

CHAPTER 45. REGISTERED STUDENT ORGANIZATIONS

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CHAPTER 45. REGISTERED STUDENT ORGANIZATIONS

SUBCHAPTER A. GENERAL INFORMATION

SECTION 45.01 DEFINITIONS

In this Chapter, unless the context requires a different meaning,

- (1) "adviser" means a member of the general faculty or administrative staff who counsels the members of an organization;
- (2) "executive vice chancellor" means the Executive Vice Chancellor for Academic Affairs of The University of Texas System;
- (3) "class day" means a day on which classes or reading periods before semester or summer session final examinations are regularly scheduled or on which semester or summer session final examinations are given;
- (4) "vice president" means the Senior Vice President for Student Affairs and External Relations;
- (5) "director" means the Director of Student Development;
- (6) "dean" means the Dean of Students
- (7) "organization" means a student group holding a valid temporary or permanent registration from the director;
- (8) "member" means a person who can vote for or otherwise help determine an organization's policies and affairs;
- (9) "president" means the President of The University of Texas at Dallas;
- (10) "student" means a person enrolled at the university or a person accepted for admission or re-admission to the university;
- (11) "university" means The University of Texas at Dallas;
- (12) "university facility" means all buildings, structures, and ground areas under the possession or control of the university;
- (13) "institutional rule" means a rule contained in the university's Handbook of Operating Procedures;
- (14) "administrative rule" means a rule or definitive instruction contained in an official publication of the university.

SECTION 45.02 JURISDICTION OF DIRECTOR

(a) The director has jurisdiction over all organizations using university facilities except activities in which participation may yield academic credit in a degree program by the university.

(b) The director is responsible to the dean for the administration of the provisions of this chapter.

SUBCHAPTER B. REGISTRATION

SECTION 45.05 REGISTRATION REQUIRED

(a) A group of at least five (5) students is entitled to register as an organization.

(b) Each group that seeks to use university facilities shall apply to the director for registration as an organization.

(c) No organization or group may be registered if the actions or activities of the organization or group, in the opinion of the dean, vice president, the president, or the executive vice chancellor are inimical to the educational purpose and work of the university.

SECTION 45.06 ELIGIBILITY

(a) A group is eligible for registration if

(1) its membership is limited

(A) to students; and

(B) to faculty and administrative staff;

(2) its membership is not denied anyone on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, age, veteran status, or disability;

(3) it has an adviser who is either a member of the faculty or administrative staff;

(4) it is not under disciplinary penalty prohibiting registration; and

(5) it conducts its affairs in accordance with the Regents' Rules, institutional rules, and administrative rules.

(b) An organization may limit its membership to students.

SECTION 45.07 GENERAL DUTIES OF DIRECTOR

The director shall

(1) register eligible groups as organizations;

(2) enforce the Regents' Rules, institutional rules, and administrative rules relating to organizations;

(3) report to the vice president any allegations that an organization has violated a Regents' Rule, institutional rule, or administrative rule; and

(4) recommend programs relating to the on-campus activities of organizations.

SECTION 45.08 APPLICATION

(a) A group shall apply to register on a form prescribed by the director. The form shall include:

- (1) the name and mailing address of the proposed organization;
- (2) the number of student, faculty, and administrative staff members of the proposed organization on the application date;
- (3) the names and signatures of its officers and its adviser;
- (4) a description of each prior application for registration and the action taken on it; and
- (5) other information reasonably required by the director.

(b) In addition to the application required by Subsection (a), each group making application shall submit to the director a copy of its charter or constitution stating the proposed organization's purpose (the charter form), source of financial support, and purposes for which organization funds may be utilized.

SECTION 45.09 USE OF UNIVERSITY NAME OR SPONSORSHIP

(a) Unless sponsored by the university, a student, group, or organization may not use the name of the university or The University of Texas System or an abbreviation of the name of the university or the System as part of its name. A student, group, or organization may use terms such as "campus" or "Texas campus" as part of its name.

(b) A student, group or organization may not display the seal of the university or The University of Texas System in connection with any activity of the organization nor use the seal or seals as a part of any letterhead, sign, banner, pamphlet, or other printed material that bears the name of the organization.

(c) A student, group, or organization may not advertise or promote events or activities or other functions in a manner that suggests or implies that they are educational or other functions sponsored by the university or that the organization is acting with the authority or as an agency of the university.

SECTION 45.10 ACTION ON APPLICATION

(a) In considering an application, the director may not pass on the merits of the proposed organization's purpose, but shall temporarily or permanently register the applicant unless it is ineligible under Section 45.06.

(b) The director evidences the registration of an organization by endorsing on each copy of the application "Registered (date)", signing under the endorsement, and placing it on file in the student activities office.

SECTION 45.11 REFUSAL TO REGISTER

(a) If the registration is refused, the director shall provide the applicant with a copy of a written statement of the reasons for refusal.

(b) If the director refuses to grant registration, the applicant may petition the dean, in writing, to grant registration. The applicant shall attach a copy of its application to the petition.

(c) If the dean agrees to review the director's refusal, the dean may convene the Executive Committee of the Student Association to advise him or her regarding the refusal.

(d) Following a review of the refusal, the dean may

(1) affirm the director's decision;

(2) refer the matter to the director for further investigation; or

(3) order the director to grant registration.

(e) The dean's decision may be appealed to the vice president under the provisions of Subchapter E in Chapter 49.

SECTION 45.12 ANNUAL REVIEW OF ORGANIZATIONS

(a) Annually before November 1 the director shall review the status of all registered organizations to determine whether they meet the eligibility requirements set out in Section 45.06, are active, and conduct their affairs in accordance with the Regent's Rules, institutional rules, and administrative rules.

(b) If an organization is found to be inactive, the director shall request in writing of the last registered presiding officer and adviser, a report on the organization's status and to show cause for the continuation of the registration. If the organization fails to respond on or before the 10th class day after the date of the request, or if the organization representative confirms inactivity, the director shall cancel the organization's registration. Upon re-activation, the organization may apply for registration.

(c) If the director determines that an organization may be in violation of a Regents' Rule, institutional rule, or administrative rule, the director shall investigate under Subchapter D of this chapter.

SUBCHAPTER C. RIGHTS AND DUTIES

SECTION 45.15 RECOGNITION AND ACTIVITIES

An organization is entitled

(1) to be listed as a registered student organization;

(2) to sponsor or present a public performance on university property in accordance with Subchapter D of Chapter 48;

(3) to raise funds or make other noncommercial solicitations on university property in accordance with Subchapter E of Chapter 48; and

(4) to reserve the use of university facilities in accordance with the provisions of Chapter 48.

SECTION 45.16 OFF-CAMPUS ACTIVITIES

The activities of student organizations or their individual members, taking place off University-owned or controlled property, are entirely the responsibility of the student organization. The University accepts no responsibility for off-campus activities by allowing advertising of such activities on the campus. However, any student organization or student who engages in conduct that is prohibited by System or institutional rules or by federal, state, or local law is subject to discipline whether such conduct takes place on or off campus or whether civil or criminal penalties are also imposed for such conduct (see Subchapter D and Chapter 49).

SECTION 45.17 INITIATIONS

Initiations by organizations may include no feature or activity which is dangerous, harmful, or degrading to the student or would violate the prohibitions on hazing further defined and prohibited by Sections 31.151 et seq. and 51.936 of the Texas Education Code. A violation of this prohibition renders the organization subject to disciplinary action and prosecution under state law.

SECTION 45.18 MEETINGS

- (a) An organization shall give its members and adviser reasonable advance notice of its meetings.
- (b) An organization shall conduct its meetings in accordance with its charter and constitution.
- (c) The director may establish regulations regarding length and location of meetings which are held on campus.

SECTION 45.19 FISCAL POLICY

(a) The University assumes no liability for the financial transactions of a given student organization and strongly recommends that each organization establish whatever controls it deems necessary via the organization's constitution and/or bylaws.

(b) Texas law allows a registered student organization to be relieved from state sales tax liability for fund-raising sales occurring on one day per month. All proposed sales events are subject to the Regents' Rules and to other institutional policies concerning the time, place and manner of solicitation. The sales must be for the benefit of the registered organization and may not involve another entity not authorized to solicit under the Regents' Rules.

SECTION 45.20 REQUIREMENTS

(a) Every registered student organization shall furnish to the director at the beginning of each semester a complete list of officers or other members of the organization who are authorized to speak for or represent the organization in its relations with the university and who are authorized to receive for the organization official notices, directives, or information from the university. Each such list shall be kept current and accurate throughout the semester by the organization, and it shall be conclusively presumed that the officers or members whose names are on the list most recently filed by the organization are authorized to speak for and represent the organization in its relations with the university and are authorized to receive for the organization official notices, directives, or information from the university.

(b) At the beginning of each semester, each registered student organization must file with the director a statement that acknowledges that the organization does not, and will not during the semester, have as a member any person who is not either a student or a member of the faculty or staff of the university, that membership is not denied on any basis prohibited by applicable law, including but not limited to, race, color, national origin, religion, sex, age, veteran status, or disability, and that the organization does not engage in activities that involve the subjugation of a probationary member or the group to dangerous, harmful, or degrading acts or in activities that would violate the prohibitions on hazing as further defined and prohibited by Sections 31.151 et seq. and 51.936 of the Texas Education Code.

(c) Disciplinary action will be taken if any information provided in the statement is or becomes false.

SECTION 45.21 RE-REGISTRATION

A registered student organization whose registered status has been cancelled by the director pursuant to Subsection 45.25 may apply for re-registration no sooner than six (6) months following the date of such cancellation.

SUBCHAPTER D. DISCIPLINE

SECTION 45.25 ADMINISTRATION

(a) When the director receives information that an organization has allegedly violated a Regents' Rule, institutional rule, or administrative rule, the director shall investigate the alleged violation. Upon completing the investigation, the director will summon the authorized representative(s) and adviser of the organization for a conference, and after conferring with them, either dismiss the allegation; or

- (1) proceed administratively under Section 45.26; or
- (2) prepare a charge based on the allegation and proceed under Chapter 49.

(b) Notwithstanding any other provision of this chapter, the director or the dean may take immediate disciplinary action, pending a hearing or exhaustion of appellate review, against an organization that violates a rule or regulation of The University of Texas System or the university, when in the opinion of the official, the interest of The University of Texas System or

the university would be served by interim action. When interim discipline is imposed, a hearing shall be held within ten days of the written notification of the action.

- (c) An organization violates a Regents' Rule, institutional rule, or administrative rule when
 - (1) one or more of its officers or authorized members acting in the scope of general responsibilities commits the violation;
 - (2) one or more of its members commits the violation after the action that constitutes the violation was approved by majority vote of those members of the organization present and voting;
 - (3) one or more members of a committee of the organization commits the violation while acting in the scope of the committee's assignment; or
 - (4) a majority of the members of an organization acting with apparent authority of the organization commit the violation.
- (d) A student may be disciplined for a violation under Chapter 49 even though the organization of which the student is a member is penalized under this chapter for the same violation or for a violation growing out of the same factual transaction.

SECTION 45.26 ADMINISTRATIVE DISPOSITION

In any case where the authorized representative(s) of an accused organization does not dispute the facts upon which the charges are based and waives the right to a hearing before a hearing officer as provided in Chapter 49, the director shall assess one or more of the following penalties

- (a) Suspend for not more than one calendar year the organization's right to do one or more of the following:
 - (1) publicly post signs;
 - (2) install a booth;
 - (3) publicly assemble or demonstrate;
 - (4) sponsor or present a public performance;
 - (5) publicly raise funds or make a solicitation;
 - (6) reserve the use of university facilities; or
 - (7) participate in intramural athletics;
- (b) Suspend for not more than one calendar year the organization's registration; or
- (c) Cancel the organization's registration for not less than one calendar year.

SECTION 45.27 APPEAL

An organization may appeal the penalty or penalties assessed under Section 45.26 to the dean under the provisions of Subchapter E in Chapter 49. The dean's decision may be appealed to the vice president under the same provisions.

SECTION 45.28 HEARING

In the case of a hearing before a hearing officer as provided in Section 45.25, Subsection (b) and in Section 45.26, the procedures described in Chapter 49 shall be followed with the following additional provisions:

- (a) The director shall send notices to any officer of the organization with a copy by regular mail to the organization's adviser.
- (b) The organization's adviser may attend the hearing.
- (c) The penalties which may be assessed by the hearing officer include those specified in Section 45.26.

SUBCHAPTER E. STUDENT GOVERNMENT**SECTION 45.30 COMPOSITION, FUNCTIONS AND POWERS**

- (a) The Student Senate is a recognized forum for student opinion at the university.
- (b) The composition, duties and powers of the Student Senate and its elected representatives and officers are contained in Chapter 53, The Constitution of the Student Association.

SECTION 45.31 AMENDMENT OR REPEAL OF CONSTITUTION

(a) An amendment to the constitution or laws of the Student Senate may be adopted by the Student Senate, in accordance with its constitution and laws, but the change shall not become effective until transmitted to and acted upon by the dean, the vice president, the president and the Office of the Chancellor and approved by the Board of Regents.

(b) The Board of Regents of The University of Texas System, or the dean, shall amend or repeal any portion of the constitution and laws of the Student Senate when, in the judgment of the Board or the dean, the interests of the university require it.

(c) In the case of amendment or repeal by the dean, such action remains in force only until the next meeting of the Board of Regents where such action shall be approved or repealed.

SECTION 45.32 SALARIED EMPLOYEES

(a) All persons officially employed on salary by or under the direct supervision of the offices of student government shall be subject to approval by the dean, the vice president, the president, the Office of the Chancellor, and the Board of Regents, both as to salary and as to qualifications.

(b) The procedures for the approval of salaried employees shall be those established by the university and the system for budget preparation and administration.

SECTION 45.33 ANNUAL FINANCIAL REPORTS

(a) Annually, the Student Senate shall make a complete financial report to the vice president for business affairs and shall make such special reports as may be called for by such business officer. Such reports are submitted through the vice president and in a format prescribed by the vice president.

(b) Committees and administrative units of student government that maintain a budget in excess of \$25.00 per annum shall make such interim reports of financial condition as may be required by the vice president.

SECTION 45.34 RESPONSIBILITIES OF STUDENT SENATE AND OFFICERS

(a) When the Student Senate takes a position with reference to issues directly related to the university, or another component institution of the system, and its operations, its recommendations shall go through the vice president to the president who will forward it to the Office of the Chancellor for the Board of Regents.

(b) When the Student Senate takes a position on non-university issues, it shall make clear the fact that it does not speak for the university.

(c) The Student Senate may conduct polls, initiate petitions, and/or establish forums for debate or discussion under procedures approved by the dean and administered by the director.

(d) Officers of the Student Senate may so identify themselves when they express their personal views, but they shall then make it clear that they are not speaking for the university, or for the student body, and they shall make it clear they are not speaking for the Student Senate unless that legislative body has authorized the statement in advance.