official university communications and the collection of mail for off-campus processing. (Code of Federal Regulations, 39CFR310.3.)

Examples of business communications that can be handled by Campus Mail are: Notices of faculty meetings or other university department sponsored affairs or programs,

notices of meetings of learned and professional societies, communications from one department of the University to another, and memorandums from one individual to another when pertaining to university business.

Examples of communications that cannot be distributed by Campus Mail are: Non-university business, letters exchanged between non-university agencies, letters exchanged between students, requests for contributions (except Community Charitable Campaign), sales or collections by campus organizations or individuals, religious announcements, club announcements, and notices of political or organizational meetings, anonymous mailings, mailings for commercial, personal or private gain or those containing commercial advertising for organizations or individuals not affiliated with the university.

—Board of Trustees

—May, 1965

—January, 2014

(NOTE: Student organizations having questions regarding the Campus Mail Service should call the Mail Services department at (517) 884-6084.)

SECURITY PROCEDURES:

- a. Residence Education and Housing Services, Residence Halls Association, and Vice President for Student Affairs and Services personnel shall establish guidelines for security in residence halls in accordance with this policy.
- b. Each residence hall shall establish internal security procedures consistent with the guidelines of 2.a. above, which reflect unique differences in the needs and desires of the residents of each hall, and differences in the physical design and construction of each hall.

—Residence Halls Association

—Associated Students of Michigan State University

—Vice President for Student Affairs and Services

—June 16, 1972

CODE OF TEACHING RESPONSIBILITY

(All-University Policy)

Satisfaction of teaching responsibilities by instructional staff members (herein referred to as instructors) is essential to the successful functioning of a university. This University conceives these responsibilities to be so important that performance by instructors in meeting the provisions of this Code shall be taken into consideration in determining salary increases, tenure, and promotion.

1. **Course content:** Instructors shall be responsible for ensuring that the content of the courses they teach is consistent with the course descriptions approved by the University Committee on Curriculum and the University Council. Instructors shall direct class activities toward the fulfillment of course objectives and shall evaluate student performance in a manner consistent with these objectives.
2. **Course syllabi:** Instructors shall be responsible for distributing a course syllabus (either in print or electronic

form) at the beginning of the semester. The syllabus shall minimally include:

- (a) instructional objectives;
- (b) instructor contact information and office hours;
- (c) grading criteria and methods used to determine final course grades;
- (d) date of the final examination and tentative dates of required assignments, quizzes, and tests, if applicable;
- (e) attendance policy, if different from the University attendance policy and especially when that attendance policy affects student grades;
- (f) required and recommended course materials to be purchased, including textbooks and supplies; and
- (g) any required proctoring arrangements to which students must adhere.

3. **Student Assessment and Final Grades:** Instructors shall be responsible for informing students, in a timely manner so as to enhance learning, of the grading criteria and methods used to determine grades on individual assignments. Instructors shall be responsible for assessing a student's performance based on announced criteria and on standards of academic achievement. Instructors shall submit final course grades in accordance with University deadlines. Assessment methods should be appropriate to the learning objectives of the course. In the context, instructors are expected to take reasonable steps to create an assessment that promotes academic integrity. When proctoring or other security measures are necessary to ensure integrity of assessments, then such measures should be administered in a manner consistent with the design and delivery of the course.

4. **Testing Documents:** Instructors shall be responsible for returning a students answers to quizzes, tests, and examinations with such promptness to enhance the learning experience. Instructors shall retain final examination answers for at least one semester to allow students to review or to retrieve them. All testing questions (whether on quizzes, tests, or midsemester or final examinations) are an integral part of course materials, and the decision whether to allow students to retain them is left to the discretion of the instructor.

5. **Term Papers and Comparable Projects:** Instructors shall be responsible for returning a students term papers and other comparable projects with sufficient promptness to enhance the learning experience. Term papers and other comparable projects are the property of students who prepare them. Instructors shall retain such unclaimed course work for at least one semester to allow students to retrieve such work. Instructors have a right to retain a copy of student course work for their own files.

6. **Class Meetings:** Instructors shall be responsible for meeting their classes regularly and at scheduled times. To allow units to take appropriate action, instructors shall notify their units if they are to be absent and have not made suitable arrangements regarding their classes.

7. **Applicability of the Code of Teaching Responsibility to Student Assistants:** Instructors of courses in which assistants are authorized to perform teaching, grading,

or other instructional functions shall be responsible for acquainting such individuals with the provisions of this Code and for monitoring their compliance.

8. **Instructor Accessibility to Students:** Instructors shall be responsible for being accessible to students outside of class time and therefore shall schedule and keep office hours for student conferences. Office hours should be scheduled at times convenient to both students and instructors with the additional option of mutually convenient prearranged appointments for students whose schedules conflict with announced office hours. Each teaching unit shall determine the minimum number of office hours for instructors in that unit. Instructors who serve as academic advisors also shall be responsible for maintaining appropriate office hours before and during enrollment periods. In addition to office hours, instructor accessibility through email and other means is encouraged.

9. **Commercialization of Course Notes and Materials:** The University prohibits students from commercializing their notes of lectures and University-provided class materials without the written consent of the instructor. Instructors may allow commercialization by including permission in the course syllabus or other written statement distributed to all students in the class.

HEARING PROCEDURES

1. Students may register complaints regarding an instructor's failure to comply with the provisions of the *Code of Teaching Responsibility* directly with that instructor.
2. Students may also take complaints directly to teaching units' chief administrators or their designates. If those persons are unable to resolve matters to the student's satisfaction, undergraduate students may request a formal grievance hearing before the University Academic Grievance Board (see SRR Article 7. III). Unsatisfied graduate students may request a formal grievance hearing before their department board (see GSRR Article 5). Before doing this, all students are encouraged to meet with the University Ombudsperson.
3. Such complaints must normally be initiated no later than the middle of the semester following the one wherein alleged violations occurred. Exceptions shall be made in cases where the involved instructor or student is absent from the University during the semester following the one wherein alleged violations occurred.

History of Approval

Original Document:

- Academic Council, November 4, 1969
- Academic Senate, November 19, 1969

Revisions

- Academic Council, May 19, 1976
- Academic Council, February 27, 1996
- Academic Council, April 19, 2005
- Board of Trustees, February 12, 2010, Effective August 16, 2011
- University Council, March 27, 2012

CONFLICT OF INTEREST IN EDUCATIONAL RESPONSIBILITIES RESULTING FROM CONSENSUAL AMOROUS OR SEXUAL RELATIONSHIPS^{1, 2}

(All-University Policy)

An amorous or sexual relationship between a student and a faculty member, a graduate teaching assistant or another University employee who has educational responsibility for that student may impair or undermine the ongoing trust needed for effective teaching, learning and professional development. Because of the faculty member, graduate assistant or other employee's authority or power over the student, inherently conflicting interests and perceptions of unfair advantage arise when a faculty member, graduate teaching assistant or other employee assumes or maintains educational responsibility for a student with whom the faculty member, graduate teaching assistant or other employee has engaged in amorous or sexual relations.

It is, therefore, the policy of Michigan State University that each faculty member, graduate teaching assistant and other University employee who has educational responsibilities for students shall not assume or maintain educational responsibility for a student with whom the faculty member, graduate teaching assistant or other employee has engaged in amorous or sexual relations, even if such relations were consensual. Whether such amorous or sexual relationships predate the assumption of educational responsibility for the student, or arise out of the educational relationship, the faculty member, graduate teaching assistant or other employee shall immediately disclose the amorous or sexual relationship to the relevant unit administrator, who shall promptly arrange other oversight for the student.

In unusual circumstances, the achievement of the affected student's academic requirements may necessitate continued oversight of the affected student by the faculty member, graduate teaching assistant or other University employee who has engaged in amorous or sexual relations with that student. In such circumstances the unit administrator shall, therefore, have authority, after consulting the affected student, to permit the continued oversight of the affected student by the faculty member, graduate teaching assistant or other University employee, provided that the faculty member, graduate teaching assistant or other University employee shall not grade or otherwise evaluate, or participate in the grading or other evaluation of, the work of the affected student, and that the alternative arrangements for grading or evaluating the affected student's work treat the student comparably to other students.

- Academic Council
—April 23, 1996
- Board of Trustees
—November 8, 1996

—<http://trustees.msu.edu/policy-manual/04-17-05.html>

¹ The Board of Trustees approved this policy statement on November 8, 1996. The Board of Trustees adopted a subsequent motion which emphasized the view of the Board that consensual amorous or sexual relations between faculty and students are discouraged.

² Other relevant policies include "Supervision of Academic Work by Relatives" and "Conflict of Interest in Employment".

COPYRIGHT NOTICE

Notice of Written Plan for Copyright Provisions of the Higher Education Opportunity Act

August 26, 2010

BASIS

Michigan State University's *Procedures for Addressing Instances of Possible Copyright Infringement on Michigan State University's (MSU) Computing Resources and Network* forbid the unlawful copying or distribution of copyrighted works in any form.

This document is the "written plan" required of the University under the copyright-related regulations associated with the Higher Education Opportunity Act of 2008.

A. Annual disclosure

Each year, close to the beginning of Fall Semester, a notice is sent by email to every individual having a MSU network ID to inform them that illegal distribution of copyrighted material is prohibited and may subject them to criminal or civil liability. The notice provides a link to MSU's *Procedures for Addressing Instances of Possible Copyright Infringement on Michigan State University's (MSU) Computing Resources and Network* (MSU's Digital Millennium Copyright Act (DMCA) procedures).

B. Combating unauthorized distribution of copyrighted material

The University addresses unauthorized distribution of copyrighted material through a variety of educational, technical, and disciplinary means. These include:

- Informs all network users and (more frequently) students of their obligations to follow copyright laws, of MSU policies and practices regarding copyright infringement; enhanced communications now a part of our SecureIT safe computing campaign;
- Presentations, posters, press articles, hand-outs, and other informational and educational mechanisms explaining the difference between appropriate and inappropriate use of copyrighted materials;
- Library, online, and other resources to assist students, faculty and staff with copyright questions and copyright clearances;
- Full cooperation with copyright owners or their agents to investigate and take appropriate actions on their complaints of alleged infringement of their copyrights;
- DMCA policy and a vigorous program for accepting and promptly responding to DMCA notices;
- Standardized and consistent handling of procedural and disciplinary response to alleged violations of the University's copyright policies. Student network access may be suspended on a first complaint and is suspended for second complaints; second complaint also involves mandatory in-person meeting of student with an administrator; third complaint results in automatic referral to student judiciary system and may result in suspension from school; each level of student complaint involves a mandatory fee which escalates with subsequent complaints; employees referred into

appropriate employee disciplinary process;

- Blocks unsolicited inbound Internet connections to all DHCP network addresses (i.e., to computers not officially set up as servers);
- Asymmetric bandwidth availability at residence hall ports slows uploading (10 Mbps inbound; 768 Kbps outbound).

C. Alternatives to illegal downloading

The market for legal downloads is constantly changing. *EDUCAUSE* provides a well-updated online list of legal sources of downloads and accessing media.

D. Periodic review

This document and the associated practices and processes will be reviewed at least annually (reviews may be triggered more frequently when circumstances change in ways that suggest a review should be undertaken) by the Vice President and Chief Information Officer for IT Services in consultation with the offices of the Provost, Human Resources, Student Affairs and Services, and General Counsel.

DISORDERLY ASSEMBLAGES OR CONDUCT

(Ordinance 15.00)

- .01 No person shall, without authorization, assemble together anywhere on the campus for the purpose of creating any excessive noise or disturbance, riot or raid, or assemble in a manner which obstructs the free movement of persons about the campus or the free and normal use of University buildings and facilities, or which prevents or obstructs the normal operations of the University.
- .02 No person shall obstruct, hinder, or impede the normal operation of any class, laboratory, seminar, examination, field trip or other educational activity of the University.
- .03 No person shall obstruct, hinder, or impede the normal use or operation of any campus building or area which has been assigned or scheduled for educational or extracurricular activities, including, but not limited to, dramatic or musical presentations, lectures, athletic events, military exercises, orientation meetings, commencement ceremonies, and placement activities.
- .04 No person shall use public address equipment, bullhorns, or other methods of sound amplification anywhere upon the campus except through written permit by the Secretary of the Board of Trustees.
- .05 No person shall obstruct, hinder, or impede the normal operations of any person, firm or agency, or the use of its property, while that person, firm or agency is providing a service or carrying out an activity or agreement for or with the University.
- .06 No unauthorized person shall enter upon the playing area of any athletic contest or exhibition while said contest or exhibition is in progress.
- .07 No person shall project or drop any object which could

cause injury, damage or interference in the spectator or playing area during any athletic contest or exhibition.

- .08 No person shall enter or attempt to enter into any dance or social, athletic, theatrical or other public event without a ticket of admission to such event when such tickets are required, or enter or attempt to enter contrary to any established rules or qualifications for eligibility for attendance at such events as provided by the sponsors. No person ineligible to attend such events shall loiter about the premises where such an event is being held.
- .09 No person shall enter any steam tunnel, mechanical room or boiler room unless required to do so in the proper performance of assigned University duties.
- .10 No person shall make, or continue, cause or permit to be made, orally or by use of any device, any unnecessary noise disturbance. Noncommercial public speaking and public assembly activities conducted on any public space or public right of way shall be exempt from this section, except as otherwise provided herein.
- .11 No person shall urinate or defecate in any public place or upon any public or private property, except in a sanitary facility intended for such activities.

The following acts, and the causing thereof, are hereby declared to be violations of this section: Sound Production and Reproduction System. The playing, using or operating, or permitting the playing, using or operating, of any television or radio receiving set, musical instrument, or other machine or device for producing, reproducing or amplifying sound, in such a manner as to create a noise disturbance, or at any time with a louder volume than is reasonably necessary for convenient hearing for the person(s) present in the room, vehicle or other place in which such instrument, machine, set or device is operated and who are voluntary listeners thereto. The operation of any such television or radio receiving set, instrument, machine or device between 11:00 p.m. and 7:00 a.m. of the following day in such a manner as to be plainly audible at a distance of seventy-five feet from the building, structure, vehicle or other place in which it is located shall be prima facie evidence of a violation of this section. This subsection shall not apply to noncommercial speech.

—Board of Trustees

—Enacted: September 15, 1964

—Amended: April 20, 1973, December 10, 1994,
February 10, 2005

—http://trustees.msu.edu/ordinances/ordinances_sec15.html

(See also: *Student Disorderly Conduct Policy, MSU Policy # 06-11-01*)

DISTRIBUTION OF LITERATURE

(Article 9 of *Michigan State University Student Rights and Responsibilities*.)

I. Definitions

- A. Independent student publications: Publications that are prepared and distributed, at least in part, by students and that are not funded by the administrative

units of the University. Independent student publications are typically publications of student living units, governing groups, registered student organizations, or student groups.

- B. University-supported student publications: Publications that receive funding from administrative units of the University.

II. General Guidelines

- A. Students and student groups shall have maximum freedom to express opinions and communicate ideas by preparing and distributing independent student publications.
- B. The University shall neither authorize nor prohibit the solicitation of advertising by an independent student publication
- C. Administrative units may provide advice and counsel, but all University-supported student publications shall be guaranteed freedom of content and editorial policy.
- D. The withdrawal of financial support as a means of censorship over those University-supported student publications which are in substance a forum for free speech is recognized to be inappropriate.
- E. A University-funded publication should identify the campus unit responsible for its preparation and distribution.
- F. Regulations governing distribution of publications shall apply equally to all publications.
- G. No door-to-door solicitations for sale shall be permitted in organized living units on the campus without permission from the proper governing authority for the living unit. Each on-campus living unit shall decide what policies shall be formulated for distribution of publications within that living unit.
- H. For buildings other than organized living units, the Secretary of the Board of Trustees and the all-University student governing bodies, after consultation with the administrative, faculty, and student occupants of the building, shall determine designated places for the distribution of publications.
- I. Publications may be distributed in living units, classroom buildings, and office buildings, but only in the places established through the procedures described above. Hand-to-hand distribution is permitted in all public areas of campus buildings, subject only to building security and access rules and such limitations as are necessary to prevent interference with scheduled University activities.
- J. Publications shall be permitted outside campus buildings, subject only to such limitations as are necessary to prevent interference with the use of streets, sidewalks, and building entrances for other purposes.
- K. The offices of the Secretary of the Board of Trustees and ASMSU shall keep available for inspection an up-to-date list of places of distribution within campus buildings.
- L. Any regulations necessary to implement these guidelines shall be developed in accordance with Article 8 of this document.

DISTRIBUTION OF MATERIAL IN RESIDENCE HALLS

(Student Group Regulation)

Distribution of materials in the residence halls is restricted to protect all the occupants of the halls from mass distribution of material that is generally not of interest to the majority of the occupants; to protect the privacy of the individual; and to facilitate a method of circulation which is feasible and effective. All distribution of materials in residence halls requires prior approval.

Generally permitted distribution (requires approval):

1. Mailbox distribution
2. Free-will, pick up distribution
3. Bulletin boards

Prohibited distribution:

1. Door to door
2. Commercial distribution
 - Any individual outside the University community who does not comply with this policy will be referred to the proper authorities.

For more information regarding the policy, contact Residence Education and Housing Services.

—Residence Halls Association
—Residence Education and Housing Services
—Vice President for Auxiliary Enterprises
—May, 1965; Revised February 27, 1973; July 22, 1983;
July 22, 2014

DRUG AND ALCOHOL POLICY, MSU

(All-University Policy)

(Applicable to University employees as well as students)

Congress has passed and the President has signed the Drug-Free Workplace Act of 1988 and Drug-Free Schools and Communities Act Amendment of 1989. The following is Michigan State University's Drug and Alcohol Policy for employees and students.

EMPLOYEES¹

Consistent with State and Federal Law, Michigan State University will maintain a workplace free from the unlawful manufacture, distribution, dispensation, possession or use of a controlled substance.² The unlawful manufacture, distribution, dispensation, possession or use of controlled substances, illicit drugs and alcohol are prohibited on any property under the control of and governed by the Board of Trustees of Michigan State University, and at any site where work is performed by individuals on behalf of Michigan State University.

Pursuant to applicable University procedures governing employee discipline, any employee involved in the unlawful use, sale, manufacturing, dispensing or possession of

controlled substances, illicit drugs and alcohol on University premises or work sites, or working under the influence of such substances, will be subject to disciplinary action up to and including dismissal and referral for prosecution.

The employee must notify the University of any criminal drug statute conviction for a violation occurring in the workplace no later than five (5) calendar days after such conviction. Failure to provide such notice will subject the employee to discipline up to and including dismissal pursuant to applicable University procedures governing employee discipline. The employee shall notify his/her immediate supervisor, who will report the incident to the Office of Human Resources, Academic Human Resources or Student Employment Office.

Michigan State University supports and sponsors programs aimed at the prevention of substance abuse by University employees. The Employee Assistance Program provides preventative programs and counseling for employees experiencing substance-dependency problems. Assistance is available on a voluntary basis. Leaves of absence to obtain treatment may be obtained under the medical leave provision of the appropriate labor contract or policy.

STUDENTS

Michigan State University's compliance with provisions of the Drug-Free Schools and Communities Act Amendments of 1989 applying to students is achieved through a comprehensive alcohol and other drug prevention program which includes policy enforcement, education programs and treatment services.

General Student Regulations 2.11 and 2.12 prohibit the unlawful possession, use, or distribution of illicit drugs and alcohol by students on Michigan State University property or as part of any of its activities. These regulations are as follows:

- 2.11 No student shall possess, use, manufacture, produce, sell, exchange or otherwise distribute any drug prohibited by federal or state laws.
- 2.12 No student shall possess, consume, furnish, manufacture, sell, exchange or otherwise distribute any alcoholic beverages except as permitted by state law and University ordinance.

Alleged violations of MSU regulations are adjudicated through the MSU student judicial process. Consequences for violations may include, but are not limited to, some form of disciplinary probation, required attendance at educational programs, referral for assessment and treatment, relocation to a new living environment, and suspension from Michigan State University for sale of illegal drugs or repeated violations of the regulations. In addition, students can expect to be arrested and fined for violations of State Law on campus.

Michigan State University supports and sponsors programs aimed at the prevention of substance abuse by students. Information about education and treatment services may be

1 This policy applies to all University employees, including but not limited to: faculty, academic staff, support staff and student employees.

2 Five schedules of controlled substances are defined in the comprehensive Drug Abuse Prevention and Control Act of 1970, 21. U.S.C. 812.

obtained from the Olin Health Education Service's Alcohol and Other Drug Program.

—President
—Provost and Vice President for Academic Affairs
—Vice President for Finance and Operations and Treasurer
—Vice President for Student Affairs and Services
—Board of Trustees, October 12, 1990

EMAIL NOTICE FOR STUDENTS

MSU Student Email Communications Notice

Michigan State University (MSU) uses email as one of several means of communication with students. In the context of this notice, "student" refers to all persons who have been admitted to MSU as a student, whether or not they have registered or enrolled for classes. An official MSU email address is issued to each student at the time he or she is admitted to MSU. This official MSU email address takes the form of a person's MSU NetID followed by "@msu.edu" (e.g., sparty@msu.edu) and resides in MSU's mail.msu email system (mail.msu.edu). This is the only email address that the University will centrally maintain for sending official communications to students, and the only email address that the University will use for sending official communications to students after they enroll.

Students are responsible for activating their MSU NetID and email account; both of these may be accomplished on the NetID website at netid.msu.edu. Students must check email regularly in order to read important messages and notifications. Certain communications may be time-sensitive. Failure to read official University communications sent to the students' official MSU email addresses does not absolve students from knowing and complying with the content of those communications.

Each student must manage his or her University email account to ensure that the Inbox file has sufficient space to allow for email delivery. Students act at their own risk and should take precautions if they choose to have their email forwarded to an email address other than their official MSU email address. Commercial and other email services sometimes block email from external sources. "Spam" filters applied outside of the MSU mail.msu email service may block email that the student needs to receive. MSU is not responsible for any difficulties that may occur in the proper or timely transmission of or access to email forwarded to any email address other than the official MSU email address, or which may be blocked by spam filters other than those applied by the mail.msu email system itself. Any such difficulties will not absolve students of their responsibility to know and comply with the content of official communications sent to students' official MSU email addresses.

Use of email for official communications with students will comply with other applicable MSU policies and business practices.

—Originally published February 15, 2006
—Revised February 28, 2006
—Revised June 10, 2013

EXAMINATIONS

(Ordinance 17.00)

- .01 No person shall procure in any unauthorized manner any examination question or answer related to any course of study offered at Michigan State University, regardless of the form or format in which such question or answer may originally have been maintained.
- .02 No person shall furnish to any unauthorized person any examination question or answer related to any course of study offered at Michigan State University, regardless of the form or format in which such question or answer may originally have been maintained.
- .03 The unauthorized possession of any of the aforesaid examination documents shall be considered prima facie evidence of an attempt to violate the provisions of this section.

—Board of Trustees
—September 15, 1964
—Revised December 10, 1994
—Revised April 14, 1995
—http://trustees.msu.edu/ordinances/ordinances_sec17.html

FACILITIES AND SERVICES, UNIVERSITY

1. ALL-UNIVERSITY POLICY FOR USE OF MICHIGAN STATE UNIVERSITY FACILITIES AND SERVICES

Exclusive of University residence halls, Food Stores and Kellogg Center, by Students; **and for Revenue-Producing Projects of Students** (Student Group Regulation).

2. USE OF SPACE IN RESIDENCE HALLS (Student Group Regulation)

Residence halls at Michigan State University have been designed to include multipurpose space for academic, social, cultural, governmental, and recreational programs. Residence hall space is primarily for the use and benefit of those students who reside in residence halls during a regular academic semester (which is defined as the first day of hall opening through hall closing for that semester). For this reason, all groups must receive permission to use space in a hall. Contact Residence Education and Housing Services for the full policy, including:

- Campaigning, Canvassing and Petition Drives
- General Guidelines for Space Use
- Use of Space by Within-Hall Groups
- Use of Space by Other Groups
- Voter Registration

Use of space for conferences is coordinated through RHS Conference Services. Please contact them for all guidelines and parameters.

—Residence Halls Association
—Associated Students of Michigan State University
—Vice President for Auxiliary Enterprises
—May 5, 1972; July 22, 2014

(See also: *General Student Regulation 2.00, 3.00, 4.00 and 5.00.*)

FINANCIAL ACCOUNTS—STUDENT ORGANIZATIONS

(Student Group Regulation)

1. General Policy

- a. The University does not require student organizations to have their financial accounts with the Controller's Office. They are, however, encouraged to follow good accounting principles and effective financial control of their funds.
- b. Registered student organizations, on-campus living unit organizations, major governing groups, Associated Students of Michigan State University, and Council of Graduate Students may request to have a financial account with the Controller's Office, and shall be given an account upon request.
- c. Registered student organizations sponsoring revenue-producing events on the campus or in University facilities must have a University financial account and all revenues and expenditures of the revenue-producing event must go through this account unless the revenues are under \$50 per day. The University through the Student Affairs and Services Division reserves the right to review and audit this account.
- d. Student organizations having the right to use University facilities and services have the option of paying for the use of University facilities and services either by cash, or through their University account, if such an account exists. The University may require that cash payments be made in advance.
- e. A signature card designating the person and/or persons authorized to sign forms calling for the expenditure of funds from the organization's University account must be on file with the Controller's Office. Organizations are not required to designate an advisor as the authorized person.
- f. Student organizations and their officers are responsible for any financial obligations incurred by the organization and for any overdraft in their University account.
- g. The University will not be obligated to process authorized expenditures, if there are not sufficient funds in the student organization's University account. All other authorized expenditures will be processed, unless prohibited by law or applicable University regulations.
- h. If a registered student organization fails to re-register by the end of the second week of the fall term, the organization's account will be closed automatically.

—Associated Students of Michigan State University
—Council of Graduate Students
—University Committee on Student Affairs
—Vice President for Student Affairs and Services
—June 20, 1969; Revised June 6, 1986

2. Procedures (Administrative Ruling)

Procedures related to financial transactions involving the use of a University account have been developed and approved by the Controller's Office. Copies of these procedures may be obtained in the Controller's Office (Accounting Department, 360 Administration Building)

or in the Student Life Center, 101 Student Services Building.

(See also: *General Student Regulation 4.00* and *5.00*.)

FIREARMS OR WEAPONS

(Ordinance 18.00)

- .01 Except as permitted by state law regulating firearms, no person shall possess any firearm or weapon anywhere upon property governed by the Board. Persons residing on property governed by the Board shall store any and all firearms and weapons with the MSU Police Department.
- .02 No person shall possess any chemical, biological, radioactive, or other dangerous substance or compound, with the intent of using the same to injure, molest, or coerce another, anywhere upon property governed by the Board.
- .03 The use of any firearm or weapon is prohibited upon property governed by the Board except those areas specifically set aside and supervised at range facilities, or as part of the regular education process, or as outlined in Ordinance 37.02 (wildlife) and its subsections.
- .04 This ordinance shall not apply to Police Officers and other legally established law enforcement officers.
- .05 This ordinance does not alter the terms of any University policies that regulate the use of possession of firearms.

—Board of Trustees

—September 15, 1964

—Revised December 11, 1987, December 10, 1994,

April 14, 1995, April 12, 2002, June 19, 2009

—http://trustees.msu.edu/ordinances/ordinances_sec18.html

FIRES

(Ordinance 19.00)

- .01 Except in connection with approved University activities and authorized University operations, no person shall set a fire upon property governed by the Board, except in approved stoves, or in grills in designated picnic areas. It shall be a violation of this Ordinance to set a fire upon property governed by the Board which is not approved, as provided.

—Board of Trustees

—September 15, 1964

—Revised December 10, 1994

—http://trustees.msu.edu/ordinances/ordinances_sec19.html

FOOD, PUBLIC SALE ON CAMPUS

(Administrative Ruling)

Applicable to University employees as well as students.)

Food offered for public sale on the campus must, in general, be handled only through the facilities of the Division of Residential and Hospitality Services. This policy does not affect departments or colleges which have established cooperative coffee services that are offered only to their staff and guests. Such service, by agreement, is limited to

donuts, rolls, coffee, and soft drinks.

In order to accommodate University organizations, both student and staff, who want the option to offer limited food service to invited guests either as a service to these guests or as a money raising project (or both), and in order at the same time to protect the University and its public, the University allows organizations to offer food for sale under the following guidelines or conditions.

- a. Sales shall be limited to special events or projects and not for general sale to the campus public.
- b. Location and/or time must be such that sales would not be in competition with an established food service. (When the University has a food operation in a building, food will be sold only by that unit.)
- c. Location must meet health standards of the State of Michigan. These locations will be inspected by the Residential and Hospitality Services Division with any needed help from the University sanitarian.
- d. Only packaged or prepared food may be served, including but not necessarily limited to donuts, soft drinks, and packaged snack items.
- e. No food requiring preparation by health certified personnel may be served. Food prepared by outside vendors is not approved.
- f. Food may be obtained from the Concessions Department and charged at cost plus handling.
- g. The sponsoring organization must be responsible for any loss of or damage to loaned equipment.
- h. This organization must also be responsible for clean-up of any academic or other facilities and arrangements must be cleared with Infrastructure Planning and Facilities for any such needed service. An appropriate job request will be necessary for this.

(NOTE: Student organizations offering food for sale must register the event and/or activity according to Section b, "Revenue-producing Projects" of the *All-University Policy on University Facilities and Services* and have it reviewed by the Housing and Food Services Division.)

—Housing and Food Services Division
—March 26, 1968

FUNDING STUDENT-SPONSORED PROGRAMS AND ACTIVITIES BY UNIVERSITY ADMINISTRATIVE UNITS, CRITERIA FOR

Freedom of expression and communication is recognized as essential to the basic purposes of the University. "The freedom and effectiveness of the educational process depend upon the provision of appropriate conditions and opportunities for learning in an environment that is supportive of diversity among ideas, cultures, and student characteristics." (Student Rights and Responsibilities, Article 2.I).

Within this context, student organizations can further opportunities for learning through co-curricular programs which they sponsor. The Outside Speakers Policy specifically encourages student groups to invite speakers to the

campus in order to foster free inquiry and "to encourage the timely discussion of a wide variety of issues, provided that the views expressed are stated openly and, therefore, are subject to critical evaluation".

Student groups may seek funding for the programs they choose to sponsor from a variety of sources.

The *All-University Policy on Student Fee Collection*, provides for students to tax themselves in order to provide programs and services of particular interest to members of the student body. Further, the University has specific provisions, under the *All-University Policy for the Use of Michigan State University Facilities and Services* whereby student groups can utilize University facilities and services for revenue-producing projects. Under this policy student groups may sell tickets or charge admission to public activities or events, as well as solicit voluntary contributions or sell student-produced goods and student-provided services. In order to support their programs and activities, student groups are encouraged to look to revenue-producing projects and funding from those student organizations that distribute student tax revenues.

Beyond utilization of student tax dollars and revenue-producing projects, student groups may solicit the support of other student groups on campus to co-sponsor programs of mutual interest.

University funds may be provided directly to student groups by administrative units for student-sponsored programs and activities if the following criteria are met.

1. The group must be either a registered student organization or student governing body recognized by the University.
2. The funds allocated must be designated for defined programmatic purposes, e.g., conferences, speakers, exhibits.
3. Allocations of funds should, in the judgement of the unit(s), promote the educational, programmatic objectives of the unit(s).
4. In the absence of actual unit sponsorship, allocations by an administrative unit must serve to supplement funding, not provide sole support for programs and activities under the auspices of a student organization.
5. The amount of any allocations typically reflects factors such as the overall budget a student group believes is needed to meet its program objectives, the available sources of funding for student-sponsored programs and activities, the availability of funds within the unit for such purposes, and the unit's practice of funding similar programs and activities.
6. Administrators shall advise student groups that any programs and activities funded by an administrative unit must meet the requirements set forth in University policies and Student Group Regulations, e.g., the *Outside Speakers Policy*, the *All-University Policy for Use of Michigan State University Facilities and Services*, and the *Anti-Discrimination Policy*.
7. Administrators who allocate funds to student organizations are held accountable for these allocations and their programmatic implications within the context of the University's usual procedures. The unit must maintain a

record of funds directly allocated to student organizations. Further, for public events (e.g., outside speakers), the unit's contribution to the event should be visible on materials related to the program.

These criteria do not apply to activities for students sponsored by administrative units.

—Office of the Provost

—Office of the Vice President for Student Affairs and Services

—June 7, 1990

GRIEF ABSENCE POLICY

The faculty and staff should be sensitive to and accommodate the bereavement process of a student who has lost a family member or who is experiencing emotional distress from a similar tragedy so that the student is not academically disadvantaged in his/her classes. It is the responsibility of the student to: a) notify the Associate Dean of his/her college of the need for a grief absence prior to leaving campus, b) provide appropriate verification of the grief absence as specified by the Associate Dean, and c) complete all missed work as determined by the instructor. It is the responsibility of the Associate Dean or designee to: a) determine with the student the expected period of absence – it is expected that some bereavement processes may be more extensive than others depending on individual circumstances, b) notify the faculty that the student will be absent, and c) receive verification of the authenticity of a grief absence request upon the student's return. It is the responsibility of the instructor to work with the student to: a) make reasonable accommodations and b) to include appropriate language describing such accommodations in their course syllabus, so that the student is not penalized due to a verified grief absence.

Students who believe their rights under this policy have been violated should contact the University Ombudsperson.

For the Grief Absence Request form go to: <https://reg.msu.edu/StuForms/Stuinfo/GriefAbsenceForm.aspx>.

GUIDELINES REGARDING BULK EMAILING BY INTERNAL USERS ON MSUNET

(Administrative Ruling) June 22, 2009

Preamble

Communications are increasingly conducted by way of email and other electronic means. Because the marginal cost of distributing email is very small (for the sending party) compared to paper-based or voice communications and email travels very quickly, email is seen to hold great potential for cost savings and operational efficiencies.

There also are problems associated with increased use of email:

- The quantity of undesired email ("spam") everyone receives is large and continues to increase. Spam is not only bothersome and sometimes offensive, but it also entails a material cost of personal time to process

and eliminate from one's email Inbox. Additionally, it diminishes the perceived value of other email received. If opening, reading, thinking about and disposing of a piece of mass email takes each recipient only 10 seconds, then email sent to and read by every MSU student would consume more than 5 person-days of collective time, and email sent to and read by every MSU employee almost 2 person-days of collective time

- The university's electronic network and the subnets, devices and storage connected to it are finite resources provided to facilitate the scholarship and work of members of the university community. Excessive use of bulk email will negatively affect the performance of these resources.
- Not all intended recipients of electronic messages may receive or regularly open email, nor have routine access to computers in their workplace. Some carefully targeted paper-based communications may continue to be necessary in some cases.

Thus, it makes sense to permit broader use of bulk email to promote institutional operating efficiency, but simultaneously to recognize that operating efficiency is also critically dependent on judicious use.

Guidelines for use of bulk email

These guidelines apply to members of the MSU community (students, faculty, staff, affiliates, university offices and programs). The purposes of these guidelines are to improve the effectiveness and efficiency of electronic communication, and to minimize the amount of undesired email that members of the MSU community receive from other members of the MSU community. It is anticipated that the application of the guidelines (1-6) will minimize the amount of undesired email originating from within MSU and sent within and outside of the university. Further, it is hoped that the set of effective practices described by the design guidelines (A-N) will guide the University community in decisions and designs regarding the distribution of email.

"Bulk email" in this context means the transmission of an email message within a short time frame to more than a small set of recipients who may not have elected voluntarily to receive the email. "Short time frame" means an interval spanning as long as 2 days. "Small set of recipients" means the size of individual-recipient address lists (To, CC, BCC fields) typical of most emails in common use, ranging from 1, to a few, to as many as may be involved in a large committee or work group (20-30). Use of mailing lists and listservs to which recipients may voluntarily opt in and opt out is encouraged, and this type of email distribution is not included in the meaning of "bulk email" in this document.

- **Prohibited uses.** Bulk emailing may not be used for personal purposes, advertising or solicitations, or political statements or purposes.
- **Permitted uses for broad cross-university mailing.** Bulk emailing may be used only by university offices to send communications necessary to the normal course of business and which typically require some

official action be taken individually by recipients. Such permitted uses include:

- Dissemination of urgent information of health and safety concern for students and university employees.
- Communication of information regarding changes of university policies or procedures, or actions that affect employment or compensation status, or status as a student.
- Regular communications (for example, to university employees) that are required by law, regulation or university policy for which bulk email may largely replace paper transmittal.
- **Permitted uses for targeted mailing.** In support of certain permitted uses, university offices may create and use mailing lists for communicating with targeted university sub-populations having a special interest in the specific information being distributed (e.g., account signers, budget and business officers, academic advisors, etc.). Offices are encouraged to use listservs and websites as much as possible for distribution of information of targeted interest. Similarly, faculty and others involved in instruction may email targeted sub-populations having a special interest in the information being distributed, such as students enrolled in their class(es).
- **Permitted uses within MAUs.** Major Administrative Units (colleges, divisions) and schools, departments, institutes and centers of the university may, at their own discretion and constrained to their own administrative domains only, expand on the permitted uses to send bulk email to their own faculty, students and staff regarding announcements, newsletter-type content, or their own governance and business issues.
- **Surveys.** It is desirable to minimize the use of bulk email for surveying for all of the reasons given in the "Preamble" and to minimize the frequency of bulk email generally. Additionally, care needs to be taken such that surveys do not interfere with MSU's employee relationships developed through collective bargaining agreements and contracting cycles, or with surveying or other actions that MSU may undertake for institutional interests such as institutional research, external reporting or participation in multi-institutional studies.
- **Approvals:** All bulk email surveys must receive prior approval by the appropriate university office(s):
 - Surveys that are intended to include students must be approved by and coordinated through the Office of the Registrar. The Registrar will consult additionally with and obtain the approvals of the Chair of the Committee on Release of Confidential Information and the Dean of Undergraduate Studies for surveys intended to include undergraduate students, and the Dean of the Graduate School for studies intended to include graduate students.
 - Surveys that are not being sent to students must be approved by and coordinated through IT Services. IT Services will expect that additional applicable approvals will have been obtained by the requestor,

and may assist the requestor in consulting with the appropriate offices to obtain those approvals.

- Surveys intended to include MSU employees (faculty, staff or graduate student employees) must be reviewed and approved in advance by Human Resources Office of Employee Relations, which will additionally consult with and obtain the approval of: Academic Human Resources for surveys intended to include MSU faculty or academic staff, and the Dean of the Graduate School for surveys intended to include graduate student employees; Employee Relations may also consult with or need to obtain the approval of the appropriate collective bargaining units.
- For all surveys, if the results of a survey might be published, the survey must be approved in advance by the University Committee on Research Involving Human Subjects.
- **Other requirements:**
 - All surveys should be carefully targeted to impact only those recipients who may be legitimate subjects of the survey. Surveys of large groups (e.g., all faculty, all staff) should be conducted through stratified samples of the group rather than an email to the entire group.
 - Bulk email associated with a survey should be minimal in content, containing an invitation to the survey and explaining its purpose, and providing a link to the survey itself at a separate website.
 - The Office of the Registrar or IT Services may charge a fee for assisting with a survey.
 - The Office of the Registrar or IT Services may charge a fee for assisting with a survey.
 - Survey requests generally are not accepted from non-University requestors.
- **Questions and ambiguities regarding the guidelines.** The Vice President for Information Technology and CIO shall be consulted regarding questions or ambiguities involving bulk email or these guidelines. Complaints regarding the misuse of email, the distribution of bulk email that may or does violate these guidelines, etc., should be directed to abuse@msu.edu, for consideration by MSUnet administrators.

Design guidelines

Judicious and well-managed use of bulk email, even for permitted purposes, is critical to maintaining recipients' perspectives of the validity and effectiveness of electronic communications. The following additional design guidelines are strongly suggested for any email distributions originating from the MSU community and sent to recipients inside or outside the University:

- Use bulk email infrequently and for reasons of high value to the recipients.
- Keep bulk email messages short.
- Always use a valid MSUnet address in the "From" line.
- Always use a clear, specific and non-empty subject line.
- Use plain text; avoid HTML.

- Clearly identify in the body of the message the originating unit or individual, the scope of individuals being emailed, and the purpose of the message.
- Use URLs rather than attachments to refer readers to policy or practice statements, and long content.
- Do not include or attach personal, confidential or sensitive information. To assure the integrity of student education records, consult MSU's Guidelines Governing Privacy and Release of Student Records.
- Carefully target lists of recipients to minimize the number of people who receive any given bulk emailing.
- Do not assume that all targeted individuals will receive the email (i.e., do not disadvantage those who may not receive the email).
- Send large quantities of bulk email at non-peak times for email traffic (e.g., after 5:00 pm and before noon).
- Use existing targeted mailing lists and listservs whenever possible, within the permitted uses of the lists. Recipients should be allowed to opt-in and opt-out of listservs at their own discretion.
- Use the "blind carbon copy" (bcc:) address field to suppress a long list of addresses in the "To" field.
- Email sent to students must comply with the Family Educational Rights and Privacy Act and MSU's Guidelines Governing Privacy and Release of Student Records, and should be sent using the "Blind Carbon Copy" (BCC:) address field to suppress names of students to whom the email is being addressed.

Consulted in development of this account:

- Council of Deans (Fall 2003)
- Provost's staff (Fall 2003, Spring 2004)
- Vice President for Finance and Operations staff (Fall 2003, Spring 2004)
- CORE group of vice presidents (Summer 2004)
- Communications and Compute Systems Advisory Committees
- Network Communications Committee (Fall 2004)
- Instructional Computing and Technology Committee (Fall 2004)
- Revised June 20, 2012
- Revised June 10, 2013
- Revised July 15, 2016

HOLDS ON ENROLLMENT, REGISTRATION, READMISSION, AND UNIVERSITY SERVICES

(Administrative Ruling)

- Authority for Hold Use
- Criteria for Hold Use
- Further General Stipulations
- Judicial Review

AUTHORITY FOR HOLD USE

1. Financial Holds

The Vice President for Finance and Treasurer is responsible for the collection, custody and accounting for all monies due the University. Holds may be employed to

collect any financial obligations due to the University's operating funds or to student loan funds.

2. Judicial Holds

The procedures for student discipline are specified in *Michigan State University Student Rights and Responsibilities*, *Graduate Student Rights and Responsibilities*, *Law Student Rights and Responsibilities*, and *Medical Student Rights and Responsibilities*. Administrative officers and judicial bodies are specifically authorized under this administrative ruling to request of the Provost or the Vice President for Student Affairs and Services the use of the judicial hold to enforce a "suspension" decision against a student, and to contact a student to notify him or her of an alleged violation of a regulation and pending judicial or administrative proceedings.

3. Academic Holds

Academic holds are used to assure that students abide by reasonable rules and regulations as a condition of admission to and retention in the University. Agencies of the University and academic administrators are authorized under this administrative ruling to initiate use of the academic hold for this purpose.

4. Administrative Holds

Administrative holds are also used to assure that students abide by reasonable rules and regulations as a condition of admission to and retention in the University. Agencies of the University and academic administrators are authorized under this administrative ruling to initiate use of the administrative hold for this purpose.

CRITERIA FOR HOLD USE

1. Financial Holds

Criteria for use of the financial hold shall be as follows:

- Holds may be employed to collect any financial obligations due to the University's operating funds or to student loan funds. Examples of these obligations are: student tuition, residence hall room and board, deferred payments, traffic violations, delinquent parking tickets, charges for damages to University property, University housing apartment rent, past due loans (including ASMSU Student Loan Fund), library fines, bad checks/ACH cashed by students or presented in payment of student indebtedness, charges originating in various operating units (such as the Health Center, MSU Union, Veterinary Clinic, etc.), overdrafts in student organization accounts, etc.
- Holds may not be used for collection of debts owed to any non-University agency. For purposes of this administrative ruling, registered student organizations and student media groups (newspapers and radio) are defined as non-University agencies.
- Except in the case of checks/ACH, holds may be used only in those cases in which the student has been given or sent adequate notice of his or her indebtedness and warning of hold use prior to issuance of the hold.
- A current list of all University agencies authorized by the Vice President for Finance and Treasurer to issue financial holds shall be maintained by Student

Account Services Office of the Controller.

- e. Students are entitled to appeal the legitimacy of charges placed against them through established due process procedures. Students are expected to exercise these rights at the time of original notification of indebtedness.
- f. A student will not be permitted to enroll for courses, be registered, be re-admitted to the University, have an application for admission to a new program of study processed, or receive services such as transcripts and diplomas, if a financial hold has been placed on the student. Additionally, in some circumstances, financial aid processing may be withheld if a financial hold has been placed.
- g. If a student has enrolled for courses and has not paid the financial obligation which created the financial hold by a specified due date, the student will be dropped from the courses in which he/she is enrolled.

2. Judicial Holds

Judicial bodies and administrative officers may make use of judicial holds in two cases:

- a. Holds may be issued against a student who has been suspended under the procedures outlined in *Michigan State University Student Rights and Responsibilities*, *Graduate Student Rights and Responsibilities*, *Law Student Rights and Responsibilities*, or *Medical Student Rights and Responsibilities*, to prevent the student's reenrollment and/or registration.
- b. Holds may be issued against a student in order to require the student to appear at an administrator's office so that the student can be provided with a written statement of an alleged violation of regulations and impending judicial or administrative proceedings when attempts to reach the student by certified mail and by telephone have proven unsuccessful.
- c. A judicial hold may prevent a student from being readmitted to the University, having an application for admission to a new program of study processed, enrolling in courses, and registering (paying of fees) depending upon the time within the academic semester when the hold is placed.
- d. The Office of the Vice President for Student Affairs and Services or the Office of the Provost shall authorize each instance of judicial holds under the terms of the criteria in the above sections.

3. Academic Holds

- a. The Provost and College deans and their designees are authorized to issue an academic hold which prevents a student from enrolling in courses and registering (paying of fees) because the student (1) has not met or needs to complete an academic requirement, e.g., has not declared a major, has failed to meet conditions of reinstatement or readmission, has failed to take the international student English proficiency test, has failed to supply required transcripts; (2) has been recessed or dismissed; (3) needs to see an academic adviser due to academic-related issues; or (4) has not met or needs to complete a recognized obligation incurred in the regular course of an academic program or in utilizing an academic service.

- b. The student shall have had reasonable opportunity to be informed of and to comply with the academic requirement and shall have been given or sent warning prior to issuance of a hold.
- c. To ensure that the above conditions and criteria are being met, the persons and agencies authorized to issue academic holds shall provide a copy of their hold use procedures to the Office of the Provost for review and approval.

4. Administrative Holds

- a. The Office of the Vice President for Student Affairs and Services will authorize agencies which may place an administrative hold which prevents students from enrolling in courses and registering (payment of fees) and/or financial aid processing. Administrative holds are placed on students who have failed to meet a requirement which has been established by University policy or regulation such as, but not limited to, financial aid requirements, student housing policy, and international student health insurance. Within this category are those regulations with which a student must comply prior to enrollment. A current list of all University agencies authorized by the Office of the Vice President for Student Affairs and Services to issue administrative holds shall be maintained by the Office of the Vice President for Student Affairs and Services.
- b. The student shall have had reasonable opportunity to be informed of and to comply with the administrative requirement and shall have been given or sent warning prior to issuance of a hold.
- c. To ensure that the above conditions and criteria are being met, the persons and agencies authorized to issue administrative holds shall provide a copy of their hold use procedures to the Office of the Vice President for Student Affairs and Services for review and approval.

FURTHER GENERAL STIPULATIONS

- 1. Agencies and authorized personnel of the University shall make every effort to minimize the use of holds and shall employ alternative methods to accomplish their purposes whenever feasible.
- 2. Procedures for financial hold use shall be developed by the Office of the Vice President for Finance. Procedures for judicial hold use shall be developed by the Office of the Vice President for Student Affairs and Services and the Office of the Provost. Procedures for academic hold use shall be developed by the Office of the Provost. Procedures for administrative hold use shall be developed by the Office of the Vice President for Student Affairs and Services. All procedures shall include provision for the following:
 - a. Adequate prior notice to the student (including all pertinent details) of pending placement of a hold, prior to issuance except in the case of bad checks/ACH.
 - b. Procedures for the student to challenge the placement of a hold, prior to the issuance of a hold.
 - c. While a student is in the process of appealing the case in question, the hold will not be issued.

- d. Review by the offices responsible for developing hold use procedures to ensure that the administrative ruling on holds is being accurately and consistently followed.
3. When a student has satisfied the conditions which precipitated a hold, the responsible agency or administrator placing the hold will ensure that the hold is removed.

JUDICIAL REVIEW

This administrative ruling and all procedures and administrative decisions stemming therefrom, shall be subject to judicial review as provided in *Michigan State University Student Rights and Responsibilities*.

- University Business Affairs Committee
- University Committee on Student Affairs
- Vice President for Finance and Treasurer
- Vice President for Student Affairs and Services
- May 17, 1971; Amended, 1979, 1993, 1995

HOUSING POLICY, STUDENT

(All-University Policy) (Abridged version of policy #: 06-09-03)

Michigan State University, in its housing system, seeks to provide an educational environment which is maximally conducive to the learning process of students. Consistent with this philosophy, a variety of living options that are supported by student fees is made available in University housing. The University has requirements for on-campus residence to promote an optimal learning environment for students. Any undergraduate student enrolled in seven or more credits at Michigan State University for a semester, summer semester excluded, is subject to the University's housing regulations. Compliance with the University housing policy is a condition of enrollment. Regulations and procedures are to be developed by appropriate administrative offices to ensure that this policy is implemented.

—Board of Trustees

—Enacted: May 27, 1983

—<http://trustees.msu.edu/policy-manual/06-09-03.html>

HOUSING REQUIREMENTS AND PROCEDURES

(Administrative Ruling)

In accordance with the Residence Education and Housing Services Policy, the following stipulations apply:

1. **Freshmen and Sophomores**—All freshman and sophomore students, including transfer students (0–55 credits accumulated), are required to reside in University housing, with the following exceptions:¹
 - a. Married students
 - b. Students who will be twenty years of age by the first day of classes of fall semester of the current academic year (the current academic year is fall semester and spring semester)
 - c. Veterans with one or more years of active service
 - d. Students living with parents or legal guardian
 - e. Students taking 6 or less credits during the semester

in question

2. **Juniors and Seniors**—Juniors and seniors are encouraged to live on campus. Moreover, the University will always seek to achieve some balance of juniors and seniors in each housing unit.

Enforcement

Those students for whom the housing requirement is a condition of enrollment will be asked to verify their adherence to it. Failure to maintain the required residency could result in termination of enrollment by the Division of Student Affairs and Services. Enforcement of the housing regulations is the responsibility of the Division of Student Affairs and Services. The housing requirement does not apply to students during a semester in which they are enrolled for 6 or less credits or during the summer semester. In any subsequent semester during which the student carries 7 or more credits the requirement will again become applicable.

Address

Every student is required to report his or her correct current address at the time of registration and to report any change of address thereafter. Failure to register the actual address at which he or she is living, or failure to notify the University of a change of address within five class days after the change becomes effective, will be considered as falsification of University records. (Change of off-campus address is made on the web at www.reg.msu.edu. Change of on-campus address is made in the office of the Community Director.)

Housing Contract

The Residence Education and Housing Services housing contracts are in effect for the period stated in terms of the contract. Any student, regardless of class standing, is obligated to fulfill the duration of the housing contract unless an authorized release is obtained. (Note: Application for release must be made through the Housing Assignments Office or the Community Director offices.) This regulation applies to all students (freshmen, sophomores, juniors, seniors, special and graduate) who enter into a contract for on-campus housing.

Assignment

Only those persons who have received official housing assignments may live in University housing.

Special Permission

Any new student prior to moving into residence halls may apply for an exception to the housing requirements. Information on the special permission procedure and criteria for exceptions can be obtained by contacting the Student Life Office, 101 Student Services Building. Applications will be considered by a committee appointed by the Vice President for Student Affairs and Services. The committee will have one representative from each of the following offices: Department of Student Life, Residence Education and Housing Services, and Associated Students of Michigan State University. A student may appeal the decision of the committee to the Vice President for Student Affairs and Services.

Off-campus living units that were recognized by the

¹ The sophomore student (28–55 credits accumulated) requirement may be waived by administrative action on a yearly basis.

University as “supervised” housing units in the Spring of 1983 will continue to be eligible to house students consistent with past practice. Specific conditions that will ensure this eligibility will be developed by the Vice President for Student Affairs and Services and in consultation with appropriate off-campus living units. The residents of these units must be advised that the unit is neither supervised by nor under the jurisdiction of the University and that the University assumes no responsibility for the program, the facility, or persons associated with the unit.

—Vice President for Student Affairs and Services
—January 26, 1984; Amended 2006

HOVERBOARDS, SKATEBOARDS AND SIMILAR DEVICES

(Ordinance 12.00)

- .01 The Secretary of the Board of Trustees is empowered to establish regulations restricting or prohibiting access to and/or use of University buildings and property in order to provide for the convenient and efficient conduct of the University's affairs, and the management and protection of such buildings and property; such regulations must be posted in the affected areas.

Michigan State University has established policies, ordinances, and regulations to reduce the risk of fire hazards in campus buildings. Given the current risk of fire associated with hoverboards and the lack of recognized safety standards for such equipment, the Secretary of the Board of Trustees hereby prohibits the use, charging, storage, or possession of hoverboards and other similar equipment in all University buildings.

—Board of Trustees
—Enacted: September 15, 1964

—Amended: May 16, 1969

—Amended: December 10, 1994

—Amended: March 18, 2016

—http://trustees.msu.edu/ordinances/ordinances_sec12.html

(Ordinance 38.00)

- .01 *Coasters, roller skates, roller blades, in-line roller skates, skateboards, and similar devices are restricted. No person on roller skates, roller blades, or a skateboard, or riding in or by means of any coaster, toy vehicle or similar device, shall go upon any roadway except while crossing a street within a crosswalk. In so crossing the street, such person holds the rights and is subject to the duties applicable to pedestrians. No person upon roller skates, roller blades, a skateboard, in-line skates or similar device shall go in or upon any parking ramp, buildings, gardens or any other posted areas. Restricted areas will be clearly marked.

* Denotes Civil Infraction

—Board of Trustees

—Enacted: April 14, 1995

—Amended: June 14, 1996

—http://trustees.msu.edu/ordinances/ordinances_sec38.html

IDENTIFICATION CARDS

(Administrative Ruling)

1. Each student of Michigan State University is issued an ID card following initial enrollment.
2. The ID card is the property of Michigan State University.
3. The falsification, alteration, or unauthorized transference (loaning) of said ID cards or any other University records or documents may be a violation of *General Student Regulation 5.00*.
4. In case of violation of any rule or regulation of the University or of any local, state, or federal ordinances or laws, students shall, upon demand, surrender said ID cards to the appropriate University authorities charged with the conduct of student affairs or to a member of the MSU Police Department.

—Vice President for Student Affairs and Services

(See also: *General Student Regulation 5.07*.)

MORE ABOUT STUDENT ID CARDS

Library privileges, access to university buildings, access to residence halls including living wings, facilities and classrooms, and purchase of tickets and entry into athletic and entertainment events may require the possession and presentation of the ID card upon request. The card is also used for meal plans and Spartan Cash. The ID card is not transferable for use by another person. You are responsible for all use of your ID card whether authorized or unauthorized. Do not loan your ID card or leave it where it might be used by an unauthorized person. If you lose your ID card, report it lost immediately 24/7 at spartancash.com.

Your first ID card is issued to you at no cost. Replacement cards are \$20.

The ID Office is located in 170 International Center. A government issued photo ID such as a driver's license, state ID or passport is needed to obtain your ID including replacement IDs.

Hours of operation: M-F, 8:00-5:00. For more information, you can call (517) 355-4500 or send an email to ido@msu.edu.

Spouses of registered students may obtain IDs entitling them to certain privileges. The student and spouse must appear together in person in 170 International Center and present the student's MSU ID card and proof of marriage. There is no charge for the initial ID. A replacement card for a spouse costs \$5.

INSURANCE

(Administrative Ruling)

MSU medical students, veterinary medical students, and international students are required to have a minimum level of health insurance coverage. These students have the option of waiving the MSU sponsored student insurance plan and may purchase other coverage that meets the waiver requirements. Students may apply for a waiver using their StuInfo account at <https://stuinfo.msu.edu>.

If the waiver is accepted by the deadline, the insurance

charge will be removed from the student's tuition bill for the period requested. If the waiver is not accepted by the deadline, the insurance charge will remain on the student's tuition bill and the student will automatically be enrolled in the insurance plan for fall or spring semester.

Graduate assistants are automatically enrolled in the MSU sponsored student health insurance plan and the insurance premium will be paid by MSU. If a graduate assistant would like to waive coverage, they must demonstrate they have comparable coverage and submit a waiver.

Requirements for the minimum level of health insurance coverage may be found at <http://hr.msu.edu/benefits/studenthealth/studentplan.htm>.

For more information about the waiver process and the waiver requirements go to <http://hr.msu.edu/benefits/studenthealth/WaiverRequirements.htm>

—Office of the President

—September 4, 1962

—Amended 1999, 2013, 2014

INTEGRITY OF SCHOLARSHIP AND GRADES

(All-University Policy)

(Note: This policy is not applicable to students in the MSU College of Law degree programs. The Law College follows American Bar Association requirements and the Law Students Rights and Responsibilities document, <http://grad.msu.edu/lrr/>.)

The following statement of university policy addresses principles and procedures to be used in instances of academic dishonesty, violations of professional standards, and falsification of academic or admission records, herein after referred to as academic misconduct.

1. The principles of truth and honesty are recognized as fundamental to a community of scholars. The university expects both instructors and students to honor these principles and, in so doing, to protect the validity of university education and grades. Practices that maintain the integrity of scholarship and grades include providing accurate information for academic and admission records, adherence to unit-approved professional standards and honor codes, and completion of original academic work by the student to whom it is assigned, without unauthorized aid of any kind. To encourage adherence to the principles of truth and honesty, instructors should exercise care in planning and supervising academic work, and implement proctoring standards appropriate to the design of the course.
2. If an instructor alleges a student has committed an act of academic misconduct, the instructor is responsible for taking appropriate action. Depending on the instructor's judgment of a specific instance, the instructor may give the student a penalty grade. A penalty grade may be a reduced score or grade for the assignment or a reduced grade for the course. [For a definition of "penalty grade," see *Student Rights and Responsibilities* (SRR) Article 11 and *Graduate Students Rights and Responsibilities* (GSRR) Article 8.1.18.]

3. When an instructor gives an undergraduate or graduate student a penalty grade for academic misconduct, the instructor must complete and submit an Academic Dishonesty Report (available on the Registrar's Form Menu under Instructor Systems). The report will be sent to the student, the student's dean, the Dean of the Graduate School (for graduate students) or Dean of Undergraduate Studies (for undergraduate students) and be added to the student's academic record provisionally. It will remain in the student's record unless: a) the student successfully grieves the allegation; b) the instructor filing the report requests it be removed; or, for undergraduates only, c) upon conferral of their degree if only one report has been filed, the student has successfully completed the required course on academic integrity, and no additional sanctions were requested.
4. When completing the Academic Dishonesty Report, if the instructor gives a failing grade in the course, the instructor may request the student's academic dean to impose sanctions in addition to the failing grade.
5. When in the judgment of the student's academic dean, a sanction in addition to a penalty grade is warranted (e.g., dismissal from a unit or program), the dean may call for an academic disciplinary hearing. In calling for an academic disciplinary hearing, the student's academic dean may act independently or in response to a request by the instructor. [See SRR 7.V., GSRR 5.5., and Medical Student Rights and Responsibilities (MSRR) 5.3.]
6. A student accused of academic misconduct may request an academic grievance hearing to contest the allegation before the appropriate hearing board. In cases involving academic misconduct, no student may be dismissed from a course or program of study without an academic disciplinary hearing.
7. On the first offense of academic misconduct, the student must complete an educational program on academic integrity and academic misconduct provided by the Dean of Undergraduate Studies for undergraduate students or the Dean of the Graduate School for graduate students.
8. In cases involving undergraduate students in which the student's academic dean, or designee, calls for an academic disciplinary hearing, the student's academic dean will refer the case to the Dean of Undergraduate Studies. The Dean of Undergraduate Studies will notify the student in writing of the call for a disciplinary hearing and will invite the student to a meeting to determine the appropriate judiciary for the hearing. (See SRR Article 7.V.)
9. In cases involving graduate students in which the student's academic dean, or designee, calls for an academic disciplinary hearing, the student's academic dean will inform the student and then refer the case to the Dean of the Graduate School. The Dean of the Graduate School will notify the student in writing of the call for a disciplinary hearing and will invite the student to a meeting to discuss the hearing process. (See GSRR 5.5.)
10. Either party may appeal a decision of an administra-

tive disciplinary hearing or a disciplinary hearing board to the appropriate appellate board. (See SRR 7.VII., GSRR 5.4.12., and MSRR 5.8.)

(See also: *General Student Regulation 1.00, Protection of Scholarship and Grades; Spartan Code of Honor Academic Pledge; Graduate Student Rights and Responsibilities, Article 5; or Medical Student Rights and Responsibilities, Article 5.*)

—Academic Council

—Academic Senate

—November 18, 1969, Revised July, 1990

—Editorial revisions as printed in *Academic Programs*
2000

—Revised February 24, 2009

—Board of Trustees, February 12, 2010, Effective August
16, 2011

—Revised by University Committee on Graduate Studies,
November 10, 2014

—Revised by University Committee on Graduate Studies
and approved by University Committee on Undergraduate
Education, January 15, 2015

—Academic Governance, Revised March 17, 2015

LIBRARY POLICY

(Administrative Ruling)

The library lending policies and borrower responsibilities is available at www.lib.msu.edu/about/policy-lendingall/.

(See also: *General Student Regulation 4.00 and 5.00.*)

MANDATORY ASSESSMENT AND INVOLUNTARY WITHDRAWAL POLICY

(Administrative Ruling)

I. PURPOSE

Michigan State University has established a Mandatory Assessment and Involuntary Withdrawal Policy for the purpose of maintaining a campus environment conducive to student learning, academic achievement, individual responsibility, and respect for the rights and privileges of all members of the University community.

This Policy codifies the University's long-standing practice of utilizing a non-disciplinary process to address the rare and unusual situation when a student's mental or physical health poses a direct threat to his/her health and safety or that of others.

II. COVERED BEHAVIOR

The University, through its Vice President for Student Affairs and Services or designee (hereinafter, the "Vice President"), may require a student to complete a mandatory assessment pursuant to the process outlined in

this Policy if the Vice President has been presented with a credible report that the student, for reasons pertaining to mental or physical health, poses a direct threat to his/her health and safety or that of others.¹

This Policy is not intended to address public health emergencies. Students are subject to the Public Health Code, as well as other State laws and University policies, in a public health emergency.

III. PROCEDURES

In the event that the conditions set forth in Section II of this Policy are met, the Vice President may initiate the following procedures:²

A. Mandatory Assessment

The Vice President will require the student to undergo an assessment with a health professional designated by the University within a specified period of time. The purpose of the assessment is to ascertain whether the student poses an immediate and direct threat to his/her health and safety or that of others. At this assessment, the student may be asked to sign a release of information³ to allow the health professional conducting the assessment to communicate with the student's treating physician or mental health professional (if applicable) to allow for a comprehensive evaluation of whether the student poses such a direct threat. The student's parents/guardians may also be notified of the decision to require a mandatory assessment.

B. Emergency Interim Suspension

The Vice President may temporarily suspend a student from the University and/or restrict the student's access to the University's campus, housing, services, or activities when the conditions set forth in Section II have been met and (1) a mandatory assessment is pending or (2) the student has failed to complete the mandatory assessment within the allotted time. This emergency interim suspension will remain in effect until there is a final determination of the matter by the Involuntary Medical Withdrawal Hearing Board under Section III.C.3 below.

Prior to imposing an emergency interim suspension, the Vice President shall make reasonable efforts to provide the student with written notice of the proposed action and an opportunity to meet with the Vice President. The Vice President's decision to implement an emergency interim suspension will be communicated in writing to the student, the dean of the student's primary academic unit (if applicable), and administrators of other University units (e.g., Residence Education and Housing Services, Campus Living Services) as appropriate. The student's parents/guardians may also be notified of the decision to implement an emergency interim suspension.

1 A "direct threat" exists when a student engages, or threatens to engage, in behavior that poses a significant risk to the health or safety of the student or others. A "significant risk" exists when there is a high probability of substantial harm and not just a slightly increased, speculative, or remote risk.

2 Nothing in this Policy precludes the Vice President from temporarily suspending a student pursuant to the *Student Rights and Responsibilities* if the circumstances warrant such a suspension.

3 If the student chooses not to sign the release, the health professional will proceed with the assessment based on the information available to him/her.

If an emergency interim suspension is imposed, the Vice President shall promptly refer the case to the Involuntary Medical Withdrawal Hearing Board ("Hearing Board") to decide whether to withdraw the student from the University or grant reinstatement.

C. Involuntary Medical Withdrawal Hearing

The Vice President may refer a student for a hearing before the Involuntary Medical Withdrawal Hearing Board pursuant to Section III.B. of this Policy or if the health professional who conducts the mandatory assessment concludes that a significant risk exists that the student will cause harm to himself/herself or to others.

1. Hearing Board Composition

The Members of the Hearing Board will be the Dean of the Graduate School or the Dean of Undergraduate Studies (depending on the graduate or undergraduate status of the student), the Director of the Counseling Center, a University psychiatrist, and the Associate Vice President for Student Affairs and Director of Student Life ("Associate Vice President") (or their designees). The Associate Vice President will serve as the Chair of the Hearing Board.^{4, 5}

2. Hearing Process

The Chair of the Hearing Board shall convene the Hearing Board to determine whether the student should be required to withdraw from the University. The role of the Hearing Board is to provide an individualized and objective evaluation of the student's ability to safely participate in the University's programs or activities based on the most relevant current medical knowledge and best available objective evidence. The Hearing Board will assess the nature, duration, and severity of the risk posed by the student; the probability that the potentially dangerous behavior will actually occur; and whether any reasonable exception to applicable policies, practices, or procedures would sufficiently mitigate the risk.⁶ In conducting its assessment, the Hearing Board will review the student's medical and behavioral history and determine whether the behavior is persistent and/or high acuity.

Upon receiving a referral from the Vice President, the Chair of the Hearing Board shall provide the student with written notice of the date of the scheduled hearing and a copy of the Hearing Board procedures. At the hearing, the student will be permitted to present the results of any medical evaluations (including from a health professional of the student's choice) and any other information or witnesses relevant to the direct threat finding.

3. Findings

Following the hearing, the Hearing Board will issue a written decision stating whether the student should be withdrawn from the University, the reasons for its decision, and any requirements the student must meet prior to applying for readmission if the student is withdrawn. A copy of this decision will be provided to the student and the Vice President.

If the Hearing Board finds that the conditions set forth in Section II of this Policy have been met, the student will be involuntarily withdrawn from the University. The Vice President will notify the student in writing of the effective date of the withdrawal,⁷ the specific requirements the student must meet to apply for readmission to the University, and the student's right to appeal the decision to the Provost. A copy of this notice will be sent to the dean of the student's primary academic unit (if applicable) and the University Registrar. The Vice President may also give written notice of the withdrawal to the student's parent(s) or guardian(s).

If the Hearing Board finds that the conditions set forth in Section II of this Policy have not been met because it has identified reasonable accommodations or mitigating measures which will allow the student to safely remain in some or all activities or programs of the University, the Hearing Board will identify such accommodations, mitigating measures, activities, and programs in its decision. The Vice President may mandate that the student comply with requirements or measures identified by the Hearing Board. If the student fails to comply with any such requirements or measures, the student may be placed on an emergency interim suspension, and the Hearing Board will be reconvened to reconsider its decision.

If the Hearing Board determines that the standards for withdrawal have not been met, the Office of Student Affairs and Services shall assist a student who has been placed on an interim suspension to resume his/her studies immediately and provide assistance regarding any coursework the student missed while on suspension.

4. Appeal

Within seven calendar days from the date of the Hearing Board's decision, a student may file a written appeal with the Provost. The Provost will review the student's written appeal and notify the student of his/her decision in a timely manner. The Provost's decision is final.

5. Readmission

A student seeking readmission to the University

⁴ The Hearing Board may seek advice from other University offices where appropriate (e.g., MSU Police Department, Office of the General Counsel, Residence Education and Housing Services, or the Resource Center for Persons with Disabilities).

⁵ The Vice President may appoint a substitute for any of the hearing panel members if, in the Vice President's judgment, the hearing panel member has a conflict of interest that would adversely affect that member's ability to render a fair and impartial decision.

⁶ If the student cannot be present at the hearing due to circumstances beyond the student's control, the Chair of the Hearing Board may either reschedule the hearing or conduct the hearing in the student's absence. If the student chooses not to be present, the Chair of the Hearing Board shall conduct the hearing in the absence of the student.

⁷ The Hearing Board may designate an effective date of the withdrawal that reflects the point in the semester when the conditions set forth in Article II of this Policy were met, or the Hearing Board may use the hearing date as the effective date of withdrawal.

after an involuntary withdrawal must be able to demonstrate that (1) he/she can participate in the University's programs without posing a danger to himself/herself or others, (2) he/she meets all relevant academic requirements for his/her readmission, and (3) he/she has met any requirements for readmission imposed by the Hearing Board.

A student seeking readmission must submit the following documents to the Vice President:

- A written request⁸ for readmission, consistent with requirements established by the Hearing Board;
- A completed Readmission Questionnaire⁹ for the Hearing Board from his/her attending physician or licensed mental health professional. The Hearing Board may also require the student to undergo an evaluation by a medical professional designated by the Hearing Board prior to readmission. The student will be responsible for the cost of this evaluation
- A signed release authorizing review of his/her medical records, including the Readmission Questionnaire, by the medical professionals designated by the University.

Once the Hearing Board has received the student's signed release, medical records, and any other materials the student was required to supply as a condition of readmission, the Hearing Board will convene to review the student's request for readmission.

The Hearing Board will determine whether it will request that the student meet with it. The Chair of the Hearing Board will notify the student in writing of the Hearing Board's decision in a timely manner. The student may appeal this decision to the Provost by submitting a written appeal to the Provost within seven (7) calendar days of the Hearing Board's decision. In the event of such an appeal, the Provost's decision is final.

If the student refuses to undergo a medical evaluation, provide authorization to review his/her medical records, or submit any other required information, the Hearing Board may deny the student's request for readmission.

6. Other Action

Actions taken under this Policy do not affect the student's obligation to comply with other University policies or the sanctions to which the student may be subject for violation of any such policies.

7. Advice

At any time during the process described in this Section III, the student may contact the Office of the Ombudsman for advice.

—Vice President for Student Affairs and Services

—Enacted January 28, 2010

OFFICER ELIGIBILITY—STUDENT ORGANIZATIONS

As stated in the *Student Organization Registration Policy*

⁸ Written requests must be received by the Hearing Board at least 30 days prior to the semester in which the student wishes to return.

⁹ The student may obtain a Readmission Questionnaire from the Office of the Vice President.

only students registered at Michigan State University may hold an office in a registered student organization. Honoraries and professional organizations may request that this requirement be waived, so that Michigan State University faculty and staff may hold office in these organizations. Other than these provisions, the University does not stipulate any eligibility requirements for students holding an office. Each registered student organization and each living unit organization is encouraged to develop the eligibility requirements for its officers.

OUTSIDE SPEAKERS SPONSORED BY REGISTERED STUDENT ORGANIZATIONS

(All-University Policy)

- I. Preamble
- II. Policy
- III. Procedures
- IV. Other Policies
- V. Questions/Complaints
- VI. History

I. PREAMBLE

Michigan State University is committed to the principles of free speech and free expression embodied in the 1st Amendment to the Constitution of the United States. Freedom of speech is central to academic freedom and the related notion that a university should be an open marketplace for the exchange of ideas.

The University also has a longstanding commitment to the principles of freedom of inquiry and freedom of dissent. These freedoms are vital to a robust intellectual exchange and the pursuit of knowledge. Different and competing views expressed as part of this exchange may cause discomfort or even offend members of the campus community. The University does not impose restraints on speech for these reasons, including the speech of outside speakers. The University will respond to situations involving disruption of University activities, violence, or other illegal activity, which results from the remarks of outside speakers and to comments or actions by outside speakers which are themselves illegal.

II. POLICY

Registered student organizations may sponsor a group or individual to speak on campus, subject to the following provisions:

- A. A student organization which has been properly registered under University policies must sponsor the speaker.
- B. Public announcements concerning the speaker must contain statements that clearly and accurately identify the speaker, the sponsoring organization, the subject of the speech, and whether admission to the event at which the speech will occur is restricted to members of the organization or open to the University community or the general public.

Free Speech Rights and Responsibilities: President's Statement

Fundamental to MSU's philosophy on campus dissent is a belief that the rights guaranteed in the First and Fourteenth amendments of the Constitution must be protected. The university has worked for decades to establish a community consensus on the scope of intellectually productive and constitutionally protected dissent, and to distinguish it from impermissible disruption.

Michigan State University is a community of scholars whose members include its faculty, staff, students, and administrators. The basic purposes of the University are the advancement, dissemination, and application of knowledge. The most basic condition for the achievement of these purposes is freedom of expression and communication. Without this freedom, effective sifting and testing of ideas cease, and research, teaching, and learning are stifled.

The robust exchange of ideas and perspectives can be indicative of a healthy intellectual environment. However, actions which directly or indirectly inhibit the freedoms and rights enjoyed by others are anathema to maintenance of a collegial environment.

— President Lou Anna K. Simon

For more from President Simon on free speech rights and responsibilities, please visit <http://president.msu.edu/communications/statements/free-speech.html/>.

- C. During the speech, the speaker must not violate any law (including any University ordinance) or incite the audience to take action which is illegal.
- D. Adequate time must be provided for questions and answers at the conclusion of the speaker's remarks for all events open to the University community or the general public.
- E. The University reserves the right to regulate the time, place, and manner of any speech sponsored by a registered student organization under this Policy to prevent interference with other University activities and to ensure that the event complies with applicable safety and security requirements, such as occupancy limitations and maintaining access to or egress from buildings in the event of fire or another emergency.

It is the responsibility of the sponsoring organization to inform its speaker of these provisions.

III. PROCEDURES

The Vice President for Student Affairs and Services shall develop procedures consistent with this Policy for registered student organizations to sponsor outside speakers.

IV. OTHER POLICIES

Events under this Policy are subject to other University policies, including, without being limited to, *Ordinance 15.00 Disorderly Assemblages or Conduct*¹ and the *All-University Policy for Use of Michigan State University Facilities and Services*.

V. QUESTIONS/COMPLAINTS

Questions regarding this Policy should be directed to

the Vice President for Student Affairs and Services.

Complaints alleging that a registered student organization has violated this Policy should be filed pursuant to the *Registered Student Organizations* student group regulation or the *Michigan State University Student Rights and Responsibilities*.² A registered student organization found to be in violation of this Policy is subject to the possible sanctions outlined in those documents.

Complaints alleging that a speaker has violated this Policy should be filed with the Vice President for Student Affairs and Services. An outside speaker who violates this Policy may be restricted from speaking at future events on campus.

Complaints of unlawful activity should be filed with the MSU Police Department.

VI. HISTORY

This Policy was approved by the Board of Trustees on December 14, 1962 and revised on June 19, 2009.

PARADES, PROCESSIONS, AND SOUND TRUCKS

(Ordinance 39.00)

- .01 No funeral, procession, parade, excepting the forces of the United States Armed Services, the military forces of this State and the forces of the police and fire department shall occupy, march or proceed along any street or roadway except in accordance with a permit and such other regulations as are set forth herein which may apply. No sound truck or other vehicle equipped with amplifier or loudspeaker may be used unless written authorization is obtained as indicated

¹ The MSU Police Department follows its *Dissent and Disruption* protocol when responding to disruptions at campus events involving outside speakers.

² Complaints involving outside speakers sponsored by individuals or groups other than registered student organizations are processed by the unit administrator that has oversight for the sponsoring individual/organization.

in (Ordinance) Section 2.03 (from the Secretary of the Board of Trustees). (NOTE: See *Public Address Equipment* for information regarding this authorization.)

—Board of Trustees

—April 14, 1995

—http://trustees.msu.edu/ordinances/ordinances_sec39.html

Permits to conduct parades or processions are obtained by individual registered students and registered student organizations according to the following all-University policy:

- a. Permission to conduct parades and processions must be secured in the following order: 1) president of ASMSU; 2) Department of Student Life; 3) MSU Police Department. (Forms for this permission can be obtained in the Student Life Office, 101 Student Services Building.)
- b. If any portion of the route involves travel on an East Lansing street, permission must also be secured from the East Lansing Police Department.
- c. The person applying for the permission to conduct a parade or procession will be held responsible for proper conduct of those persons participating in the event.
- d. There shall be no more than 12 vehicles in the procession and they shall not stop along the route except as necessary to comply with traffic laws. Drivers of the vehicles will be held responsible for compliance with the current motor vehicle regulations and traffic ordinances.
- e. Noise-making equipment shall be operated only when the parade or procession is moving.
- f. Parades and processions may be held on weekdays only between 5:30 p.m. and 6:30 p.m.

PLANT MATERIALS

(Ordinance 24.00)

- .01 No person shall break or cut branches or flowers or fruit, or otherwise damage or mutilate any tree, shrub, herbaceous plant, or flower upon property governed by the Board of Trustees, or remove from the same any identification tag or sign.
- .02 Plant samples for teaching and research may be collected from University property in Ingham County with a permit issued by the Secretary of the Board of Trustees or his or her designee.

(See also: *General Student Regulation 4.00.*)

—Board of Trustees

—September 15, 1964

—Revised December 10, 1994

—Revised April 14, 1995

—http://trustees.msu.edu/ordinances/ordinances_sec24.html

PUBLIC ADDRESS EQUIPMENT

1. Mobile Sound Units — Sound Trucks

As stated in Ordinance 39.00, written authorization from the Office of the Secretary of the Board of Trustees, 450 Administration Building, must be obtained before

a sound truck or other vehicle equipped with amplifier or loudspeaker may be used on the Michigan State University campus. An *Activity Planning Form* should be obtained from the Student Life Center, 101 Student Services Building, before contacting the Office of the Secretary of the Board of Trustees for written authorization. The following rules govern the use of sound trucks and/or mobile sound units.

- a. The sound equipment may be used on campus only between 5:30 p.m. and 6:30 p.m. (Depending on the location of the equipment and the event, exceptions to this time limit may be recommended by the Department of Student Life.)
- b. Permission must be obtained from the East Lansing authorities if the equipment is used in East Lansing proper.

2. Public Address Equipment

University ordinance 15.04 states the following:

... No person shall use public address equipment, bullhorns, or other methods of sound amplification anywhere upon the campus except through written permit by the Secretary of the Board of Trustees.

The following guidelines govern the implementation of this ordinance.

Guidelines for Use of Public Address Equipment (Administrative Ruling) (Applicable to University employees as well as students)

a. Students

- 1) Under Ordinance 15, the use and location of public address equipment, including bullhorns or other methods of sound amplification, at outdoor events must be approved by the Office of the Secretary of the Board of Trustees. An *Activity Planning Form*, available in the Student Life Center, 101 Student Services Building, must be completed and signed by the Department of Student Life prior to seeking approval.
- 2) In general, approval for the use of public address equipment will be granted if it would not be disruptive to on-going functions of the University, such as faculty and administrative offices, libraries, classroom teaching, and other scheduled University events. Guidelines for approving requests are as follows:
 - a) The use of public address equipment for rallies and outdoor speakers is limited to the vicinity of Beaumont Tower. Any one event is limited to 4 hours within the following hours:
Monday-Thursday—8:00 a.m.-10:00 p.m.
Friday-Saturday—8:00 a.m.-midnight
Sunday—1:00 p.m.-6:00 p.m.
The use of public address equipment for concerts in the vicinity of Beaumont Tower is not permitted.
 - b) The use of public address equipment for rallies, speakers, and concerts in residential areas of the campus must have the approval of the students, advisory staff, and area director within the residential location requested. Any

one event is limited to 4 hours within the following hours:

Friday—6:00 p.m.-12:00 midnight

Saturday—12:00 noon-12:00 midnight

Sunday—1:00 p.m.-7:00 p.m.

- c) The use of public address equipment for rallies, speakers, and concerts in other campus locations is permitted if the use and event does not conflict with a prior scheduled event or on-going functions of the University. Any one event is limited to 4 hours during the following hours:

Saturday-Sunday—12:00 noon-6:00 p.m.

- d) Any exceptions to the above guidelines must have the recommendation of the Office of the Vice President for Student Affairs and Services and be approved by the Secretary of the Board of Trustees.

- 3) For information on the use of sound trucks and other mobile units see *Public Address Equipment and Ordinance 39.00*. In general, their use is restricted to the period from 5:30 p.m. to 6:30 p.m.
- 4) The use of temporary or permanent public address systems within University buildings for concerts, dances, rallies, demonstrations, and student meetings must be approved by those responsible for the scheduling or management of the building.
- 5) Development of policies concerning the use of equipment such as stereos, radios, and musical instruments inside the residence halls is the responsibility of the residence hall government, the Residence Education and Housing Services staff, and residence hall management.

b. Non-Students

- 1) Faculty, staff, and others should contact the Office of the Secretary of the Board of Trustees, 450 Administration Building, concerning their request for public address equipment. A form will be available for those requesting authorization to use public address equipment.
- 2) In general, approval for the use of public address equipment at outdoor events will be granted if it would not be disruptive to ongoing functions of the University, such as faculty and administrative offices, research and laboratory facilities, libraries, classroom teaching, and other scheduled University events. Locations for use of equipment will be assigned or approved accordingly.

—Office of the Vice President for Student Affairs and Services

—Office of Secretary of the Board of Trustees

—April 26, 1972

—http://trustees.msu.edu/ordinances/ordinances_sec39.html

RECORDS

1. Guidelines Governing Privacy and Release of

Student Records

These guidelines are printed in *Academic Programs* and on the web at www.reg.msu.edu.

2. Student Personnel Records—Graduate and Undergraduate.

The comprehensive policy governing the keeping and use of Student Personnel Records is available from the Office of the Vice President for Student Affairs and Services. General principles governing student records are enumerated in Article 3 of *Michigan State University Student Rights and Responsibilities*.

(See also: *General Student Regulation 5.00*.)

REGISTERED STUDENT ORGANIZATIONS

(Student Group Regulation)

A. Introduction

An MSU registered student organization is a volunteer group comprised of enrolled students organized to obtain certain goals and objectives. The goals and objectives of these organizations are met through educational, social, cultural, religious, or philanthropic activities. These activities should enhance and support MSU students, the University, and the community. Membership in organizations benefits students' growth and education while attending the University.

The University acknowledges the importance registered student organizations have on campus. As such, these organizations have the use of University facilities and services to assist them in meeting their goals and objectives.

It is the responsibility of each registered student organization to adhere to the mission of this University and its supporting bylaws and statutes. An organization's goals, objectives, and activities are not to deviate from established University policies or regulations.

Due to the cyclical nature in the goals and objectives of these organizations, the Vice President for Student Affairs and Services, or his/her designee, shall review this document every five years (starting in 1991) with ASMSU, COGS, and other appropriate student groups.

B. Registration Requirements

1. In order to exercise the privileges accorded registered student organizations, a student group which is not a living-unit organization must register with the Student Affairs and Services Division.
2. Registration shall be valid from the date of registration until the end of the second week of the succeeding fall semester. **Student Organizations Must Register Each Year.** Registration for an academic year can begin as early as August 1 of the previous academic year.
3. Registered Student Organizations must have an advisor(s).
 - a. For undergraduate organizations, an advisor must be a MSU faculty member, staff member, or graduate student. For graduate student organizations, the advisor must be a MSU faculty or staff member.

- b. Advisors must sign an agreement form acknowledging their understanding of advisor responsibilities.
4. A constitution must be included in the organization's file. A written constitution must provide:
 - a. A statement of purpose.
 - b. Eligibility of voting membership including that only students registered with Michigan State University are eligible to be officers and/or voting members.
 - c. Necessary operating procedures such as committees, rules of order, etc.
 - d. That the organization agrees to abide by the terms of the University's Anti-discrimination policy.
 - e. Procedures for amending the constitution.
5. To be registered, a student organization must also file the following information with the Student Affairs and Services Division:
 - a. The name of the organization.
 - b. The names, addresses, phone numbers, and student numbers of four members including the organization's officers and their titles.
 - c. The purpose of the organization.
 - d. The name(s) of the advisor(s).
(NOTE: Sample constitutions and registration forms will be available through the Division of Student Affairs and Services.)
6. The Student Affairs and Services Division and the organization's advisor must be notified of any change made in the original required information. The information must be presented within four weeks after an organization has instituted the change.
7. If the required information is not submitted, a group will be denied registration.
8. Registered student organizations may also submit (if available) to the Student Affairs and Services Division the following information:
 - a. Notification of national affiliations.
 - b. Notification of dates, times, and locations of regularly scheduled meetings.
 - c. Notification of dates, times, and locations of regular and special activities for the following year.
9. No organization may have its registration denied or suspended on the grounds of its beliefs or its attitude except that an organization's goals, objectives, and activities are not to deviate from established University policies or regulations.
10. A student organization may have its registration suspended if:
 - a. The organization is found to be in violation of submitting falsified required information by the Student Affairs and Services Division.
 - b. The organization is found to be in violation of an ordinance or written policy or regulation of Michigan State University by the Student Affairs and Services Division.
11. Any or all parts of a decision by Student Affairs and Services Division personnel to suspend the registration of a student organization may be appealed to the

All-University Student Judiciary. The student organization can continue to operate within University guidelines, procedures, and regulations until the appeals process is exhausted.

12. Upon request, a student organization will be provided with a list of University facilities and services available to qualifying registered student organizations.

—Associated Students of Michigan State University
 —Council of Graduate Students
 —University Committee on Student Affairs
 —Vice President for Student Affairs and Services
 —September 1, 1968, Amended, June 1980,
 —Revised, June 6, 1986

RELATIONSHIP VIOLENCE & SEXUAL MISCONDUCT, POLICY ON

(All-University Policy)

- I. Introduction
- II. Applicability and Prohibition
- III. Gender Discrimination
- IV. Title IX Coordinator
- V. Office of Institutional Equity (OIE)
- VI. Relationship Violence and Sexual Misconduct
- VII. Relationship Violence
- VIII. Sexual Misconduct
- IX. Victim Assistance
- X. Privacy and Confidentiality
- XI. Violations: Complaint Procedures
- XII. Additional Information and Resources
- XIII. Annual Crime Reporting and Timely Warnings
- XIV. Policy History
- XV. Links to Appendices

I. Introduction

Michigan State University is committed to maintaining a learning and working environment for all students, faculty, and staff that is fair, humane, and responsible - an environment that supports career and educational advancement on the basis of job and academic performance. Relationship violence and sexual misconduct subvert the mission of the University and offend the integrity of the University community. Relationship violence and sexual misconduct are not tolerated at Michigan State University.

The University will respond to complaints, reports, or information about incidents of relationship violence and sexual misconduct to stop the prohibited conduct, eliminate any hostile environment, take steps to prevent the recurrence of the prohibited conduct, and address any effects on campus or in any University programs and activities regardless of location.

The purpose of this policy is to define relationship violence and sexual misconduct, describe the process for reporting violations of the policy, outline the process used to investigate and adjudicate alleged violations of policy, and identify resources available to members of the University community who are involved in an incident of relationship violence or sexual misconduct.

II. Applicability and Prohibition

This policy applies to all members of the University community - faculty, staff, and students – regardless of gender, sexual orientation, or gender identity. Members of the University community shall not engage in relationship violence or sexual misconduct against employees, students, or third parties.¹ Persons who do so are subject to disciplinary action, up to and including discharge for employees and dismissal for students. The University also prohibits sexual misconduct by third parties towards members of the University community. The University prohibits retaliation, including retaliatory harassment, against individuals who report relationship violence or sexual misconduct or who participate in the University's investigation and handling of such reports.

This policy applies to all forms of relationship violence, stalking, and sexual misconduct committed by or against a member of the University community when:

- The conduct occurs on campus;
- The conduct occurs off-campus in the context of University employment, education, or research programs or activities, including but not limited to MSU-sponsored study abroad, internships, graduate/professional programs, intercollegiate athletics, or other affiliated programs; and/or
- The conduct occurs off-campus outside the context of a University program or activity but has continuing adverse effects on campus or in any University program or activity.

III. Gender Discrimination

Title IX of the Educational Amendments of 1972 prohibits gender discrimination at institutions of higher education. The University prohibits gender discrimination in any of its programs or activities. Sexual harassment, including sexual assault and other kinds of sexual violence, is a form of gender discrimination. This policy and its related procedures apply to complaints alleging all forms of gender discrimination (including sexual harassment, sexual assault, and sexual violence) against employees, students, and third parties. For the purposes of this policy, references to sexual misconduct include all forms of sex discrimination, including sexual and gender-based harassment, assault, and violence.

IV. Title IX Coordinator

The University's Title IX Coordinator oversees the University's gender equity work to ensure compliance with Title IX, including its grievance procedure, education/prevention efforts, and training. The Title IX Coordinator reviews information about relationship violence and sexual misconduct complaints to identify and address any patterns or systemic problems that arise during the review of such complaints. The Title IX Coordinator is available to meet with any member of the University community or campus organization that would like to discuss the University's Title IX compliance or work involving matters of sex

discrimination, including sexual and gender-based harassment, assault, or violence.

Contact Information:

Paulette Granberry Russell
Office for Inclusion and Intercultural Initiatives
114 Olds Hall
East Lansing MI 48824
(517) 353-3924
inclusion@msu.edu

V. Office of Institutional Equity (OIE)

The Office of Institutional Equity (OIE) is responsible for the University's compliance with federal and state laws and University policies and procedures regarding discrimination, harassment, relationship violence, stalking, and sexual misconduct. The Office is responsible for investigating all allegations of prohibited discrimination and harassment, relationship violence, stalking, and sexual misconduct, and provides training to recognize and prevent such incidents. The Office also collaborates with other campus offices to encourage best practices to promote a culture of inclusion. The Director of the office is designated as the Deputy Title IX Coordinator for Investigations. The Deputy Title IX Coordinator for Investigations is available to advise any individual, including the claimant, respondent, or a third party, about University and community resources and reporting options and is available to provide assistance to any University employee regarding how to respond appropriately to a report of relationship violence, sexual misconduct, or stalking.

Contact Information:

Office of Institutional Equity
4 Olds Hall
East Lansing MI 48824
(517) 353-3922
oie@msu.edu

VI. Relationship Violence and Sexual Misconduct

"Relationship violence" and "sexual misconduct" are broad terms that encompass sexual harassment, sexual violence, domestic violence, dating violence, and stalking. Definitions for each of these terms are provided below.

VII. Relationship Violence

"Relationship violence" is a broad term that encompasses domestic violence, dating violence, and stalking. Definitions for each of these terms are provided below.

A. Domestic Violence

Domestic violence is defined as an act of violence² committed by any of the following individuals:

- A current or former spouse or intimate partner of the victim
- A person with whom the victim shares a child in common
- A person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner

¹ A third party is an individual who is not a member of the University community (faculty, staff, or student) such as a visitor or guest, contractor, alum, or student from another institution.

² It is important to note that domestic violence often includes ongoing emotional, psychological, and fiscal abuse. While this Policy addresses physical acts of domestic violence, individuals experiencing other facets of relationship violence should seek help from campus resources, regardless of whether the abuse is occurring on campus.

- A resident or former resident of the victim's household³

An incident of domestic violence can consist of a single act of violence⁴ or a pattern of violent acts that includes, but is not limited to, sexual or physical abuse.⁵

B. Dating Violence

Dating violence is defined as an act of violence⁶ committed by a person who is or has been in a social relationship of a romantic or intimate nature with the victim that does not fall within the definition of "domestic violence". For the purposes of this definition:

- Whether the relationship is of a romantic or intimate nature is determined by a variety of factors, including the length of the relationship, the type of relationship, and the frequency of interaction between the persons involved in the relationship.
- A relationship of a romantic or intimate nature means a relationship that is characterized by the expectation of affection or sexual involvement between the parties.
- An incident of dating violence can be a single act of violence or a pattern of violent acts that includes, but is not limited to, sexual or physical abuse,⁷ or the threat to engage in such abuse.

C. Stalking

Stalking is defined as engaging in a course of conduct that is directed at a specific person that would cause a reasonable person to feel fear for herself or himself or for the safety of others, or to suffer substantial emotional distress.⁸

- A "course of conduct" means two or more acts, including, but not limited to, acts in which the stalker directly, indirectly, or through third parties, by any action, method, device, or means, follows, monitors, observes, surveils, threatens, or communicates to or about a person, or interferes with a person's property.
- "Substantial emotional distress" means significant mental suffering or anguish that may, but does not necessarily, require medical treatment or professional

counseling.

- A "reasonable person" means a reasonable person under similar circumstances and with similar identities to the victim.

Stalking includes the concept of cyber-stalking, a particular form of stalking in which electronic media such as the internet, social networks, blogs, texts, cell phones, or other similar devices or forms of contact are used. This policy prohibits all stalking, not just stalking that occurs within the context of a relationship.

VIII. Sexual Misconduct

"Sexual misconduct" is a broad term that encompasses sexual harassment, sexual violence, and sexual exploitation. Definitions of relevant terms and a discussion of First Amendment protections are included below.

A. Sexual Harassment

Sexual harassment is a form of unlawful gender (sex) discrimination. "Sexual harassment" means unwelcome sexual advances, unwelcome requests for sexual favors, or other unwelcome behavior of a sexual nature. Sexual harassment violates University policy when:⁹

1. Submission to such behavior is made, explicitly or implicitly, a term or condition of an individual's employment or status in a course, program, or activity; or
2. Submission to or rejection of such behavior is used as a basis for a decision affecting an individual's employment or participation in a course, program, or activity; or
3. Such behavior is so severe, persistent, or pervasive that a reasonable person would find that it:
 - a. Alters the terms or conditions of a person's employment or educational experience, or
 - b. Unreasonably interferes with an individual's work or performance in a course, program, or activity, thus creating a hostile or abusive working or educational environment.

A person's subjective belief alone that behavior is offensive does not necessarily make that behavior sexual

³ For the purposes of this Policy, individuals are not covered within the scope of this definition solely by virtue of their status as a roommate or former roommate in University housing or as a co-tenant or former co-tenant in off-campus housing shared with other students. Such individuals may, however, face student conduct proceedings or criminal consequences for engaging in such conduct.

⁴ To assess for the presence of "abuse" in the domestic violence context, the following factors are considered: (a) power differential between the parties; (b) existence of fear by either party, tied to specific behaviors that can determine abuse; and (c) context of behavior (e.g., a history of coercive controlling tactics by one party over the other; one party acting in self-defense or in response to recent violations, abuse, threats or coercive tactics).

⁵ Domestic violence is a crime under Michigan law. Specific information about the criminal offense can be found in the Michigan penal code at MCLA § 750.81 and MCLA § 750.81a and in Appendix C.

⁶ Dating violence often includes ongoing emotional, psychological, and fiscal abuse. While this Policy addresses physical acts of dating violence, individuals experiencing other facets of relationship violence should seek help from campus resources, regardless of whether the abuse is occurring on campus.

⁷ Dating violence is a form of domestic violence under Michigan law. Specific information about the criminal offense can be found in the Michigan penal code at MCLA § 750.81 and MCLA § 750.81a and in Appendix C.

⁸ Stalking is a crime under Michigan law. Specific information about the criminal offense can be found in the Michigan penal code at MCLA § 750.411h and MCLA § 750.411i and in Appendix C.

⁹ Discrimination or harassment based on gender that does not involve unwanted sexual attention is prohibited gender discrimination under the University's Anti-Discrimination Policy and is investigated by the Office of Institutional Equity using the same process described in this policy. Gender-based harassment includes harassment based on sex or gender, gender identity, or gender expression, which may include acts of intimidation or hostility, whether verbal or non-verbal, graphic, physical, or otherwise, even if the acts do not involve conduct of a sexual nature.

harassment. The behavior must also be objectively offensive.

In determining whether behavior is sexual harassment, the totality of the circumstances, including the nature of the behavior and the context in which it occurred, must be considered. Sexually harassing conduct often involves a pattern of offensive behavior. A single incident may also constitute sexual harassment, depending on the severity of the conduct and on factors such as the degree to which the conduct affected the student's education or the employee's work environment; the type of conduct; and the relationship between the alleged harasser and the student or employee. The conduct does not have to be directed at a specific person or persons to constitute harassment.

B. Examples of Sexual Harassment

Many kinds of behavior may fit within the preceding definition of sexual harassment. Speech and expressive conduct can also be sexual harassment. The following is a non-exhaustive list of examples of behavior that might fall within the preceding definition of sexual harassment:¹⁰

- Sexual violence, including sexual assault, rape, and sexual exploitation
- Threats or insinuations that lead the recipient reasonably to believe that granting or denying sexual favors will affect her or his reputation, education, employment, advancement, or standing within the University
- Sexual advances, sexual propositions, or sexual demands that are not agreeable to the recipient
- Unwelcome sexually explicit material sent by email, text message, or other electronically transmitted communication
- Sexual misconduct such as stalking, cyberstalking, recording or transmitting sexual images without an individual's permission, and voyeurism
- Unwelcome and persistent sexually explicit statements or stories that are not legitimately related to employment duties, course content, research, or other University programs or activities
- Repeatedly using sexually degrading words or sounds to a person or to describe a person
- Unwanted and unnecessary touching, patting, hugging, or other physical contact
- Recurring comments or questions about an individual's sexual prowess, sexual deficiencies, or sexual behavior

Behavior of a sexual nature that is not sexual harassment may nonetheless be unprofessional in the workplace, disruptive in the classroom, or violate other University policies and, like other behavior that is unprofessional, disruptive, or violates policy, could warrant discipline.

C. First Amendment Protections

¹⁰ These behaviors must meet the definition of sexual harassment contained in Section VIII.A of the policy in order to constitute prohibited sexual harassment.

¹¹ Sexual assault is a crime under Michigan law. Specific information about the criminal offense can be found in the Michigan penal code at MCLA § 750.520 and in Appendix C.

This Policy shall not be interpreted to abridge First Amendment rights or to infringe academic freedom, as defined in the Faculty Handbook, the Faculty Rights and Responsibilities policy, the Outside Speakers Sponsored by Registered Student Organizations policy, and the document entitled Student Rights and Responsibilities at Michigan State University. The protections of the First Amendment must be carefully considered in all complaints involving speech or expressive conduct. The fact that speech or a particular expression is offensive is not, standing alone, a legally sufficient basis to establish a violation of this policy. In order to violate this Policy, speech or expressive conduct must constitute sexual harassment, as defined in Section VIII.A above. Speech or expressive conduct that constitutes sexual harassment is neither legally protected expression nor the proper exercise of academic freedom.

D. Sexual Violence

Sexual violence is defined as a physical sexual act perpetrated without consent. A number of different acts can fall within the definition of sexual violence, including rape and sexual assault.

- "Sexual Assault" is defined as having or attempting to have sexual intercourse or sexual contact with another individual by force or threat of force; without consent; or where that person is incapacitated.¹¹
- "Rape" is defined as sexual penetration, however slight, of another person without that person's consent. Penetration can be of the mouth, vagina, or anus, and can be with a penis, tongue, finger, or foreign object.
- "Sexual intercourse" includes vaginal or anal penetration, however slight, with a body part (e.g., penis, tongue, finger, hand) or object, or oral penetration involving mouth to genital contact.
- "Sexual contact" includes intentional contact with the intimate parts of another, causing another to touch one's intimate parts, or disrobing or exposure of another without permission. Intimate parts may include the breasts, genitals, buttocks, groin, mouth or any other part of the body that is touched in a sexual manner.

E. Sexual Exploitation

Sexual exploitation occurs when an individual takes non-consensual or abusive sexual advantage of another for one's own advantage or benefit, or to benefit or advantage anyone other than the one being exploited. Examples of sexual exploitation include:

- Surreptitiously observing another individual's nudity or sexual activity or allowing another to observe consensual sexual activity without the knowledge and consent of all parties involved, or in which the person observed or induced to perform such act has not attained 18 years of age;

- Non-consensual sharing or streaming of images, photography, video, or audio recording of sexual activity or nudity, or distribution of such without the knowledge and consent of all parties involved, or in which the person recorded or viewed or induced to perform such act has not attained 18 years of age;
- Exposing one's genitals or inducing another to expose their own genitals in nonconsensual circumstances, or in which the person induced to perform such act has not attained 18 years of age;
- Knowingly exposing another individual to a sexually transmitted disease or virus without their knowledge;
- Inducing incapacitation for the purpose of making another person vulnerable to nonconsensual sexual activity;
- Arranging for others to have non-consensual sexual contact with a victim; and
- The recruitment, harboring, transportation, provision, or obtaining of a person for the purpose of a commercial sex act where such an act is induced by force, fraud, or coercion, or in which the person induced to perform such act has not attained 18 years of age.

F. Consent

Consent means the voluntary, willful, and unambiguous agreement to engage in a specific sexual activity during a sexual encounter. Consent cannot be given by someone who is:

- Sleeping;
- Unconscious, unaware, or otherwise mentally or physically helpless because of drugs, alcohol, or other contributing factor ("incapacitated");
- Unable to understand the nature of the sexual activity due to a mental disease or condition ("mentally incapable"); or
- Under duress, threat, deception, coercion, misuse of professional authority/status, or force.

Consent must be clear and communicated by mutually understandable words or actions. Silence, passivity, the absence of resistance, or the absence of a verbal "no" or "stop" does not imply consent, and relying solely on non-verbal communications may result in a violation of this policy. **It is important not to make assumptions.** If confusion or ambiguity arises during a sexual interaction, it is essential that each participant stops and verbally clarifies the other's willingness to continue. Prior consent does not imply current consent or future consent; even in the context of a prior or current relationship, consent must be sought and freely given for each instance of sexual contact.

Consent to any one form of sexual activity does not automatically imply consent to other forms of sexual activity. Consent can be withdrawn at any time during a sexual encounter. Consent to engage in sexual activity with one person does not imply consent to engage in sexual activity with another.

G. Incapacitation

Incapacitation is a state where an individual cannot make an informed and rational decision to consent to engage in sexual activity because the individual lacks

conscious knowledge of the nature of the act (e.g., to understand the "who, what, where, when, why or how" of the sexual interaction) and/or is physically helpless. An individual is also considered incapacitated, and therefore unable to give consent, when asleep, unconscious, or otherwise unaware that sexual activity is occurring.

Incapacitation may result from the use of alcohol and/or other drugs. Consumption of alcohol or other drugs, inebriation or intoxication are insufficient to establish incapacitation. The impact of alcohol and drugs varies from person to person, and evaluating incapacitation requires an assessment of how the consumption of alcohol and/or drugs impacts an individual's:

- Decision making ability;
- Awareness of consequences;
- Ability to make informed judgments; or
- Capacity to appreciate the nature and circumstances of the act.

Evaluating incapacitation also requires an assessment of whether a respondent knew or should have known that the claimant was incapacitated when viewed from the position of a sober, reasonable person.

In general, sexual contact while under the influence of alcohol or other drugs poses a risk to all parties. Alcohol and drugs impair a person's decision-making capacity, awareness of the consequences, and ability to make informed judgments. It is especially important, therefore, that anyone engaging in sexual activity be aware of the other person's level of intoxication. **If there is any doubt as to the level or extent of the other person's intoxication or impairment, the prudent course of action is to forgo or cease any sexual contact or activity.**

Signs of incapacitation may include:

- Slurred speech
- Bloodshot eyes
- Smell of alcohol on breath
- Clumsiness
- Inability to focus
- Confusion
- Shaky balance
- Stumbling or falling down
- Vomiting
- Poor judgment
- Difficulty concentrating
- Combative or emotional volatility
- Outrageous or unusual behavior
- Unconsciousness

Being intoxicated or impaired by drugs or alcohol is never an excuse for misconduct and does not diminish one's responsibility to obtain consent.

IX. Victim Assistance

The University and surrounding communities have a wide range of resources to provide medical, emotional, legal, victim advocacy, and other support to victims of relationship violence or sexual misconduct. A comprehensive list

of campus and community resources and contact information related to sexual assault and other sexual and relationship violence is available online at www.sexualassault.msu.edu, www.endrape.msu.edu, and www.oie.msu.edu. Comprehensive information about relationship violence and stalking can be found at <http://safeplace.msu.edu>. Services offered through the MSU Sexual Assault Program and MSU Safe Place are free and confidential.

The University also provides interim measures it deems necessary during an investigation. Interim measures are those services, accommodations, and other assistance the University puts in place after receiving notice of alleged relationship violence or sexual misconduct but before any final outcomes (investigatory, disciplinary, or remedial) have been determined. Additional information about interim measures, including contact information to request interim measures, is included below in Section XI.L.7.

X. Privacy and Confidentiality

Privacy and confidentiality have distinct meanings under this policy.

A. Privacy

Privacy generally means that information related to a report of prohibited conduct will be shared with a limited circle of individuals who “need to know” in order to assist in the active review, investigation, resolution of the report, and related issues. All University employees who are involved in the University’s Title IX response receive specific training and guidance about safeguarding private information in accordance with applicable laws.

The privacy of student education records will be protected in accordance with the University’s policy for compliance with the Family Educational Rights and Privacy Act (FERPA) and state law protections. The privacy of an individual’s medical and related records generally are protected in the United States by the Health Insurance Portability and Accountability Act (HIPAA), excepting health records protected by FERPA. Access to personnel records is restricted in accordance with University policy and state law.

B. Confidentiality

Confidentiality means that information shared by an individual with designated campus or community professionals cannot be revealed to any other person without express permission of the individual, or as otherwise permitted or required by law. Those campus and community professionals who have the ability to maintain confidential relationships include health care providers, mental health professionals, the sexual assault victim advocate, and ordained clergy, all of whom normally have privileged confidentiality that is recognized by Michigan state law. These individuals are prohibited from breaking confidentiality unless (i) given permission to do so by the person who disclosed the information; (ii) there is an imminent threat of harm to self or others; (iii) the conduct involves suspected abuse of a minor under the age of 18; or (iv) as otherwise required

or permitted by law or court order.

XI. Violations: Complaint Procedures

The University has an obligation to promptly take steps to investigate or otherwise determine what occurred and then to address instances of relationship violence and sexual misconduct when it knows or should have known about such instances, regardless of claimant cooperation and involvement. Therefore, the University encourages persons who believe that they have experienced relationship violence or sexual misconduct to contact the University. Individuals are also encouraged to contact the MSU Sexual Assault Program or MSU Safe Place for confidential support.

A. Reporting Relationship Violence or Sexual Misconduct

All individuals are encouraged to promptly report conduct that may violate this policy to the University. In addition, all individuals are encouraged to report conduct that may also violate criminal law to both the University and to local law enforcement. These processes are not mutually exclusive.

Any University student, employee or third party who seeks to make a complaint or report may:

- Make a report to the Office of Institutional Equity (OIE);¹²
- Contact the MSU Police for assistance in filing a criminal complaint and preserving physical evidence;¹³ and/or
- Contact local law enforcement to file a criminal complaint.

Claimants may pursue some or all of these steps at the same time (e.g., one may simultaneously pursue an internal complaint and a criminal complaint). When talking to one of these offices, Claimants do not need to know whether they wish to request any particular course of action. Claimants do not need to know how to label what happened. Choosing to make a complaint, and deciding how to proceed after making the complaint, can be a process that unfolds over time. Before or during this decision-making process, claimants are encouraged to seek support and information from a Confidential Resource.

The University understands that a person may be ambivalent about reporting relationship violence or sexual misconduct. In these cases, they may find a conversation with the MSU Sexual Assault Program, MSU Safe Place, or the University Ombudsperson helpful. These offices can provide a confidential space where University community members may explore their options and the possible consequences of their choices. Whether they opt to report or not, members of the University community are encouraged to seek support from confidential counselors if they are dealing with these issues. See Section XI.C below.

The University also encourages individuals who have

¹² Policy references to OIE include the Deputy Title IX Coordinator for Investigations and all OIE investigators.

¹³ The MSU Police and OIE processes are outlined in Appendix B.

been sexually assaulted to undergo a health assessment offered by the Sexual Assault Nurse Examiner at Sparrow Hospital or a comparable program as soon as possible. A sexual assault nurse examiner is a registered nurse specially trained to provide care to sexual assault patients. The SANE conducts medical forensic examinations and can serve as an expert witness in a court of law. If you decide to have a SANE exam you can choose whether or not to make a police report.

The Sparrow Sexual Assault Nurse Examiner Unit (SANE) will not bill your parents' insurance without your written permission. If you do not give permission to bill an insurance company, the exam is billed to the State Of Michigan SAFE Program and is free of charge. SANE is also a confidential program. The MSU Sexual Assault Program has advocates available to support you and provide resources to you at Sparrow SANE. If you go to Sparrow for a SANE exam the advocacy team will be paged and an advocate will meet you at the hospital.

The Office of Institutional Equity (OIE) informs the MSU Police of all reports it receives regarding sexual assaults, relationship violence, and stalking. This does not obligate the claimant to talk to the police and the choice about whether to participate in a law enforcement investigation remains with the claimant. In contrast, the MSU Police Department does not share personally identifiable information about a victim of relationship violence or sexual misconduct with OIE without the victim's permission.

The University can most effectively investigate and respond to alleged relationship violence or sexual misconduct if the complaint is made as promptly as possible after the alleged violence or misconduct occurs. The University does not, however, limit the time frame for reporting. If the respondent is not a member of the MSU community at the time of the report, the University will still seek to meet its legal obligations by providing reasonably available support for a claimant, but its ability to investigate and/or take action may be limited. The University will, however, assist a claimant in identifying external reporting options.

B. Contact Information: Filing Reports

Office of Institutional Equity:

4 Olds Hall
East Lansing, MI 48824
(517) 353-3922
oie@msu.edu

MSU Police Department:

1120 Red Cedar Road
East Lansing, MI 48824
(517) 355-2221
Emergencies: 911

C. Contact Information: Confidential and Private

- 14 Students who are not also employees do not have reporting obligations under this Policy. Nevertheless, students who have witnessed relationship violence or sexual misconduct are encouraged to promptly report such information to the Office of Institutional Equity.
- 15 The disclosure options described in this Policy involve disclosures made by adults and conduct involving adults. Disclosures involving minors are governed by the reporting obligations outlined in the *Reporting Protocols: Child Abuse, Sexual Assault, and Child Pornography*. Disclosures involving imminent harm to self or others may also override confidentiality and require reporting to appropriate authorities.

Resources

MSU Counseling Center

207 Student Services Building
556 East Circle Drive
East Lansing, MI 48824
(517) 355-8270
Emergencies: 911

MSU Sexual Assault Program

14 Student Services Building
556 East Circle Drive
East Lansing, MI 48824
(517) 355-3551 (office)
(517) 372-6666 (24 hour crisis line)
www.endrape.msu.edu

MSU Safe Place

(517) 355-1100
noabuse@msu.edu
<http://safeplace.msu.edu>

University Ombudsperson

129 North Kedzie Hall
354 Farm Lane,
East Lansing, MI 48824
(517) 353-8830
ombud@msu.edu
<https://www.msu.edu/unit/ombud/index.html>

D. Explanation of Rights and Options

Upon receipt of a report of relationship violence or sexual misconduct, the Office of Institutional Equity will provide a written explanation to the claimant and respondent summarizing their respective rights and options. This written explanation will include information about reporting procedures, investigation procedures, law enforcement, legal options, confidentiality protections, campus resources, interim measures, and campus disciplinary procedures.

E. Employee Reporting Obligations, Confidentiality, and Safety Concerns

The University strongly encourages individuals affected by relationship violence or sexual misconduct to talk to someone about what happened and obtain support services. The University also needs to respond appropriately to reports of relationship violence or sexual misconduct in order to provide a safe and effective learning environment.

Most University employees are obligated to bring reports of relationship violence and sexual misconduct to the attention of the Office of Institutional Equity and the MSU Police, but some can maintain confidentiality of such reports if the victim so requests.¹⁴ See Sections E.1-3 below. Students and employees should be aware of the reporting options available to them so that they can make informed choices about the consequences of disclosing details of an incident of relationship violence or sexual misconduct.¹⁵

Individuals who choose to discuss an incident of relationship violence or sexual misconduct only in a privileged/confidential or private setting should understand that the University will not be able to conduct an investigation into the particular incident, or pursue disciplinary action against the alleged perpetrator, unless the incident is reported to the Office of Institutional Equity directly by the victim, law enforcement, or someone who does not have the ability to keep it confidential. Counselors and advocates who are able to maintain confidentiality of reports will still assist their clients in receiving support services. At the individual's option, this will include coordinating with the Office of Institutional Equity to provide any necessary interim measures.

A victim who requests confidentiality may later decide to file a complaint to the Office of Institutional Equity or law enforcement and have the incident fully investigated. Safety risks associated with the Office of Institutional Equity or MSU Police contacting or interviewing the accused will be taken into consideration before that occurs, especially in cases where the victim is fearful and does not want the perpetrator contacted, or when the threats and abuse may escalate and put the victim in increased danger due to the investigation process.

1. Confidential Communications

Professional, licensed counselors who provide mental-health counseling to members of the community are legally not permitted (with few exceptions) to report any information to the Office of Institutional Equity without their client's permission. Licensed counselors are available in the following offices:

- MSU Counseling Center
- MSU Sexual Assault Program
- MSU Safe Place
- MSU Psychological Clinic
- MSU Couple and Family Therapy Clinic
- MSU Olin Psychiatry
- MSU Employee Assistance Program

Disclosure to one of the offices listed above does not constitute a report or notice to the University.

2. Private Communications

Individuals who work or volunteer in the following campus offices, including peer educators, can talk to a student or employee about an incident of relationship violence or sexual misconduct without triggering the need to report personally identifiable information about the incident to the Office of Institutional Equity.

- MSU Sexual Assault Program & 24-hour Sexual Assault Crisis Line
- MSU Counseling Center
- MSU Safe Place
- MSU Sexual Assault & Relationship Violence (SARV) Prevention Program
- MSU Sexual Assault Crisis Intervention (SACI) Team

Every 5 Minutes (E5M) Team
University Ombudsperson
Olin Health Center
MSU Employee Assistance Program

Disclosure to one of the offices listed above does not constitute a report or notice to the University. The privacy protections provided to these offices are based in policy and not law. Therefore, individuals should recognize that while the university considers conversations with these offices to be private, some records may be disclosed pursuant to a search warrant or subpoena and may not be legally confidential.

These offices will periodically report non-personally identifiable information about relationship violence and sexual misconduct reports that the offices have received to the Title IX Coordinator to keep the Title IX Coordinator informed of the general extent and nature of relationship violence and sexual misconduct on and off campus. This will help the Title IX Coordinator track patterns, evaluate the scope of the problem, and formulate appropriate campus-wide responses.

Individuals in these offices will not share personally identifiable information with the Title IX Coordinator without the student or employee's consent.

3. Reports to Mandatory Reporters

All University employees, other than those appointed in the offices listed above, are expected to promptly report sexual misconduct or relationship violence that they observe or learn about and that involves a member of the University community (faculty, staff, or student) or occurred at a University event or on University property.

FACULTY, ACADEMIC STAFF, SUPPORT STAFF, GRADUATE TEACHING ASSISTANT REPORTING CHART:

CATEGORY OF REPORT: STATUS OF PERSON VICTIMIZED	TYPE OF VIOLENCE OR MISCONDUCT	WHERE TO FILE REPORT
Student ¹⁶	Sexual Violence	Office of Institutional Equity (OIE) and MSU Police
Student	Sexual Harassment	OIE
Student	Relationship Violence	OIE and MSU Police
Employee	Sexual Violence	OIE and MSU Police

¹⁶ Reports involving student employees are considered student reports.

CATEGORY OF REPORT: STATUS OF PERSON VICTIMIZED	TYPE OF VIOLENCE OR MISCONDUCT	WHERE TO FILE REPORT
Employee	Sexual Harassment	Supervisors must report to OIE All other employees strongly encouraged to report to supervisor or OIE
Employee	Relationship Violence	OIE and MSU Police
Third Party	Sexual Violence	OIE and MSU Police
Third Party	Sexual Harassment	OIE
Third Party	Relationship Violence	OIE and MSU Police

NOTE: Undergraduate student employees should make reports to their supervisor, who will contact OIE and the MSU Police. REHS live-in staff must follow the REHS mandatory reporting protocols.

Employees are only required to report relationship violence or sexual misconduct of which they become aware in their capacity as a University employee, not in their personal capacity.

Once a report is made to the OIE, the University will take immediate steps to initiate the investigatory process to determine what happened and to resolve the matter promptly and equitably. Questions about whether a disclosure must be reported can be referred to the Office of the General Counsel, OIE, MSU Police, or University Ombudsperson.

The employee must report all relevant details about the alleged relationship violence or sexual misconduct that occurred on campus or at a campus-sponsored event, including the name of the victim, the accused, any witnesses, and any other relevant facts, including the date, time, and specific location of the incident.

4. Requests for Confidentiality or Anonymity

Victims of relationship violence or sexual misconduct may request confidentiality or anonymity, including that their name not be shared with the respondent, that the respondent not be notified of the report, or that no investigation occur. If the victim wants to tell the mandatory reporter what happened, but also wants to maintain confidentiality or anonymity, the employee should tell the victim that the University will consider the request but cannot guarantee confidentiality or anonymity. The employee should advise the victim that the details of the incident will

be disclosed only to those officials with a legitimate institutional interest in knowing the information. In reporting the details of the incident to the OIE, the employee will inform the OIE of the victim's request for confidentiality or anonymity.

The Deputy Title IX Coordinator for Investigations will weigh the victim's request for confidentiality or anonymity against the University's obligation to provide a safe, nondiscriminatory environment for all students and employees, including the victim. The Deputy Title IX Coordinator for Investigations will consider a range of factors in weighing the request, including:

- The increased risk that the alleged perpetrator will commit additional acts of relationship violence or sexual misconduct, such as:
 - o Whether there have been other relationship violence or sexual misconduct complaints about the same alleged perpetrator;
 - o Whether the alleged perpetrator has a history of arrests or records from a prior school indicating a history of violence;
 - o Whether the alleged perpetrator threatened further relationship violence or sexual misconduct against the victim or others;
 - o Whether the relationship violence or sexual misconduct was committed by multiple perpetrators; and/or
 - o Whether there have been threats to kill or harm the victim.
- Whether the relationship violence or sexual misconduct was perpetrated with a weapon
- Whether the victim is a minor
- Whether the University possesses other means to obtain relevant evidence of the relationship violence or sexual misconduct (e.g., security cameras or personnel, physical evidence)
- Whether the victim's report reveals a pattern of relationship violence or sexual misconduct at a specific location or by a particular group

If the University honors the request for confidentiality, the Deputy Title IX Coordinator for Investigations will explain to the victim that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator may be limited. The Deputy Title IX Coordinator for Investigations will also explain that the University prohibits retaliation for filing a complaint and will take steps to prevent retaliation and take strong responsive action if any retaliation occurs. If the claimant continues to ask that his or her name not be revealed, the University will take all reasonable steps to investigate and respond to the complaint consistent with the request as long as doing so does not prevent the University from responding effectively to harassment and preventing harassment of others.

Regardless of whether the request for confidentiality is honored, the University will take steps to limit the

effects of the alleged relationship violence or sexual misconduct and prevent its recurrence when possible. Such steps might include providing increased security or supervision at locations or activities where a pattern of relationship violence or sexual misconduct exists; providing education and training materials for students, student groups, or employees; reviewing applicable relationship violence and sexual misconduct or disciplinary policies; and conducting climate surveys regarding relationship violence and sexual misconduct.

At times, in order to provide a safe, non-discriminatory environment for members of the campus community, the University may not be able to honor a victim's request for confidentiality. In such circumstances, the Deputy Title IX Coordinator for Investigations will inform the victim prior to starting an investigation and will share information only with people involved in the University's investigation.¹⁷ The victim is not required to participate in the investigation. Should the victim choose not to participate in an investigation, the Deputy Title IX Coordinator for Investigations will explain that the University's ability to meaningfully investigate the incident and pursue disciplinary action against the alleged perpetrator may be limited.

F. Reports from Witnesses & Bystanders Intervention

Students or third parties who witness acts of relationship violence or sexual misconduct perpetrated by a member of the University community (faculty, staff, or student) or occurring at a University event or on University property are strongly encouraged to report the misconduct to the OIE and the MSU Police.

Employees (including student employees) and University volunteers who witness acts of relationship violence or sexual misconduct perpetrated by a member of the University community (faculty, staff, or student) or occurring at a University event or on University property must follow the employee reporting chart contained in Section XI.E.3 above.

The University encourages all witnesses of relationship violence or sexual misconduct to engage in bystander intervention when safe to do so. As explained on the www.notalone.gov website, "the bystander role includes interrupting situations that could lead to assault before it happens or during an incident; speaking out against social norms that support sexual assault, domestic violence, dating violence, and stalking; and having skills to be an effective and supportive ally to survivors."¹⁸

G. Public Awareness Events

Public awareness or activism events and other public forums at which students or employees disclose experiences with relationship violence or sexual misconduct

are not considered notice to the University for the purposes of this Policy unless the victim also initiates a complaint under this Policy (e.g., Take Back the Night, ESM performances, protests).

H. Third Party and Anonymous Complaints

The Office of Institutional Equity processes all complaints of relationship violence and sexual misconduct it receives, regardless of who files the complaint. Third party and anonymous complaints will not be rejected. However, without the participation or identity of the victim or third party, the University may have insufficient information to conduct a formal investigation.

Individuals who wish to file an anonymous complaint may do so through the normal channels identified in this policy or through the University's Misconduct Hotline. Information about the Misconduct Hotline and reporting options are available online at <http://misconduct.msu.edu/>.

I. Amnesty for Drug or Alcohol Possession and Consumption Violations

The University encourages students to report all incidents of relationship violence or sexual misconduct. Therefore, students who report relationship violence or sexual misconduct will not be disciplined by the University for a violation of the University's drug and alcohol possession or consumption policies that may have occurred in connection with the reported incident. Students are also protected by a Michigan law that provides amnesty for alcohol-related crimes if an underage individual, after consuming alcohol, presents (or accompanies an underage person presenting) at a health facility or agency for treatment or observation as a result of sexual assault.¹⁹

J. Relationship Violence or Sexual Misconduct by Third Parties

The University prohibits relationship violence and sexual misconduct by third parties towards members of the University community when the third party has been brought into contact with the member of the University community through a University program or activity.²⁰ Although individuals who are not students or employees of the University are not subject to discipline under the University's internal processes, the University will take prompt, corrective action to eliminate relationship violence and sexual misconduct and prevent its recurrence in those circumstances.

If a University student believes that she or he has experienced relationship violence or sexual misconduct in a University program or activity by an individual who is not a University employee or student, the student should report the conduct to the OIE or the unit administrator (e.g., supervisor, department chair, or

¹⁷ The victim may decide whether other individuals, such as parents, instructors, or colleagues, will be informed of the investigation unless special circumstances (such as the sexual assault of a minor) exist.

¹⁸ See Bystander Intervention at <https://www.notalone.gov/students/>.

¹⁹ MCLA § 436.1703(10).

²⁰ As outlined in Section II of the policy, the policy also prohibits sexual misconduct and relationship violence against third parties by members of the University community.

dean) responsible for that program or activity. The unit administrator will report the alleged relationship violence or sexual misconduct to the OIE and to the MSU Police.

If a University employee (including a student employee) believes that he or she has been subjected to relationship violence or sexual misconduct within the scope of his or her employment activities by an individual who is not a University employee or student, the University employee should report the conduct to his or her supervisor or to the OIE. The supervisor must report the alleged relationship violence or sexual misconduct to the OIE and to the MSU Police.

Individuals experiencing third party relationship violence or sexual misconduct are encouraged to contact the MSU Sexual Assault Program or MSU Safe Place. Both programs offer a variety of services, including counseling, safety planning, and information about legal options and protections through the criminal and civil courts.

K. Outside Options for Resolution of Complaints

Students who believe they are a victim of sex-based discrimination in an educational program at MSU may file a complaint under Title IX with the regional enforcement office of the Office for Civil Rights, U.S. Department of Education at the following address:

Office for Civil Rights

U.S. Department of Education
1350 Euclid Avenue, Suite 325

Cleveland, OH 44115-1812

Telephone: (216) 522-4970

FAX: (216) 522-2573; TDD: (800) 877-8339

Email: OCR.Cleveland@ed.gov

Faculty and staff may file complaints under Title IX with the Office for Civil Rights, U.S. Department of Education in certain circumstances; under Title VII with the Equal Employment Opportunity Commission; or under the Elliott-Larsen Civil Rights Act with the Michigan Department of Civil Rights.

Equal Employment Opportunity Commission

Detroit Field Office

Patrick V. McNamara Building

477 Michigan Avenue

Room 865

Detroit, MI 48226

Phone: (800) 669-4000

Fax: (313) 226-4610

TTY: (800) 669-6820

Michigan Department of Civil Rights

3054 West Grand Boulevard, Suite 3-600

Detroit, MI 48202

Phone: (313) 456-3700

Fax: (313) 456-3701

Toll-Free: (800) 482-3604

TTY: (877) 878-8464

Email: MDCRServiceCenter@michigan.gov

L. Processing Complaints and Reports

All reports of alleged relationship violence or sexual misconduct are reviewed by the Office of Institutional Equity (OIE) under the direction of the Deputy Title IX Coordinator for Investigations.²¹ The University will process all complaints and reports of relationship violence or sexual misconduct it receives, regardless of where the conduct which is the basis for the complaint allegedly occurred.²² The Deputy Title IX Coordinator for Investigations may also determine that an investigation is warranted without a complaint if the University has sufficient notice that relationship violence or sexual misconduct may have occurred.

Even if the OIE determines that a formal investigation is not warranted, the University will take prompt, responsive action to support a claimant and will take steps to eliminate, prevent, or address a hostile environment if it determines that one exists.

The OIE maintains detailed records of each informal and formal complaint, including individuals involved, investigative steps taken, documentation received, individuals interviewed, decisions reached, and reason(s) for decisions reached. Complaints and information gathered during the investigation process will be kept confidential to the extent permitted by law.

1. Investigation Overview

The University has an obligation to conduct a prompt, adequate, reliable, and impartial investigation to determine what occurred and then to take appropriate steps to resolve the situation when it learns of an incident of sexual misconduct or relationship violence, regardless of whether the alleged victim is the individual who reports the relationship violence or sexual misconduct. The University also has an obligation to assess whether it will investigate the matter regardless of whether the alleged victim chooses to cooperate or proceed with a formal complaint. In fulfilling these obligations, the University will respond to complaints, reports, or information about incidents of sexual misconduct and relationship violence to stop the prohibited conduct, eliminate any hostile environment, take steps to prevent the recurrence of the prohibited conduct, and address any effects on campus or at University programs and activities off-campus.

a) Investigating Details

Trained professionals conduct investigations under the oversight of the Deputy Title IX

²¹ Complaints filed against students or employees in graduate or professional programs will be investigated by OIE, not the individual colleges. Complaints filed against students or employees of the MSU College of Law will be referred to the Title IX Coordinator of the MSU College of Law for investigation.

²² The University generally does not investigate allegations of harassment or discrimination that fall outside the jurisdictional limits of the Anti-Discrimination Policy and General Student Regulations. Nevertheless, the University will process all complaints of relationship violence and sexual misconduct in accordance with this Policy, regardless of where the conduct that is the basis for the complaint allegedly occurred, in order to evaluate whether there is a hostile environment on campus that would be contrary to the University's legal obligations.

Coordinator for Investigations. Investigations begin with a determination of whether the University has jurisdiction over the matter. If jurisdiction is established, both the claimant and respondent will be notified of the initiation of the investigation; the potential policy violation(s) at issue; the right to participate in the investigation; the timeframe for responding; and that the investigation may proceed without the participation of either party. Investigations include interviews of the claimant, respondent, and any witnesses. As more fully explained below, both the claimant and respondent may have an advisor of their choice present at any meeting during the investigation process.

b) Gathering and Reviewing Evidence

Both the claimant and respondent will have an opportunity to identify witnesses and provide any evidence of other information relevant to the investigation. A review of evidence, such as electronic and written material, will be conducted if any such evidence exists. The investigator will determine the relevance of any proffered information. In general, the investigator will not consider statements of personal opinion, rather than direct observations or reasonable inferences from the facts, or statements as to any party's general reputation for any character trait, including honesty or chastity. The responsibility is on the University, not the parties to the complaint, to gather the relevant evidence, to the extent reasonably possible, relating to a complaint, report, or other incident of relationship violence or sexual misconduct of which the University has notice. There is no requirement that a claimant or respondent share privileged or confidential medical and counseling records with investigators. However, where a party chooses to share medical or counseling records as part of the investigation, the records will be included in the investigation file and may be available to the other party pursuant to a subpoena or other legal requirement.

c) Investigation Meetings

During the investigation process, both parties will be provided timely notice of any meeting at which their presence is requested or required.²³ The claimant has the right not to appear in the same room or otherwise confront the respondent during the investigation and adjudication process, including any student conduct hearings or appeals. The parties are not permitted to personally cross-examine each other during the investigation or adjudication process, including during any student conduct hearings or appeals.

d) Investigation Outcomes

Both parties will be provided regular updates regarding the status of the investigation process.

At the conclusion of the fact-finding portion of the investigation, both parties will be provided with an opportunity to review the preliminary investigation report and provide commentary about the information gathered, as well as ask any questions, before a final report is issued. The University utilizes a preponderance of the evidence standard during the investigation process, as well as in all related proceedings, including disciplinary hearings. A respondent is presumed not to have violated this policy unless a preponderance of the evidence establishes a policy violation. A respondent's decision not to provide a statement or be interviewed when there are potential criminal charges pending will not be given an adverse inference by the investigator.

Both the claimant and the respondent will be notified in writing of the outcome of an investigation, the rationale for the outcome, and the process to challenge the investigation findings.

If an investigation results in a determination that relationship violence or sexual misconduct has occurred, the University will take prompt and effective steps to end the sexual misconduct, eliminate the hostile environment, prevent its recurrence, support victims of relationship violence, and remedy the discriminatory effects on the victim and others. For students, this means that the matter will be referred to the student conduct process to determine the appropriate sanction. For employees, this means that the matter will be referred to Human Resources/Academic Human Resources to determine the appropriate personnel action. The Title IX Coordinator, in cooperation with the relevant University officials, will also confirm that appropriate non-disciplinary remedies have been provided to the claimant. The Title IX Coordinator will also provide broad-based or targeted remedies for the community, such as additional training, climate assessments, revisions to policy or practices or any other action tailored to the facts and circumstances which may eliminate, prevent, or address the effects of a hostile environment. The Title IX Coordinator will monitor the matter to increase the likelihood that the relationship violence or sexual misconduct does not recur.

If an investigation results in a determination that sexual harassment occurred but insufficient evidence that a particular student or employee violated University policy, the University will still take other necessary steps to stop the harassment, prevent its recurrence, eliminate any hostile environment, and remedy the discriminatory harassment on the claimant and others as appropriate.

A detailed summary of the OIE complaint procedures are available online at www.oie.msu.edu.

²³ Notices provided to students and employees under this Policy will be sent to the individual's official msu.edu email account.

2. Sexual History of the Parties

The claimant or respondent's character or reputation with respect to other sexual activity is never relevant and will not be considered as evidence. However, prior sexual history may be considered under the following limited circumstances:

- Where there was a prior or ongoing relationship between the claimant and respondent, and the respondent asserts that consent was sought and given, the prior sexual history between the parties may be relevant to assess the manner and nature of communications between the parties. As noted in other sections of the policy, however, the mere fact of a current or previous dating or sexual relationship, by itself, is not sufficient to constitute consent.
- To establish a pattern or practice of conduct similar in nature by the respondent.

In addition, other conduct by either party may, under limited circumstances, be relevant to establish intent, motive, absence of mistake, to explain an injury or physical finding, or another ground deemed probative by the investigator.

Where the investigator intends to consider evidence of prior sexual history as part of the investigation, such evidence will be included in the draft report and the parties will have an opportunity to challenge its relevance and whether it should be considered in the investigator's analysis. Relevant evidence of prior sexual history must be based on direct information, not rumor, hearsay, speculation or conjecture.

3. Law Enforcement Investigations

Claimants may pursue a complaint with the University and police simultaneously. The MSU Police Department and Office of Institutional Equity (OIE) independently investigate complaints of relationship violence and sexual misconduct. The Police investigate to determine whether there has been a violation of criminal laws. The Office of Institutional Equity investigates to determine whether there has been a violation of University policy. The investigations proceed concurrently, and the outcome of one investigation does not determine the outcome of the other investigation.

Occasionally, the OIE may need to briefly suspend the fact-finding aspect of its investigation at the request of law enforcement while the police are in the process of gathering evidence. The OIE will maintain regular contact with law enforcement to determine when it may begin its investigation. Even if the OIE investigation is briefly suspended, the University will nevertheless communicate with the claimant regarding his/her rights, procedural options, and the implementation of appropriate interim measures to assist and protect the safety of the claimant and the campus community and to prevent retaliation.

The OIE will promptly resume its investigation as soon as notified by the police department that it has completed its evidence gathering process, or sooner if the University determines that the evidence gathering process will be lengthy or delayed. Federal law does not permit the University to delay its investigation until the ultimate outcome of the criminal investigation.

The MSU Police provide all victims of relationship violence and sexual misconduct with information about the OIE investigation process, as well as information about available campus and community resources. The MSU Police Department does not share personally identifiable information about a victim of relationship violence or sexual misconduct without the victim's permission.

The MSU Police Department shares information about ongoing investigations with the OIE to the extent that sharing such information will not interfere with law enforcement proceedings.

4. Preservation of Evidence

Individuals involved in an allegation of relationship violence or sexual misconduct should preserve evidence to the extent possible that may assist investigators in determining whether the alleged violence or misconduct occurred or might be relevant to the issuance of a Personal Protection Order. Specific suggestions for preservation of evidence in cases of sexual assault can be found online at <http://www.endrape.msu.edu/> or (517) 355-3551. In cases involving relationship violence, victims may contact MSU Safe Place at (517) 355-1100 or noabuse@msu.edu to speak with an advocate. The University encourages individuals to go to the police or other resource in order to assist in the preservation of evidence.

5. Investigation Timelines

The University will use its best efforts to complete its investigations of relationship violence or sexual misconduct within 60 calendar days, although this timeframe may be extended for good cause. The University will make its best efforts to complete the major steps of the investigation process within the following timeframes, although these timeframes may be modified or extended for good cause:

INVESTIGATION STEP	TIMEFRAME
Contact claimant	Within 2 business days after receipt of report
Contact respondent	Within 5 business days after meeting with claimant ²⁴

²⁴ If law enforcement requests that the University delay contacting a respondent until after the law enforcement agency makes first contact with the individual, this timeframe may be extended.

INVESTIGATION STEP	TIMEFRAME
Provide draft report to parties	Within 30 days after completing all interviews
Issue final report	Within 10 business days after receiving feedback from parties or completion of any additional investigation

Good cause may exist for a variety of factors, including the complexity of the circumstances of each allegation, the integrity and completeness of the investigation, to comply with a request by law enforcement, to accommodate the availability of witnesses, to accounts for University breaks or vacations, or to address other legitimate reasons.

The University will maintain regular communication with the claimant and respondent about the progress of the investigation and its resolution. In the event a time frame is extended, both the claimant and the respondent will be notified of any delay and the anticipated length of the delay.

6. Student Conduct Process Timelines

The Anti-Discrimination Policy/Relationship Violence & Sexual Misconduct Policy Student Conduct Review Panel Procedures (Appendix H) set forth timelines for challenge of the OIE decision and imposition of sanctions where a violation of policy is found. Timeframes for the major steps of that process include:

- The claimant or respondent has 10 class days to file a challenge to the OIE decision.
- If no challenge to the OIE decision is filed and the decision included a finding of a policy violation, an appropriate sanction will be issued within 10 class days.
- If a challenge to the OIE decision is filed, an initial review of the challenge will be done within 15 class days. If that review concludes a challenge hearing is necessary, a hearing will be scheduled within 15 class days.
- A decision on a challenge and a sanction (if applicable) will be issued within 10 class days after the challenge review and/or hearing (if applicable).
- The Vice President for Student Affairs or designated administrator will issue a decision in writing within 10 class days after receiving a written appeal.

These timeframes may be extended during periods when classes are not held (i.e., Spring Break, final examination week, etc.) or for good cause, provided that the parties are provided with notice of the extension.

7. Interim Measures

The University may take interim measures it deems necessary during an investigation. Interim measures are those services, accommodations, and other assistance the University puts in place after receiving notice of alleged relationship violence or sexual misconduct but before any final outcomes (investigatory, disciplinary, or remedial) have been determined. Interim measures are available regardless of whether the victim chooses to report the relationship violence or sexual misconduct to law enforcement. The University will notify claimants, in writing, that interim measures are available during the University's investigation and during the student conduct process, including appeals.

The University will implement reasonably available interim measures to protect a claimant and facilitate the claimant's continued access to University employment or education programs and activities. Interim measures may be both remedial (designed to address a claimant's safety and well-being and continued access to educational opportunities) or protective (involving action against a respondent).

Interim measures are available regardless of the manner of resolution under this policy. Interim measures will not disproportionately impact the claimant.

Interim measures will be consistent with University policies and might include academic accommodations (e.g., withdraw from or retake a class without financial or academic penalty), academic support services, counseling, medical services, voluntary leave of absence, or an opportunity to change class, housing, or work assignments. The University may also issue "no-contact orders" between the claimant and respondent or limit an individual or organization's access to certain University facilities or activities pending resolution of the matter. The University might also impose an interim disciplinary suspension, suspension from employment, or other remedies which can be tailored to the involved parties to achieve the goals of this policy.

The University will maintain the privacy of any interim measures provided under this policy to the extent practicable and will promptly address any violation of the interim measures. These interim measures may be kept in place until the end of any review or appeal process or may be extended permanently as appropriate.

The Deputy Title IX Coordinator for Investigations will take steps to assure that the appropriate interim measures are provided and that such interim measures, where possible and as supported by the available information, minimize the burden on the claimant. The Deputy Title IX Coordinator for Investigations will maintain oversight of support services and interim interventions. The Deputy Title IX Coordinator for Investigations has the discretion to ensure the appropriateness of any interim measure based on all available information, and is available to meet with a claimant or respondent to address any

concerns about the provision of interim measures.

Contact Information for Interim Measures:

Office of Institutional Equity

4 Olds Hall

East Lansing MI 48824

(517) 353-3922

oie@msu.edu

8. Advisors

Throughout the process, a claimant or respondent may have an advisor of their choice present at any meeting related to the investigation or student conduct. An advisor of choice may include an attorney. Any person who serves as an advisor should plan to make themselves available for meetings throughout the process. The advisor is a silent and non-participating presence who is there solely to observe and provide support during the investigative process. The University has the right at all times to determine what constitutes appropriate behavior on the part of an advisor. The advisor is encouraged to join the claimant or respondent's initial meeting with a University administrator for an orientation to the University's policies and procedures, privacy protections and expected participation/decorum. The advisor may not be a fact witness or otherwise have any conflicting role in the process.

9. Complaints Against a Student

Complaints of alleged relationship violence or sexual misconduct by a student are investigated by the Office of Institutional Equity (OIE) under the direction of the Deputy Title IX Coordinator for Investigations. All investigation findings are sent to the claimant, respondent, and Student Conduct and Conflict Resolution Office (SCCRO) in the Department of Student Life. The SCCRO then initiates the student conduct process to (1) provide both parties an equal opportunity to challenge the OIE decision, and (2) determine the appropriate sanction if a violation of policy is found to have occurred. The parties are provided similar and timely access to any information used in the challenge or sanctioning process.

Challenges to the OIE finding are reviewed by the Anti-Discrimination Policy/Relationship Violence Sexual Misconduct Policy Student Conduct Review Panel ("ADP/RVSMP Review Panel"). Once any challenge to the OIE decision is resolved, or if no challenge is filed, the appropriate sanction is determined for those cases where a policy violation has been found. Sanctions are based on a consideration of all circumstances in a particular case, including a student's prior record of misconduct, and may include suspension or dismissal from the University.

The ADP/RVSMP Student Conduct Review Panel Procedures, including possible sanctions and appeals, are attached as Appendix H.

10. Complaints Against an Employee

Complaints of alleged relationship violence and sexual misconduct by a faculty or staff member

will be investigated by the Office of Institutional Equity under the direction of the Deputy Title IX Coordinator for Investigations. All investigation findings are sent to Employee Relations or Academic Human Resources to determine the appropriate sanction if a violation of policy is found to have occurred. Sanctions are based on a consideration of all circumstances in a particular case, including an employee's prior record of misconduct, and may include suspension or termination from employment. Appeals of sanctions are governed by the applicable collective bargaining agreement for support staff, the Faculty Grievance Policy for faculty and academic staff, or the non-union support staff grievance policy. Guidelines for investigations conducted by the OIE are available at www.oie.msu.edu.

11. Sanctions and Remedies

In cases where sexual misconduct or relationship violence is found to have occurred, the University will determine the appropriate, enforceable sanction. The sanction will be reasonably calculated to stop the harassment and prevent its recurrence. The University will not negotiate with a student or employee for a lesser sanction if that sanction will not end the sexual misconduct or relationship violence, eliminate the hostile environment, and remedy the discriminatory effects on the victim and others. In addition to disciplinary sanctions for the respondent if a violation of policy is found, the University may also provide remedies to claimants and others who have experienced sexual misconduct or relationship violence, including counseling, academic accommodations, academic support, or employment accommodations. Other potential remedies may include targeted or broad-based educational programming or training.

M. Investigations Without A Complaint

When necessary to meet its commitment to provide an environment free of unlawful relationship violence or sexual misconduct, the University may investigate alleged incidents of relationship violence or sexual misconduct of which it becomes aware, even if no complaint has been filed, the individual(s) involved is unwilling to pursue a complaint or participate in an investigation, or the individual(s) involved have requested to participate anonymously. If a University employee becomes aware of specific and credible allegations of relationship violence or sexual misconduct, whether through a claimant or otherwise, the allegations should be reported promptly to the Office of Institutional Equity. See discussion in Section XI.E.4 above for additional information.

N. Informal Resolution of Complaints

Informal resolution means any type of resolution provided by the University in situations involving violations of the Policy on Relationship Violence and Sexual Misconduct which does not involve disciplinary action against a respondent. Informal resolution can include implementing protective measures and accommodations as outlined in Interim Measures section XI.L.7 of this

policy. It can also include restorative justice measures, mediation, or circle conferences. Other potential remedies include targeted or broad-based educational programming or training, supported direct confrontation of the respondent and/or indirect action as determined by the University.

Informal resolution is typically used when a claimant requests to participate in an informal resolution, requests anonymity, does not consent to participation in an investigation, or the alleged conduct, even if it does not rise to the level of a policy violation, suggests the need for remedial, educational or preventive action. Depending on the form of informal resolution used, it may be possible for a claimant to maintain anonymity.

The decision to use informal resolution will be made when the University has sufficient information about the nature and scope of the conduct, which may occur at any time. Where the Deputy Title IX Coordinator for Investigations concludes that informal resolution may be appropriate, the University will take immediate and corrective action through the imposition of individual and community remedies designed to maximize the claimant's access to the educational, extracurricular, employment and other activities at the University and to eliminate any hostile environment. Participation in informal resolution by a claimant is voluntary, and either party may request to end informal resolution at any time and begin the formal stage of the complaint process.

Restorative justice practices come in a variety of forms, including but not limited to the following: 1) Healing Circles can help victims and their supporters heal from the harm caused in a safe space where they will not face the respondent. Circles are most commonly used in cases where respondents fail to accept responsibility for wrongdoing, have not been identified, or to help victims prepare for other related process. Circles may also be used to help participants prepare for participation in other formal or informal process; 2) Restorative Justice Conferences (aka, Victim-Offender Conferences) are only utilized when both the respondent and claimant agree to participate, and more commonly when one or both parties request an RJ Conference. The respondent must also accept responsibility for underlying behavior. RJ Conferences can be used in lieu of formal conduct proceedings (where appropriate), or to help inform the outcomes of formal proceedings.

There are some instances when use of informal resolution options is inappropriate. Mediation and RJ Conferences may not be used in cases involving sexual assault or in cases involving a student complaint of sexual harassment against an employee in a position of authority over the student. The University will not compel a claimant to engage in mediation, to directly confront the respondent, or to participate in any form of informal resolution. Such participation shall be completely voluntary for the claimant.

The Deputy Title IX Coordinator for Investigations will maintain records of all reports and conduct referred for informal resolution, which will typically be completed

within sixty (60) business days of the initial report.

O. Privacy of Investigations

The investigation of relationship violence and sexual misconduct complaints will be conducted in a private manner, except insofar as information needs to be disclosed so that the University may effectively investigate the matter or take corrective action. While discretion is important, the parties are not restricted from discussing and sharing information relating to their investigations with others.

P. Conflicts of Interest

The University does not allow conflicts of interest, real or reasonably perceived, by those investigating or adjudicating allegations under this policy or its related procedures. A conflict of interest exists when an individual's knowledge of the matter or personal or professional relationships with the claimant, respondent, or witnesses would preclude the individual from being able to investigate or adjudicate the case fairly and impartially. Individuals who wish to challenge an investigator because of a conflict of interest may do so by filing a challenge with the Deputy Title IX Coordinator for Investigations. If the challenge is to the Deputy Title IX Coordinator, the challenge may be filed with the Title IX Coordinator. The procedure to challenge members of student conduct review panels is outlined in Appendix H.

Q. Retaliation

Persons who report relationship violence or sexual misconduct, or who participate in the University's investigation and handling of such reports, shall not be subject to retaliation (including retaliatory harassment) for reporting or participating, even if the University finds that no relationship violence or sexual misconduct occurred. The University will take strong responsive action if retaliation occurs.

Retaliation is defined as an adverse action or adverse treatment against an individual involved in an investigation by an individual who knew of the individual's participation in the investigation.

If a claimant or witness believes that she or he is being subjected to retaliation (including retaliatory harassment), she or he should promptly contact the Office of Institutional Equity.

R. Participation

Members of the University community are expected to participate in the University's investigations of alleged relationship violence or sexual misconduct. If individuals choose not to participate, the investigation will, nonetheless, proceed based on the information available.

S. Unit Administrator Responsibilities

The Office of Institutional Equity is responsible for monitoring the University's compliance with federal and state nondiscrimination laws. However, a discrimination-free environment is the responsibility of every member of the community. Unit administrators set the tone regarding acceptable conduct and climate within

their units.

Unit administrators are responsible for providing assistance to the Office of Institutional Equity regarding complaints under this Policy in which the alleged harasser is an employee. Unit administrators who need assistance interpreting this Policy, obtaining education and training with respect to the Policy, or who have questions about relationship violence or sexual misconduct prevention, may contact the Assistant Vice President for Human Resources or the Associate Provost/Associate Vice President for Academic Human Resources, whichever is appropriate; the Director of the Office of Institutional Equity; and/or the Office of the General Counsel.

T. False Complaints

All parties and witnesses are expected to provide truthful information in any proceeding under this Policy. Any member of the University community who knowingly files a false complaint of relationship violence or sexual misconduct, or who knowingly provides false information to or intentionally misleads University officials who are investigating or reviewing a complaint, is subject to disciplinary action, up to and including discharge for employees and dismissal for students. Disciplinary action under this section of the Policy is not considered prohibited retaliation.

Investigators will differentiate false reports from recanting or mental health issues in determining whether an individual has knowingly filed a false complaint or provided false information in connection with a complaint.

XII. ADDITIONAL INFORMATION AND RESOURCES

A. Education

The University is committed to enforcing this Policy and thereby helping to stop relationship violence and sexual misconduct among its students, faculty, and staff. To that end, this Policy will be published on the University's website. Information regarding this Policy will be included in orientation materials for new students, faculty, and staff; made available in the Office of Institutional Equity, as well as on its website; and shared in other appropriate campus locations. In addition, the University will conduct educational sessions to: (1) inform students, faculty, and staff about identifying relationship violence and sexual misconduct, the problems they cause, and its impact on the campus community, (2) advise members of the University community about their rights and responsibilities under this Policy, and (3) train personnel in the administration of this Policy. Each unit is responsible for obtaining this training for its staff.

B. Unit Liaisons

Each college and major administrative unit must designate at least one individual as a contact person under this Policy who will be trained to answer questions and provide information about this Policy and to take and refer, as appropriate, complaints of relationship violence and sexual misconduct. This individual is responsible for attending training programs and regularly meeting

with the Office of Institutional Equity to receive training updates and to discuss issues arising in his or her college or unit. A list of liaisons can be found at www.inclusion.msu.edu.

C. Other Relevant University Policies

Since relationship violence and sexual misconduct may be forms of unlawful gender discrimination, a member of the University community who violates this Policy may also violate the University's Anti-Discrimination Policy. Other University policies relevant to behavior of a sexual or violent nature by members of the University community include Conflict of Interest in Educational Responsibilities Resulting from Consensual Amorous or Sexual Relationships, Conflict of Interest in Employment, Article 2.00 of the General Student Regulations, Article 3.00 of the Graduate and Undergraduate Residence Hall Regulations, and Ordinance 22.00.

D. Other Helpful Documents

Other helpful documents that provide additional information about concepts or terminology contained in this Policy or related reporting obligations include:

- Title IX Coordinator Description:
<http://www.inclusion.msu.edu/equity/TitleIXCoordinator.html>
- ADP User's Manual:
<http://www.oie.msu.edu/>
- University Reporting Protocols: Child Abuse, Sexual Assault, and Child Pornography:
<http://www.hr.msu.edu/documents/uwidepolproc/ReportingProtocols.htm>
- University Reporting Protocols, FAQ document:
<http://www.hr.msu.edu/documents/uwidepolproc/UniversityReportingProtocolFAQ.pdf>
- Child Maltreatment Resource Guide:
<http://www.hr.msu.edu/documents/uwidepolproc/ChildAbuseResourceGuide.pdf>

E. White House Task Force Website

The U.S. Government maintains a comprehensive website regarding sexual assault, including information about applicable laws, what to do as a victim of sexual assault, confidentiality, and key terms and definitions. The website can be located at www.notalone.gov.

XIII. ANNUAL CRIME REPORTING AND TIMELY WARNINGS

As part of its annual reporting obligations under the Clery Act, the University discloses statistics regarding domestic violence, dating violence, stalking, and sexual assaults that meet the definition of forcible and non-forcible sex offenses under federal law. The statistics include only those Clery crimes that occur on specific geography associated with the University as defined under the Clery Act. The report, the Annual Security and Fire Safety Report, is published every October and is located on the MSU Police Department website at www.police.msu.edu. The publication does not include any personally identifying information about a victim.

The MSU Police Department issues “timely warnings” to the campus community when a Clery crime (1) occurs on campus, in a non-campus building or property (as defined by law), or on public property immediately adjacent to campus and (2) poses a serious or continuing threat to students, employees, or visitors. The method of communication to the campus community will depend on the specifics of the crime reported and the immediacy of the danger to those on campus. Timely warnings do not contain any personally identifying information about the victim.

XIV. POLICY HISTORY

The Sexual Harassment policy was issued by the Office of the President on September 1, 1992 and revised in May 1999, January 2011, and June 2011. The Office of the President issued this expanded Relationship Violence and Sexual Misconduct Policy on January 1, 2015. The Policy was revised on September 8, 2015.

XV. LINKS TO APPENDICES

Appendix A: Frequently Asked Questions Document

Appendix B: MSU Police Department information forms

Appendix C: Michigan Criminal Statutes

Appendix D: Flow Chart: MSU Sexual Assault Program
Process Overview

Appendix E: Flow Chart: MSU Safe Place Process
Overview

Appendix F: Flow Chart: OIE Formal Complaint Process

Appendix G: Flow Chart: MSUPD Sexual Assault
Investigation Process

Appendix H: ADP/RVSMP Student Conduct Review Panel
Procedures

Appendix I: Description of MSU Disciplinary Procedures

RELIGIOUS OBSERVANCE, POLICY ON

(Administrative Ruling)

It has always been the policy of the University to permit students and faculty to observe those holidays set aside by their chosen religious faith.

The faculty and staff should be sensitive to the observance of these holidays so that students who absent themselves from classes on these days are not seriously disadvantaged. It is the responsibility of those students who wish to be absent to make arrangements in advance with their instructors. It is also the responsibility of those faculty who wish to be absent to make arrangements in advance with their chairpersons, who shall assume the responsibility for covering their classes.

As Michigan State University has become increasingly multicultural, the incidence of conflicts between mandatory academic requirements and religious observances has increased. In the absence of a simple and dignified way to determine the validity of individual claims, the claim of a religious conflict should be accepted at face value. Be aware that some degrees of observance may have a more

extensive period of observance. Instructors may expect a reasonable limit to the number of requests by any one student. Some instructors attempt to cover all reasons for student absences from required academic events such as quizzes or exams with a blanket policy, e.g., allowing the student to drop one grade or two quizzes without penalty. If this is meant to extend to religious observances, the instructor should state this clearly at the beginning of the term. If instructors require make-up exams, they retain the right to determine the content of the exams and the conditions of administration, giving due consideration to equitable treatment.

RESIDENCE HALL ROOM ENTRY POLICY

(Administrative Ruling)

Michigan State University respects the residents' privacy and control over their environments. The University is also responsible for providing quality facilities at reasonable costs to present and future residents.

Therefore, University staff may enter rooms and apartments to ensure they are maintained in safe and sanitary conditions and to make necessary repairs, whether the resident is present or not. A notice will be left if the room or apartment was entered and maintenance was completed.

The University reserves the right to enter a resident's room or apartment at any time including but not limited to the following reasons:

- To ensure sanitary conditions
- To inventory University property
- To silence unattended alarms and music
- If danger to life, health or property exists
- If reasonable cause to believe violations of University or housing policy exists
- To search for missing University property
- To provide requested maintenance services

No room will be searched except by appropriate legal agencies with a warrant or with the resident's permission, except as set forth in the Room Entry Policy.

—Residence Halls Association

—Residence Education and Housing Services

—Vice President for Auxiliary Enterprises

—Approved, May 1977, Revised April 1979, July 2014

RESIDENTIAL SAFETY AND SECURITY

(Student Group Regulation)

Residence Education and Housing Services, Residence Halls Association, and Vice President for Auxiliary Enterprises personnel shall establish guidelines for security in residence halls. For more information, contact Residence Education and Housing Services.

—Residence Halls Association

—Associated Students of Michigan State University

—Vice President for Auxiliary Enterprises

—June 16, 1972

—July 22, 2014

SAFETY

(All-University Policy)

(Applicable to University employees as well as students.)

It is the policy of Michigan State University to prevent accidents in work, class, and other activities which the University supervises, is responsible for, or sponsors. Each person, regardless of official or unofficial status, who assumes or is assigned responsibility for the work or activities of others is administratively responsible for their safety during such work or activities. Investigation of accidents to University personnel and students during work, class, or sponsored activities is the responsibility of the person whose job it is to supervise the person injured.

It is the intention of the University that there shall be compliance with safe practice standards which are a matter of professional knowledge and with official codes and regulations. Each department is responsible for the establishment and preservation of safe conditions and safe practices within the area of jurisdiction of the department.

—Board of Trustees, June 15, 1961

(See also: *General Student Regulation 2.00* and *3.00*.)

Each student organization is responsible for safe conditions and safe practices within its area of activity and for the prevention of accidents to members and guests. Questions regarding safety standards, codes, and regulations including those standards pertaining to decorations, food sanitation, public assemblage, emergency planning, fire safety, and accident prevention may be directed to the Division of Safety and Public Health of the MSU Police.

SELLING AND ADVERTISING

1. Selling and Advertising (Ordinance 27.00)

- .01 *No person or entity may sell or solicit sales of items or services, or solicit contributions, on University premises without an authorized written permit, which permit must be promptly exhibited to any requesting University representative.

Authority to set standards for and to grant permits is vested in the Secretary of the Board of Trustees. The Secretary may prohibit sales and solicitations or regulate the time, place and manner of sales and solicitations, as to all University properties or as to specified areas or facilities. The Secretary may designate other University administrators to grant permits for specified areas or facilities in accordance with established standards.

- .02 No person shall erect or otherwise display, except on his or her personal property, any sign or poster or distribute handbills upon property governed by the Board which advertises or otherwise calls attention to any commercial product, service or activity.

* Denotes Civil Infraction

—Board of Trustees

—Enacted: September 15, 1964

—Amended: September 1, 1986 June 14, 1996

—http://trustees.msu.edu/ordinances/ordinances_sec27.html

2. Exception

An exception to the above ordinance for student organizations is provided in Policy #02-06-04, Section 2B

(See also: *General Student Regulation 4.00* and *5.00*.)

SELLING AND SOLICITATION CENTRAL GUIDELINES

In accordance with Michigan State University ordinance 27.01, the Secretary of the Board of Trustees of Michigan State University promulgates these general standards concerning the grant of permits to sell or solicit sales or contributions on University premises:

1. Scope.

Ordinance 27.01 and these standards do not apply (a) to University departments or divisions whose operations include sales or solicitations, (b) with respect to charitable solicitations in which the University participates as an institution or de minimis sales for charity by University employees or students who derive no personal financial gain from the sales, or (c) in connection with sales to the University.

2. Limitations.

- (a) Permits will be granted only to (i) registered student organizations, living unit organizations, and major student governing groups, (ii) non-student University affiliated organizations, (iii) academic and administrative university units, (iv) groups selling or soliciting in conjunction with authorized activities at University facilities, and (v) vendors or suppliers with which the University has a contractual relationship, provided that a vendor or supplier which has entered into a formal contractual relationship with the University concerning sales or solicitation activities shall not be required to have a permit separate from an executed contract or purchase order, except for sales activities not described in the contract or purchase order.
- (b) Permits will be granted only for sales or solicitation activities which (i) do not violate or conflict with University ordinances, guidelines, or regulations or other applicable laws or regulations, (ii) do not infringe upon the University's trademark or other intellectual property rights, (iii) do not result in a breach of University contracts or compete with University or University-contracted operations, (iv) do not jeopardize public or individual safety, (v) will be conducted by members of the organization holding the permit, and (vi) are covered by such insurance as may be deemed necessary by the University's Department of Risk Management and Insurance.
- (c) Permits will not be granted for the sale of alcoholic beverages, tobacco products, or firearms.

3. Grant of Permits.

- (a) Permits will be granted by the offices responsible for the proposed sale or solicitation location (list under development). Each such responsible office (i) may prohibit sales entirely in all or a portion of its facility(s) or location(s) or in conjunction with a specified program or function or (ii) may establish additional standards specific to its facility(s) or area(s), which address time, place and manner restrictions and are approved by the Secretary of the Board of Trustees. To the extent that time and place restrictions result in a limited number of permits being available, permits shall be granted in the order applications are received by the appropriate office.
- (b) Grant of a sales or solicitation permit shall imply neither approval nor disapproval of the purposes of the group, the activities conducted, the content of any materials distributed or any items being sold.

—Secretary of the Board of Trustees

—October 1996

—http://trustees.msu.edu/ordinances/ordinances_sec27.html

SIGNS AND STRUCTURES

(Ordinance 28.00)

(https://trustees.msu.edu/ordinances/ordinances_sec28.html)

28.01 Signs

- .011 No person shall erect or otherwise display in a public area of property governed by the Board, any sign or poster that advertises or otherwise calls attention to a person or activity except on bulletin boards provided by Michigan State University. (Student organizations should contact the Student Life Office regarding exceptions to this provision.)
- .012 No person shall efface, alter, tamper with, destroy or remove any sign or inscription on any property governed by the Board.
- .013 It shall be unlawful for any person to attach any sign or poster to any property other than a bulletin board governed by said Board.

(See also: *General Student Regulation 4.00*.)

28.02 Structures—Erection and Maintenance of

- .021 No person shall construct or otherwise erect or maintain any structure anywhere within the confines of property governed by the Board unless a permit has been granted by the Secretary of the Board of Trustees or his/her designee. It shall be a violation of this ordinance to construct, erect or maintain any structure without a permit.
- .022 Areas may be designated by University regulations and/or administrative rulings for the erection and/or maintenance of structures relating to authorized activities taking place on campus and for the erection and/or maintenance of symbolic structures representing constitution-

ally protected expression. Reasonable time, place and manner regulations which are consistent with preservation of the campus landscape and environment, protection of university activities, and protection of the health and safety of all users of the area may be enacted by University units and incorporated into permits. No person shall violate the terms and conditions of a permit.

- .023 Permits shall be denied if: (a) it reasonably appears that granting the permit will result in interference with public health and/or public safety, (b) it reasonably appears that granting the permit will result in unreasonable interference with the operations or use of University buildings or grounds, and/or (c) the structure cannot reasonably be accommodated in the particular location considering such things as the number of structures the area can reasonably accommodate, the number of applications which are pending for use of the area and interference or impairment of the use of the area or surrounding area for normal university activities.
- .024 A permit may be suspended or revoked under any of the conditions as listed in subsection .023 that constitute grounds for denial of a permit, or for violation of the terms and conditions of the permit. Such a revocation shall be made in writing, with the reasons for revocation set forth, except under emergency circumstances, when an immediate verbal revocation and suspension may be made to be followed by written confirmation within 72 hours.
- .025 No permit shall be issued for a period in excess of 14 days, although pursuant to procedures established by the University, permits may be renewed for additional periods of 14 days if the reason for issuing the permit still exists, there has been no breach of the terms of the permit, the number of applicants who can be accommodated in the area is not exceeded, and/or there are no other applicants waiting to use the area.
- .026 Any structure which is erected or maintained in violation of subsection .021 or in violation of any permit granted under subsection .022 may be impounded by the University. The person who erected the structure and/or directed that the structure be erected is responsible and liable to the University for the costs of removal, storage, or other disposition of property. Property impounded pursuant to this subsection shall be deemed to be abandoned and may be disposed of by the University if not claimed by the owner or an authorized representative thereof within 30 days. The 30 days shall begin to run when the rightful owner of the property has been notified, if the owner can be identified, or from the time the property was placed in the University's custody, if the owner

cannot be identified.

- .027 A person who violates subsection .021 of this ordinance shall be guilty of a misdemeanor and shall be punished as provided by law. A person who violates subsection .022 of this ordinance and who has no prior violations is responsible for a civil infraction and is liable for a civil fine of \$100. A person who violates subsection .022 of this ordinance and who has a prior violation under this section shall be guilty of a misdemeanor and shall be punished as provided by law.

TEMPORARY STRUCTURES, ERECTION OF (Administrative Ruling)

- A. In accordance with constitutional rights of freedom of expression, symbolic structures representing constitutionally protected expression may be erected by students, student groups and registered student organizations in the area lying between the Red Cedar River, the International Students Center, Erickson Hall and Wells Hall in accordance with this administrative ruling.
- B. Registration for a permit shall be initiated in the Office of the Vice President for Student Affairs and Services (Student Life Center) during normal business hours on forms provided by that office. Permits for the erection of such temporary structures shall be issued after proper registration on a first-come first-served basis unless it is determined that the approval would result in interference with the public health and/or public safety or in unreasonable interference with the operations and/or use of university buildings or grounds. The duration of a permit shall not exceed fourteen (14) consecutive days. Permits may be renewed for additional periods of fourteen (14) days upon renewal of registration, provided that there has been no breach of the terms of the permit, the number of registrants who can be accommodated in the area is not exceeded and there are no other registrants waiting to use the area.
- C. Individuals who are issued permits shall abide by the following terms:
1. Symbolic structures shall be erected only within the above-described area and restricted to the boundaries indicated on the attached map. (Available in 101 Student Services Building.)
 2. Symbolic structures shall not exceed thirty-two (32) square feet at the base, eight (8) feet in height, nor be located less than twenty-four (24) feet from any other structure.
 3. Symbolic structures shall not be inhabited, slept in, camped in or used as shelters.
 4. Persons to whom permits have been granted (permit holders) shall be personally responsible for any symbolic structure erected.
 5. Permit holders shall maintain the structure and immediately surrounding area in such manner and by such means as will leave the area unimpaired and free from trash, garbage and litter.
 6. Signs, posters, placards, and banners shall not be attached to any trees, shrubs or buildings. Symbolic

structures shall not be affixed to the grounds or any trees, shrubs or buildings.

7. Individuals who have erected structures or directed the erection of structures are responsible for and liable to the University for the costs of removal, storage or other disposition of any structure which is impounded by the University for violation of any of these guidelines.
 8. Violation of the terms of any permit by a permit holder may result in prosecution and/or penalties as provided in Ordinance No. 28.
- D. Any permit may be revoked or modified if the activities of the participants interfere with the public health and/or safety or unreasonably interfere with the operations or use of University buildings or grounds or if the terms and conditions of the permit are violated.
- E. Every effort will be made to complete the processing of the registration for a permit expeditiously but not later than three (3) class days.

—Secretary of the Board of Trustees

—Vice President for Student Affairs and Services

—Vice President for Finance and Operations

—November 11, 1990

—http://trustees.msu.edu/ordinances/ordinances_sec28.html

Information regarding permission to erect A-frames and sandwich boards outside of campus buildings is available in the Student Life Center, 101 Student Services Building. Size limit is 3' x 5'.

SMOKE AND TOBACCO-FREE POLICY

(All-University Policy)

(Applicable to University employees as well as students)

Michigan State University (the "University") is committed to eliminating harmful exposure to smoke, tobacco, and environmental tobacco byproducts and adopts the following smoke and tobacco-free policy.

1. No person shall (a) smoke, or (b) otherwise use any product derived from or containing tobacco, on any property governed by the Board of Trustees of Michigan State University. Ordinance 29.01.
2. Products derived from or containing tobacco may not be sold on any property governed by the Board. Ordinance 29.02..
3. No person shall (a) smoke, or (b) otherwise use any product derived from or containing tobacco, in any vehicle owned or leased by the University.
4. Notwithstanding the foregoing, all FDA-approved nicotine replacement therapy products are permitted when used for the purpose of cessation. Other exceptions to this policy may be authorized by the Secretary of the Board pursuant to guidelines issued by the Secretary of the Board. Ordinance 29.04.

Definitions

For the purpose of this policy:

To "smoke" means inhaling, exhaling, burning, or carrying any lighted or heated tobacco or plant product intended for

inhalation, whether natural or synthetic. To "smoke" also includes the use with any such tobacco or plant product of a pipe or hookah; of any electronic smoking device which creates, in any manner, an aerosol or vapor, in any form; or any other oral smoking device.

"Tobacco-derived or containing products" include, without being limited to, cigarettes (including clove, bidis, kreteks), electronic cigarettes, aerosol or vapor nicotine delivery devices, cigars and cigarillos, pipe tobacco, hookah-smoked products, and oral tobacco (spit and spitless, smokeless, chew, snuff).

Application of Policy to All Persons

This policy applies to all persons on University property, including students, faculty, employees, contractors, sub-contractors, and visitors, and to all persons who use University vehicles. Conspicuous signage will be posted on University grounds to inform the public that the University campus is smoke and tobacco-free. Exceptions to this policy may be authorized by the Secretary of the Board of Trustees pursuant to established guidelines.

Education

University leaders, managers, supervisors, and facilities managers are expected to educate employees regarding this policy and to promote compliance in their areas of responsibility and on the larger campus. University managers and supervisors are also expected to facilitate attendance at University-sponsored programs for employees who desire to become tobacco-free.

Residential community supervisors and Student Life staff are expected to educate students regarding this policy and to promote compliance with it.

Enforcement

The success of this policy requires the cooperation of all members of the University community, not only through personal compliance with this policy, but by encouraging others to comply.

Concerns about smoking and tobacco use should be addressed in the moment whenever feasible. Continued concerns should be referred to the appropriate unit responsible for review and action:

- Faculty and Employees (including student employees) – issues should be referred to the employee's supervisor or the employing unit head
- Students – issues should be referred to residential community supervisors or Student Conduct and Conflict Resolution
- Contractors and Subcontractors – issues should be referred to the campus unit responsible for monitoring performance under the contract
- Visitors – issues should be referred to the visitor's host or to the University Police

Persons who violate this policy will be subject to disciplinary action.

Smoking Cessation Programs and Products University-sponsored smoking cessation programs are available to assist students, faculty, and employees who wish to quit smoking.

See below Ordinance 29.00 Smoking (https://trustees.msu.edu/ordinances/ordinances_sec29.html)

[edu/ordinances/ordinances_sec29.html](https://trustees.msu.edu/ordinances/ordinances_sec29.html))

—Board of Trustees

—July 16, 1993

—Amended Effective August 15, 2016

SMOKING

(Ordinance 29.00)

(Applicable to University employees as well as students)

- .01 *No person shall (a) smoke, or (b) otherwise use any product derived from or containing tobacco, on any property governed by the Board.
- .02 *Products derived from or containing tobacco may not be sold on any property governed by the Board.
- .03 *For the purpose of this Ordinance:
To "smoke" means inhaling, exhaling, burning, or carrying any lighted or heated tobacco or plant product intended for inhalation, whether natural or synthetic. To "smoke" also includes the use with any such tobacco or plant product of a pipe or hookah; of any electronic smoking device which creates, in any manner, an aerosol or vapor, in any form; or of any other oral smoking device.
"Products derived from or containing tobacco" include, without being limited to, cigarettes (including clove, bidis, kreteks), electronic cigarettes, aerosol or vapor nicotine delivery devices, cigars and cigarillos, pipe tobacco, hookah-smoked products, and oral tobacco (spit and spit less, smokeless, chew, snuff).
- .04 Notwithstanding the foregoing, all FDA-approved nicotine replacement therapy products are permitted when used for purposes of cessation. Other exceptions to this Ordinance may be authorized by the Secretary of the Board pursuant to guidelines issued by the Secretary of the Board.

*Denotes civil infraction

—Board of Trustees

—Enacted September 15, 1964

—Amended May 16, 1969; December 10, 1994;
October 13, 1995, August 15, 2016

—<http://trustees.msu.edu/ordinances/index.html>

STUDENT DISORDERLY CONDUCT POLICY, MSU

(All-University Policy)

Prohibition

Michigan State University students shall not engage in disorderly conduct at or in connection with a riot.

Definitions

"Riot" means five or more persons, acting in concert, who engage in violent conduct and thereby intentionally or recklessly cause or create a serious risk of causing public terror or alarm.

"Acting in concert" means acting with a common intent or purpose.

"Disorderly conduct at or in connection with a riot" includes, but is not limited to, setting fires; throwing bottles or other projectiles; damaging, destroying, or

defacing property not the student's own; obstructing, interfering with, or disrupting the activities of peace officers or public safety personnel engaged in the lawful performance of their official duties; intentionally or recklessly causing or threatening physical harm to another; endangering the physical safety of another; tampering with or misusing fire or safety equipment; theft or looting; resisting arrest; and conspiring with others or inciting others to do any of the foregoing.

Application

This Policy applies to all Michigan State University students whenever the prohibited conduct occurs on the land governed by the Board of Trustees of Michigan State University (the "campus"), when students are engaged in University-sponsored or student group sponsored (student governing group and registered student organization) activities off campus, in all local government jurisdictions adjacent to the campus, or on any other college or university campus.

Enforcement

Violations of this Policy will be adjudicated according to procedures outlined in Article 5 of *Michigan State University Student Rights and Responsibilities*.

Students found through University disciplinary proceedings to have violated this Policy may be subjected to a variety of sanctions as described in Section I.H of *Michigan State University Student Rights and Responsibilities*. These sanctions may include: No Action, Warning, Probation, or Suspension from the University. Either probation may also include stipulations requiring a student living on campus to move to another location on or off campus. Students may also be required to make restitution for damage to University property.

In addition to sanctions outlined in Section 5 of *Michigan State University Student Rights and Responsibilities*, violators of this Policy may also be required to make restitution for damage to public and private property.

In some instances, students accused of violating this Policy may be suspended on an interim basis.¹

Behaviors violating this Policy may also be in violation of professional standards established by colleges and professional schools at Michigan State University. Procedures for adjudicating these alleged violations are outlined in the *Graduate Student Rights and Responsibilities* document, the *Law Student Rights and Responsibilities* document, and the *Medical Student Rights and Responsibilities* document.

Interpretation

This Policy shall not be interpreted to restrict or limit any student's First Amendment rights to freedom of

speech or assembly.

Note: All members of the University community must abide by standards of behavior that reflect the collegial nature of their endeavors. Faculty members and staff members are subject to the disciplinary policies set forth in the *Faculty Handbook* and the *Employee Handbook*, respectively.

—Board of Trustees, Interim Policy, April 9, 1999

—Revised and Adopted

—Academic Council, October 24, 2000

—Board of Trustees, December 8, 2000

—<http://trustees.msu.edu/policy-manual/index.html>

STUDENT EVENTS—SOCIAL

Social events (e.g., dances, mixers) that occur on the Michigan State University campus and to which persons beyond the sponsoring organization's membership are invited must be in compliance with the procedures for scheduling such events. These procedures may be obtained from the Department of Student Life, 101 Student Services Building. The scheduling process must begin at least 21 calendar days prior to the desired date for the event.

STUDENT FEE COLLECTION (STUDENT TAXATION)

(All-University Policy)

Michigan State University will have a student tax system that will allow students to assess themselves taxes for the purpose of supporting student sponsored programs and services. The all-University student governing bodies (Council of Graduate Students and the Associated Students of Michigan State University) and the on-campus residence unit governing groups (Residence Halls Association, University Apartments Council of Residents, and Owen Graduate Association) are authorized to collect refundable and mandatory student taxes from their constituent groups subject to initial student referendum and renewal referendum every three years. Additional criteria, procedures, and accountability measures for the use of University collection procedures by the above mentioned groups are to be developed by appropriate administrative offices.

Until further action by the Board, an exception will exist for The State News, Inc., which will continue to collect student tax assessments under the same procedures that have been in effect since The State News, Inc., became a separately incorporated organization.

—Board of Trustees

—December 2, 1983

Student Fee Collection Criteria and Procedures (Administrative Ruling)

I. All-University Student Governing Bodies and

¹ See Article 5, Section I. of *Michigan State University Student Rights and Responsibilities* which reads: If the Vice President is presented with credible information that a student's continued presence at Michigan State University poses a clear and present danger to the health or safety of persons or property, the Vice President will make a reasonable attempt to notify the student of the potential interim suspension and offer the student an opportunity to present information that he/she does not pose a threat to persons or property. The interim suspension shall not preclude, render irrelevant, or predetermine the outcome of subsequent disciplinary action relating to conduct which the interim suspension is based. Nor shall an interim suspension create a presumption that the respondent violated University policy. Students placed on interim suspension may petition for reinstatement at any time, with the guidelines listed.

On-Campus Residence Governing Groups

University policy provides that Michigan State University will collect mandatory and refundable fees for all-University student governing bodies (Associated Students of Michigan State University and Council of Graduate Students) and on-campus residence governing groups (Residence Halls Association, University Apartments Council of Residents, and Owen Graduate Association). The criteria and procedures follow:

A. All-University student governing bodies and on-campus residence governing groups shall meet the following provisions before the University will collect fees from constituents of the all-University student governing bodies or the on-campus residence governing groups:

1. The all-University student governing bodies and the on-campus residence governing groups shall have constitutions duly ratified by their student constituencies and recognized by the University.
2. The power to assess fees of student constituents must be granted in their constitutions. These all-University governing bodies and the on-campus residence governing groups have the right to assess fees on their student constituencies.
3. The Student Affairs and Services Division and the Business and Finance Division will establish the procedures for collection of mandatory and refundable fees in consultation with the all-University student governing bodies and on-campus residence governing groups.
4. The all-University student governing bodies and the on-campus residence governing groups will establish procedures to refund collected fees to students making the request within the first 10 class days of each academic semester.
5. The all-University student governing bodies and the on-campus residence governing groups will make available a yearly financial report to the student population and to the Division of Student Affairs and Services formatted by the executive committee of each all-University student governing body or on-campus residence governing group. If an all-University student governing body or on-campus residence governing group has subdivided its total fee assessment by major governing groups, organizations, or programs (see I.B.), the yearly financial report of the parent all-University student governing body or on-campus residence governing group must contain information from these constituent major governing groups, organizations, or programs. The availability of this report shall be publicized by November 1 in a publication that is distributed campus-wide to their constituent students.

B. Constituent major governing groups, organizations, and programs of the all-University student governing bodies and on-campus residence gov-

erning groups may petition or request from their parent governing body or group monies to fund their activities.

The all-University student governing bodies and on-campus residence governing groups may, however, allow their student constituencies to authorize through referendum process the collection of a fee assessment for a specific major governing group, organization or program (see Section III). If such a fee collection is authorized through the referendum process, the parent all-University student governing body or on-campus residence governing group may develop requirements and procedures that govern the use of the fees collected by the specific major governing group, organization, or program.

C. The mandatory and refundable fee collected by the University on behalf of these all-University student governing bodies or on-campus residence governing groups shall be subject to renewal by referendum of the affected student constituency every three years.

1. If an all-University student governing body or on-campus residence governing group has subdivided its total fee assessment by major governing groups, organizations, or programs, the renewal referendum will be conducted on each major governing group, organization, or program every three years.
2. Renewal of the fee requires an approval by a majority of the students voting.

II. Incorporated Student Organizations

University collection procedures may not be used by an all-University student governing body, major student governing group, or student organization which is separately incorporated.

III. Referendum for Establishment, Modification, or Removal

An additional referendum for either establishment, modification, or removal of an all-University student governing body or on-campus residence governing group will be held if the following conditions have been met:

A. A student, major governing group, organization, or program has obtained, by written petition, the written support of at least thirty percent of the affected student constituency for such a referendum. The petition must fairly represent the action that is being requested. Petitions may be circulated from the first day of early registration to the last day of the fifth week of the semester in which the early registration applied. The petitions will be validated by the Vice President for Student Affairs and Services at the expense of the student, major governing group, organization, or program.

1. Upon validation of the petitions, a referendum shall be held in a manner prescribed by the Vice President for Student Affairs and Services. A majority (fifty percent plus one) of the affected student constituency must vote, and the refer-

endum must be approved by a majority of those voting. Renewal procedures are outlined in Section IV.

2. The costs of all initial and renewal referenda authorized by the procedure outlined in the section of the administrative ruling (III.A.) will be borne by the requesting student, major governing group, organization, or program.

B. An all-University student governing body or on-campus residence governing group may request a referendum to establish a mandatory fee assessment of a new and different student constituency or they may request a referendum to authorize the collection of fees for a specific major governing group, organization, or program. This referendum shall be held in a manner prescribed by the Vice President for Student Affairs and Services. The referendum will be open only to the proposed student constituency. A majority of that constituency (fifty percent plus one) must vote on the referendum, and approval for the referendum must be by a majority of those voting.

1. At the time of renewal for fees authorized by the procedure outlined in this section of the administrative ruling (III.B.), the all-University student governing body or on-campus residence governing group that initially requested the referendum for the specific major governing group, organization, or program must decide if it wishes to continue to support the specific major governing group, organization, or program. Renewal referendum procedures are outlined in Section IV. If the all-University student governing body or on-campus residence governing group withdraws its support, the renewal referendum will not be held and the collection of taxes will cease after the spring semester of the third year that the taxes have been collected for the specific major governing group, organization or program.

2. The costs of all initial and renewal referenda authorized by the procedure outlined in this section of the administrative ruling (III.B.) will be borne by the requesting major governing group, organization, or program (or all-University student governing body or on-campus residence governing group if a new and different student constituency is being taxed).

C. An all-University student governing body or on-campus residence governing group may request a referendum for modification or removal of any previously established fee under its jurisdiction. A specific major governing group, organization, or program may also request a referendum for modification or removal of any fee it is receiving. These referenda shall be held during the next entire registration procedure except summer term. The referenda must be approved by a majority of students voting.

D. When a student fee is established or modified

through a referendum, the new fee will take effect two registration periods after the registration period in which the referendum was conducted (e.g., a referendum conducted fall registration, new fee takes effect summer registration; a referendum conducted spring registration, new fee takes effect at fall registration).

IV. Referendum for Renewal

A. Renewal referenda on the taxes collected for the all-University student governing bodies and on-campus residence governing groups shall be conducted on a rotating basis during spring semester. Not more than two renewal issues shall be on the ballot during the same period. Renewal of the fees requires an approval by a majority of the students voting.

B. If the referendum is not approved, fees will not be collected commencing with the following fall semester. An all-University student governing body or an on-campus residence group may request a new referendum to re-establish the fee. This referendum may be conducted any term except summer term. Re-establishment of the fee requires that a majority (fifty percent plus one) of the affected student constituency must vote in the referendum. The referendum must then be approved by a majority of those voting.

V. University Authorization for Tax Collection

The Vice President for Student Affairs and Services shall be the University official empowered to authorize tax collections and/or referenda if the all-University governing bodies or on-campus residence governing groups have met the appropriate provisions of this Administrative Ruling.

VI. Violation of Regulations and Procedures

If it is alleged that any all-University student governing body, on-campus residence governing group, major governing group, organization or program is violating the regulations and procedures in this Administrative Ruling, the Vice President for Student Affairs and Services or his/her designee shall conduct a hearing on this matter. If it is the judgment of the Vice President for Student Affairs and Services that violation of procedures is evident, the affected group(s) may be suspended from collection privileges.

VII. Petition, Referendum, and Collection Costs

The costs associated with validating petitions, conducting referenda, and collecting fees will be borne by the requesting group(s) or student(s).

—Vice President for Student Affairs and Services
—June, 1984

UNDERCOVER SURVEILLANCE INVOLVING MSU STUDENT ORGANIZATIONS¹

In its Resolution of September 17, 2001, the MSU Board of Trustees directed that undercover surveillance of student organizations should occur only in "extraordinary circumstances" and should not be a part of normal police operations. The Board further directed that the University President is responsible for implementation of this Resolution.

Undercover surveillance potentially threatens the delicate balance in an academic community between protecting freedom and ensuring security. To safeguard individual liberties, the President should consider the mission of the university before responding to a request to approve undercover surveillance of student organizations. In addition, the President must have a workable definition of "extraordinary circumstances" to guide him or her.

This statement defines "extraordinary circumstances" as situations in which reasonable cause exists to conclude that actions of MSU student groups on campus could lead to loss of life, physical harm or substantial property damage. Peaceful protests or demonstrations are not "extraordinary circumstances."

Guidelines for Conducting Undercover Surveillance of MSU Student Organizations

1. If the Police Chief has reason to believe that the conditions for "extraordinary circumstances" have been met, he/she must inform the President before taking action.
2. The President then determines if the situation constitutes "extraordinary circumstances".
3. Before determining that undercover surveillance is necessary, the President should seek advice and options from the following:
 - a. General Counsel
 - b. Vice President for Student Affairs and Services
 - c. Provost
4. If feasible, the President should seek student input.
5. Given the advice and options provided by these parties, the President should determine an appropriate course of action to ensure the safety of the campus and an environment that promotes and protects individual liberties.
6. If the President determines that undercover surveillance of a student organization is appropriate, he or she should set clear goals and the parameters for the surveillance. Any need for significant changes in the goals or parameters of the surveillance shall be reported to the President to determine whether those changes are authorized in accordance with this procedure.
7. The Police Chief will provide weekly reports regarding the ongoing undercover surveillance to the President.
8. Approval for undercover surveillance of a MSU stu-

dent organization will expire when the "extraordinary circumstances" no longer exist and, in all cases, after a four month period, unless the President extends the surveillance.

Records Regarding Undercover Surveillance of MSU Student Organizations

If the President authorizes an undercover surveillance, the University will prepare and maintain indefinitely a written record available to the public containing the following procedural information:

1. The fact that undercover surveillance was conducted of a MSU student organization.
2. The fact that such undercover surveillance was approved in accordance with these guidelines, including a list of any other options considered, and a list of University officials consulted.
3. The dates of the surveillance.
4. Whether an arrest or conviction occurred as a result of the surveillance.

If the Police Chief requests an undercover surveillance of a MSU student organization, and if the President refers the matter to a law enforcement agency external to MSU, the University will prepare and maintain indefinitely a written record of this referral.

To protect the privacy of the parties investigated, this written record will not contain the names of the individuals or organizations that were the subject of undercover surveillance.

The maintenance and release of other records, if any, regarding the undercover surveillance will be governed by applicable law and existing university record-keeping and destruction policies.

UNIVERSITY TRADEMARKS

The trademarks of Michigan State University are the exclusive property of the Michigan State University Board of Trustees, in accordance with the trademark and service mark registrations filed with the U.S. Patent and Trademark Office and/or the state of Michigan. The University reserves ownership of any trademark, service mark, logo, insignia, seal, design, or other symbol or device associated with or referring to Michigan State University.

To protect its brand, Michigan State has established the Office of University Licensing Programs. Persons and businesses wishing to use these marks commercially are required to enter into a license agreement with the University.

Registered student organizations and campus units planning to use these marks on merchandise are directed to www.licensing.msu.edu where a Licensing Authorization Form is available under the "Campus Use" link. Also available on this website is a link to the Michigan State University official Licensee List. All products bearing

¹ These recommendations are applicable to undercover police surveillance of registered student organizations as well as to student groups which are not registered student organizations. In other words, the recommendations apply to student organizations as broadly understood. The recommendations do not, however, restrict undercover police activity with respect to groups of students who may be committing crimes for personal benefit like selling drugs or fencing stolen property. The main purpose of the recommendations is to protect individual liberties in the context of political and social activism.

the wordmarks for trademarks of the university must be supplied by a licensed vendor and approved through the Licensing authorization form by the University Licensing Programs.

VEHICLES

All vehicles, including mopeds, motorcycles and bicycles, operated or parked on MSU property by a MSU student, must be registered with the MSU Parking Office and bare a current and valid permit in accordance with the Student Parking and Driving Regulations.

All students, except those with fewer than 20 MSU accepted credits and first-year agriculture technology students residing in residence halls are eligible to register a vehicle on campus. An exception may be made after a special parking application and requested information has been submitted, reviewed by the Parking Office, and approval granted.

Undergraduate and graduate students (including graduate assistants) commuting from off-campus (commuters) or residing in residence halls or University Apartments, need to register online via the website: www.police.msu.edu. Parking information may be found under "Management Services" and then "Parking Office". Those not mentioned above or who have questions regarding online registration may contact the Parking Office at (517) 355-8440 to inquire about obtaining a parking permit.

If eligible to register at the Parking Office, the following must be presented:

1. Current state-issued vehicle registration
2. MSU Student ID (Spartan Card)
3. Proof of credits MSU has finalized
4. Lease agreement (only for Spartan Village or University Village residents)
5. For those who are graduate assistants, proof of graduate assistant appointment
6. Payment for the permit (cash, check or money order payable to Michigan State University, or VISA, MC, DISC and AMEX)

Illegally parked vehicles are subject to violations and may be towed. In accordance with state law, the registered owner will be held responsible for the fines incurred. The student registering a vehicle shall be responsible for its operation. All parking violations must be paid or appealed within seven (7) days from the date of issuance.

A FINE MAY BE PAID:

1. Via our online payment system. Go to www.police.msu.edu to access.
2. Via mail (check or money order payable to Michigan State University).
3. In the drop box in the MSU Police Department lobby (24 hours/7 days).
4. At the Parking Office during business hours.

If a fine is not paid within seven (7) days after issuance, late and delinquent fees shall be added to the fine. In addition, failure to pay violations could result in additional fees, a hold being placed with the Registrar's Office, a warrant issued for the registered owner's arrest (if the violation is transferred to 54-B District Court) and/or

impoundment of the vehicle at which time unpaid violations, the impoundment fee and storage fees must be cleared to release the vehicle.

APEALS MAY BE INITIATED:

1. Via our website: www.police.msu.edu
2. Via mail—letter
3. Via phone (set verbal appeal appointment)

Visitors (non-MSU student) to students should secure a visitor pass. A residence hall visitor pass may be purchased at Sparty Stores or at the Parking Office.

General parking and driving information may be found in the Student Parking and Driving Regulation, go to www.police.msu.edu. Detailed parking and driving information may be found at the Michigan State University ordinance website: www.trustees.msu.edu/ordinances.

IMPOUNDED VEHICLES

(Ordinance 36.03)

.03 Impound vehicles. The MSU Police Department is authorized to impound and remove to a place of safe-keeping any vehicle found on the lands governed by the Board of Trustees, at the expense of the vehicle's registered owner, when it is determined that the owner has failed to answer 6 (six) or more parking violation notices or citations regarding illegal parking. The vehicle shall be released to the owner or the agent of the owner when the impoundment fee for the vehicle has been paid and when all outstanding parking violation notices and citations regarding illegal parking relating to the vehicle has been cleared. The fee for impoundment shall be of such amount as shall reimburse the University for all towing and impoundment costs and for storage. Impounded vehicles not claimed shall be disposed of as provided by law.

—Board of Trustees

—Enacted: September 15, 1964

—Amended: June 8, 1990, December 10, 1994,
December 8, 2000, June 6, 2003

—http://trustees.msu.edu/ordinances/ordinances_sec36.html

WITHDRAWAL PROCEDURES AND POLICIES

(Administrative Ruling)

The Withdrawal Procedures and Policies administrative ruling provides students with the criteria and obligations for a voluntary withdrawal from the University. For a complete listing of the policies and procedures associated with a voluntary withdrawal, visit: <http://www.reg.msu.edu/ROInfo/Notices/Withdrawal.aspx>.

OTHER ORDINANCES

The University has ordinances in addition to those included here. All are published in, Michigan State University Ordinances, available for reference at the Information Desk in the Main Library; and at website: <http://trustees.msu.edu/ordinances>. Included is information on enforcement powers, duties of police officers, and penalties.

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Notes, Numbers, etc.

Notes, Numbers, etc.

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Associated Students of

ASMSU

Michigan State University

WHO ARE WE?

ASMSU is the undergraduate student government of Michigan State University.

We aim to enhance our individual and collective student experience through education, empowerment, and advocacy by dedication to the needs and interests of students.

FREE iclicker rentals, legal services, interest free loans, bluebooks, yearbooks, events, etc.

FOR MORE INFORMATION:

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