

## MSU's Response to COVID-19 Related Student Misconduct Off Campus

### MSU STUDENT DISCIPLINARY POLICIES REGARDING OFF-CAMPUS BEHAVIOR

The *MSU General Student Regulations (GSR)* (<http://splife.studentlife.msu.edu/regulations/general-student-regulations>) were established to secure the safety of the members of the University community and maintain order. The regulations apply (a) to all students and registered student organizations while on land governed by the MSU Board of Trustees, (b) when students or student groups are engaged in University-sponsored or student-group sponsored activities off campus, or (c) when a student's conduct poses a clear and present danger to the health or safety of person or property. The GSR further provides that the regulations relating to protection of individuals apply without reference to where the activity occurs when the alleged misconduct involves acts causing or explicitly threatening to cause serious bodily harm to other individuals.

Accordingly, students and student groups engaging in behavior in violation of Executive Orders, state or city ordinances, or University policies or directives related to COVID-19 may be subject to student discipline. The following is the associated language from the Introduction section of the GSR:

The regulations apply to students and student groups while on the land governed by the Board of Trustees of Michigan State University, 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 a student poses a clear and present danger to the health or safety of person or property.

\*The regulations relating to protection of individuals apply without reference to where the activity occurs when the alleged misconduct involves hazing or acts causing or explicitly threatening to cause serious bodily harm to other individuals.

The asterisk indicates language added effective January 1, 2018.

The specific GSR sections that may serve as the basis for a conduct complaint being filed against a student for such behavior include:

GSR 2.01 - No student shall cause or threaten physical harm to another or endanger the physical safety of another.

GSR 5.2 - No student shall 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).

GSR 5.9 - No student shall violate other University policies or regulations, including University housing policies.

The University adjudicates alleged violations of the GSR only after a formal complaint is filed with the MSU Dean of Students Office. A formal complaint may only be filed by a member of the University community (e.g., students, faculty, staff, or administrators). The University through its internal judicial system maintains jurisdiction over the regulations and conducts hearings in accordance with University

procedures stated in the *MSU Student Rights and Responsibilities (SRR)* (<http://splife.studentlife.msu.edu/student-rights-and-responsibilities-at-michigan-state-university>).

#### **PROCESS FOR FILING A COMPLAINT AGAINST A STUDENT FOR OFF-CAMPUS BEHAVIOR**

When a student is involved in acts off campus that may violate COVID-19 related Executive Orders, ordinances, regulations, policies, or directives, the University expects the municipality or other governmental entity whose laws or ordinances the student may have violated to take the same action it would against any other patron or citizen. Such action should comply with the relevant laws or ordinances and should be taken before the municipality seeks to have the student disciplined under University policies. Action the municipality takes may serve to support the allegations against the student in the University's disciplinary process. These actions may include, but are not limited to, arrest or the issuance of a ticket, citation, warning letter or fine.

The University will designate a faculty or staff member as a liaison whom the municipality may contact to report student misconduct off campus. The University liaison may file formal complaints against students with the Dean of Students Office for violations of the GSR. It will be imperative that the municipality provide information about the alleged incident sufficient for the University liaison to file a formal complaint. The liaison must be able to provide the following, as the SRR prescribes, for the formal complaint and must see the complaint through to conclusion:

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").

Once a complaint has been filed with the Dean of Students office, the process, as set forth in Article 5 of the SRR, determines the steps to be followed. This process begins with notice of the complaint to the respondent and concludes with a written communication of the decisions that may be appealed by the complainant or respondent. This process is detailed in the flow chart that follows and in [Article 5](#) of the SRR Sections C through I.

The following flowchart illustrates the University's process for adjudicating a formal complaint:

