

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MICHIGAN**

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SPEECH FIRST, INC.,)
)
)
Plaintiff,)
)
v.)
)
MARK SCHLISSEL, <i>et al.</i>,)
)
)
Defendants.)
)
<hr/>)

Civil No. 4:18-cv-11451-LVP-EAS
Hon. Linda V. Parker
Mag. Judge Elizabeth A. Stafford

DECLARATION OF E. ROYSTER HARPER

I, E. Royster Harper, submit this declaration in connection with the above-captioned matter and in support of Defendants’ opposition to Plaintiff’s motion for a preliminary injunction.

1. I am Vice President for Student Life at the University of Michigan. My responsibilities include overseeing the 24 comprehensive departments in Student Life, including the Dean of Students/Bias Response Team, Office of Student Conflict Resolution (“OSCR”), University Housing, Counseling and Psychological Services, the Program on Intergroup Relations, Student Legal Services, University Unions/Center for Campus Involvement, University Health Services, and Career Center. I have served in this role since 1999. I have worked for the University in some capacity since 1979, including as Senior Associate Vice President and Dean of Students. I am also an alumna

of the University (B.A. and M.A.) and hold a doctorate from the University of Pennsylvania.

Statement of Student Rights and Responsibilities

2. The Statement of Student Rights and Responsibilities (“Statement”) is the principal document at the University of Michigan that sets forth expectations for student behavior outside of students’ academic work.¹ The Statement is intended to maintain a campus climate that supports learning for all students.

3. The Statement begins with a discussion of student rights, including specifically the right to “freedom of expression.” As the document states, “The University has a long tradition of student activism and values freedom of expression, which includes voicing unpopular views and dissent.” PI Ex. A. After discussing student rights, the Statement details student responsibilities—and, specifically, twenty-one categories of violations that are subject to discipline, the procedures followed for disciplinary actions, and possible sanctions that are available.

4. Among the twenty-one enumerated categories of violations is “Harassing or bullying another person—physically, verbally, or through other means.”

Definitions

5. The Statement itself does not define many of the terms it uses. Nevertheless, OSCR created and posted on its website a document titled “Definitions”

¹ Students’ academic work is governed by different policies.

to provide additional guidance to students about some of the terms used in the Statement.

6. As of early June 2018, the Definitions document provided four definitions of “harassing” or “harassment”—one from the Merriam Webster Dictionary, two taken from other University sources (the website of the “Expect Respect” educational initiative and a University policy on discrimination), and one from a Michigan criminal statute. It contained two definitions of “bullying”— one from the Merriam Webster Dictionary and one from a Michigan statute.

7. Of the posted definitions, those from the Michigan statutes were the most specific. And, in practice, the concepts of “harassing” and “bullying” utilized by OSCR were consistent with those more specific Michigan statutory definitions.

8. Prior to the filing of the Complaint in this lawsuit, the University was already reviewing its websites and policies to ensure they complied with our First Amendment principles and legal obligations. After the Complaint was filed, that review was accelerated.

9. On June 11, 2018, the University announced to the University community that it had revised the definitions of “harassing” and “bullying” that appear on the OSCR website. A copy of these announcements is attached as Exhibit 1.

10. Specifically, the University streamlined its definitions by eliminating the definitions from the dictionary and from other University policies—leaving only the definitions of “harassing” and “bullying” that were drawn from Michigan statutes. At

the same time, the University revised the statutory language to narrow the potential scope of what is prohibited and add additional safeguards for free speech.

11. The current definition of harassing is:

Harassing: conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.

12. The current definition of bullying is:

Bullying: any written, verbal, or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University's educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.

13. Both definitions are now available online as part of the Definitions document, at <https://oscr.umich.edu/article/definitions>, and are attached as Exhibit 2.

14. Unlike the definitions that appeared in the initial Definitions document, these revised definitions were considered and approved by multiple members of the University's leadership, including the University's President. They reflect the considered judgment of the President and others that these tightened and clarified definitions more precisely and accurately reflect the commitment to freedom of expression that has always been expressed in the Statement itself. *See* Ex. 1.

15. As of the date of their adoption, these definitions provide definitive statements of what constitutes harassing and bullying under the Statement. These definitions, and no others, now will govern the initiation and conduct of disciplinary proceedings involving harassing or bullying.

Amendment to the Statement

16. On July 1, 2018, an amendment to the Statement itself will go into effect. This amendment was announced in an email to the University community on April 18, 2018. PI Ex. K. The amendment allows for sanctions to be enhanced in disciplinary cases involving bias-motivated misconduct. The enhanced sanctions will only apply if a student commits one of the existing Statement violations.

17. To achieve this, the amendment adds a new violation to the end of the list of violations in the Statement. It provides:

V. Engaging in misconduct as defined in violations ‘A’ through ‘U’ motivated by bias or prejudice. This includes behavior motivated on the basis of any person’s identity as protected by the University of Michigan’s Nondiscrimination Policy (race, color, national origin, age, marital status, sex, sexual orientation, gender identity, gender expression, disability, religion, height, weight, or veteran status) [201.89-1 and Regents bylaw 14.06]. Sanctions may be enhanced for any misconduct listed in sections IV of the Statement of Student Rights and Responsibilities that is determined to be motivated on the basis of the above classifications. This violation will be evaluated under current legal standards.

Id.

18. This amendment went through a rigorous approval process. It was proposed by the University's Central Student Government; studied and approved by the Student Relations Advisory Committee comprised of both faculty and students; and then considered and approved by the University President. The amendment reflects a considered judgment by these constituents that bias-motivated misconduct causes harm to students—and the broader University community—beyond that which is caused by the underlying misconduct itself.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 13, 2018

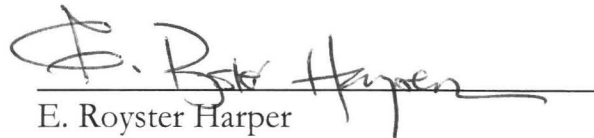

E. Royster Harper

EXHIBIT 1



Judy Johnston <johnstjm@umich.edu>

Defining 'bullying' and 'harassing'

1 message

Royster Harper <harperer@umich.edu>

Mon, Jun 11, 2018 at 2:06 PM

Dear Student Leaders:

I write to you today to share newly revised and officially sanctioned definitions for “bullying” and “harassing” behavior by students under the Statement of Student Rights and Responsibilities. Such behavior remains prohibited.

Some of you may be aware that we have had multiple definitions of these behaviors on our website, including dictionary definitions and definitions drawn from state law. Earlier today, we updated and streamlined our definitions of “bullying” and “harassing” to rely only on definitions based on Michigan state law. These definitions, as now posted on the website, are considered formal and authoritative.

The Statement begins with a strong commitment to “freedom of expression,” noting that the university’s “long tradition of student activism and ... freedom of expression ... includes voicing unpopular views and dissent.”

The revised definitions more precisely and accurately reflect the commitment to freedom of expression that has always been expressed in the Statement itself. Here are the new definitions:

Bullying: means any written, verbal, or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University’s educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Harassing: means conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.

A story will be posted later today in the University Record to share this information across the campus community. I also am reaching out to student leaders.

Thank you sharing this news with others and please reach out to me directly if you have questions or concerns.

With sincere thanks for everything you do for our students,

E. Royster Harper
Vice President for Student Life



Judy Johnston <johnstjm@umich.edu>

Defining 'bullying' and 'harassing'

1 message

Royster Harper <harperer@umich.edu>

Mon, Jun 11, 2018 at 1:49 PM

To: DSA.Leadership.Assembly@umich.edu, studentlife.strategy@umich.edu, studentlife-upclose@umich.edu, studentlifeconnect@umich.edu, StudentAffairsNetwork@umich.edu, student.relations.advisory.committee@umich.edu

Dear Colleagues:

I write to you today to share newly revised and officially sanctioned definitions for “bullying” and “harassing” behavior by students under the Statement of Student Rights and Responsibilities. Such behavior remains prohibited.

Some of you may be aware that we have had multiple definitions of these behaviors on our website, including dictionary definitions and definitions drawn from state law. Earlier today, we updated and streamlined our definitions of “bullying” and “harassing” to rely only on definitions based on Michigan state law. These definitions, as now posted on the website, are considered formal and authoritative.

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The revised definitions more precisely and accurately reflect the commitment to freedom of expression that has always been expressed in the Statement itself. Here are the new definitions:

Bullying: means any written, verbal, or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University’s educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Harassing: means conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.

A story will be posted later today in the University Record to share this information across the campus community. I also am reaching out to student leaders.

Thank you sharing this news with others and please reach out to me directly if you have questions or concerns.

With sincere thanks for everything you do for our students,

E. Royster Harper
Vice President for Student Life



MENU ☰



The University RECORD

June 13, 2018

June 11, 2018

University clarifies definitions of harassment, bullying

By Rick Fitzgerald
Public Affairs

Topic: [Campus News](#)

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The University of Michigan has clarified and standardized the definitions of bullying and harassing, both of which are prohibited under the Statement of Student Rights and Responsibilities.

In a message to colleagues in the Division of Student Life and to student leaders, Vice President for Student Life E. Royster Harper says the “formal and authoritative” definitions were posted online Monday.

+ MORE INFORMATION

- [Statement of Student Rights and Responsibilities](#)
- [The new definitions](#)

The statement begins with a strong commitment to “freedom of expression,” noting that the university’s “long tradition of student activism and ... freedom of expression ... includes voicing unpopular views and dissent.”

“The revised definitions more precisely and accurately reflect the commitment to freedom of expression that has always been expressed in the statement itself,” Harper notes.

The definitions are being clarified as U-M prepares to respond to a lawsuit from Speech First Inc. challenging the university’s policy against harassment and bullying, and the university’s Bias Response Team as infringing on the constitutional free speech rights of students.

Prior to the filing of the lawsuit, the university already was reviewing its websites and policies to ensure they were consistent with First Amendment principles. After the lawsuit was filed May 8, that review was accelerated.

The university streamlined the definitions by eliminating the dictionary definitions, leaving only the definitions of “harassing” and “bullying” that are drawn from state law in Michigan.

At the same time, the university revised the statutory language to narrow the potential scope of what is prohibited, and to add additional safeguards for free speech. The new U-M definitions are:

Bullying: Any written, verbal or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the university’s educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.

Harassing: Conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.

The Statement of Student Rights and Responsibilities is the principal document that sets forth expectations for student behavior outside of students’ academic work. The statement is intended to maintain a campus climate that supports learning for all students.

Tags: [bullying](#), [harassment](#), [Student Life](#), [Statement of Student Rights and Responsibilities](#)

LEAVE A COMMENT

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Log in with U-M Weblogin

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Legislature passes 2 percent boost to higher-ed funding

More than 65,000 apply for incoming freshman class

New location set for June Board of Regents meeting

CRIME ALERT: Home invasion, 06-11-18

University clarifies definitions of harassment, bullying

Bridging the divide: U-M faculty, staff forge community through art

Election underway for non-union staff rep on police oversight panel

REMINDER: Nominations for 2018 Neubacher Award due Friday

Eisenberg Institute awards nine fellowships for 2018-19

U-M earns national awards for sexual assault, alcohol prevention efforts

University community names four peregrine falcon chicks

U-M researchers building system to safeguard confidential data

U-M remains top U.S. public university in QS World Rankings

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Regents approve faculty promotions

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EXHIBIT 2

Definitions

A. Physically harming another person including acts such as killing, assaulting, or battering.

Campus Community Perspectives	Assault (http://www.urespect.umich.edu/report/definitions/): an intentional act, verbal or physical, that can be described as creating fear of physical harm.
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	Battery (http://www.urespect.umich.edu/report/definitions/): an intentional and unwanted act of physical contact.
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University Policies	Violence in the University Community (http://spg.umich.edu/pdf/601.18.pdf) (THE UNIVERSITY OF MICHIGAN STANDARD PRACTICE GUIDE)
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Michigan State Law	Physical Assault (http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-380-1310&queryid=20960206&highlight=physical%20AND%20assault): intentionally causing or attempting to cause physical harm to another through force or violence. (Michigan Legislature)
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B. Engaging in sexual misconduct as defined by the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence. Students who are reported to have experienced or engaged in sexual misconduct are subject to the resolution procedures outlined in the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence

Campus Community Perspectives	<p>Sexual Assault (http://sapac.umich.edu/tags/sexual-assault): any form of unwanted sexual contact obtained without consent and/or obtained through the use of force, threat of force, intimidation, or coercion. (Sexual Assault Prevention and Awareness Center)</p> <p>Sexual Harassment (http://sapac.umich.edu/article/63): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature when either:</p> <p>The conduct is made as a term or condition of an individual's employment, education, living environment or participation in a University community.</p> <p>The acceptance or refusal of such conduct is used as the basis or a factor in decisions affecting an individual's employment, education, living environment, or participation in a University community.</p> <p>The conduct unreasonably impacts an individual's employment or academic performance or creates an intimidating, hostile or offensive environment for that individual's employment, education, living environment, or participation in a University community. (Sexual Assault Prevention and Awareness Center (http://sapac.umich.edu)).</p> <p>Sexual Assault (http://police.umich.edu/?s=sexual_assault): a crime involving forced or coerced "sexual penetration" (first and third degree) or "sexual contact" (second and fourth degree). (Department of Public Safety (http://police.umich.edu)).</p>
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University Policies	<p>University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence (http://studentsexualmisconductpolicy.umich.edu)</p>
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Michigan State Law

Sexual Assault ([http://www.legislature.mi.gov/\(S\(nvtuc555lznw4r2emotdhm45\)\)/mileg.aspx?page=GetObject&objectname=mcl-600-2157a&queryid=20960421&highlight=sexual%20assault](http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-600-2157a&queryid=20960421&highlight=sexual%20assault)): assault with intent to commit criminal sexual conduct ([http://www.legislature.mi.gov/\(S\(ed1lzt20xkjdtpf4g14aqq45\)\)/mileg.aspx?page=getobject&objectname=mcl-750-520a](http://www.legislature.mi.gov/(S(ed1lzt20xkjdtpf4g14aqq45))/mileg.aspx?page=getobject&objectname=mcl-750-520a)). (Michigan Legislature)

Sexual Harassment ([http://www.legislature.mi.gov/\(S\(uzwwyaz1sc3w2y55qpdsup45\)\)/mileg.aspx?page=GetObject&objectname=mcl-37-2103&queryid=20960483&highlight=sexual%20harassment#top](http://www.legislature.mi.gov/(S(uzwwyaz1sc3w2y55qpdsup45))/mileg.aspx?page=GetObject&objectname=mcl-37-2103&queryid=20960483&highlight=sexual%20harassment#top)): unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct or communication of a sexual nature under the following conditions:

(i) Submission to the conduct or communication is made a term or condition either explicitly or implicitly to obtain employment, public accommodations or public services, education, or housing.

(ii) Submission to or rejection of the conduct or communication by an individual is used as a factor in decisions affecting the individual's employment, public accommodations, or public services, education, or housing.

(iii) The conduct or communication has the purpose or effect of substantially interfering with an individual's employment, public accommodations or public services, education, or housing, or creating an intimidating, hostile, or offensive employment, public accommodations, public services, educational, or housing environment. (Michigan Legislature Elliot-Larson Civil Rights Act ([http://www.legislature.mi.gov/\(S\(veckbijgbrkcg42lt1urts45\)\)/mileg.aspx?page=getobject&objectname=mcl-act-453-of-1976](http://www.legislature.mi.gov/(S(veckbijgbrkcg42lt1urts45))/mileg.aspx?page=getobject&objectname=mcl-act-453-of-1976)))

C. Hazing

Campus Community Perspectives	Hazing (http://www.umich.edu/~nohazing/recognize.html): any action or situation, with or without the consent of the participants, which recklessly, intentionally, or unintentionally endangers the mental, physical, or academic health or safety of a student. (Campus Anti-Hazing Campaign)
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University Policies	<p>University Policy Against Hazing (https://deanofstudents.umich.edu/article/hazing-policies)</p> <p>Hazing: includes the following willful acts, with or without the consent of the individual involved:</p> <ul style="list-style-type: none"> · physical injury, assault or battery · kidnapping or imprisonment · intentionally placing at risk of severe mental or emotional harm (putting "over the edge") · degradation, humiliation, or compromising of moral or religious values · forced consumption of any liquid or solid · placing an individual in physical danger (at risk) which includes abandonment · impairment of physical liberties which include curfews or other interference with academic endeavors.
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Michigan State Law	<p>Hazing (http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-750-411t&queryid=20960050&highlight=hazing#2): an intentional, knowing, or reckless act by a person acting alone or acting with others that is directed against an individual and that the person knew or should have known endangers the physical health or safety of the individual, and that is done for the purpose of pledging, being initiated into, affiliating with, participating in, holding office in, or maintaining membership in any organization. (Michigan Legislature)</p>
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D. Stalking another person as defined by the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence. Students who are reported to have experienced stalking by students are subject to the resolution procedures outlined in the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence

Campus Community Perspectives	Stalking (http://sapac.umich.edu/tags/stalking): a willful course of conduct involving repeated or continuing harassment made against the expressed wishes of another individual, which causes that individual to feel emotional distress including fear, harassment, intimidation or apprehension. (SAPAC)
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University Policies	Violence in the University Community (http://spg.umich.edu/pdf/601.18.pdf) (Standard Practice Guide)
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Michigan State Law	Stalking: (http://www.legislature.mi.gov/(S(uzsbam45lr4hnm45nalipx45))/mileg.aspx?page=getObject&objectName=mcl-750-411h) means a willful course of conduct involving repeated or continuing harassment of another individual that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested and that acutally causes the victim to feel terrorized, frightened, intimidated, threatened, harassed, or molested.
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E. Perpetrating intimate partner violence (also known as dating or domestic violence) as defined by the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence. Students who are reported to have experienced intimate partner violence by students are subject to the resolution procedures outlined in the University of Michigan Policy and Procedures on Student Sexual and Gender-based Misconduct and Other Forms of Interpersonal Violence

University of Michigan Standard Practice Guide	Violence in the University Community (http://spg.umich.edu/pdf/601.18.pdf)
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University Policies Domestic Violence Awareness, Guidelines for Supervisors (<http://hr.umich.edu/stopabuse/supervisors/guidelines.html>): Domestic Violence occurs when a person uses physical violence, coercion, threats, intimidation, isolation, stalking, or other forms of emotional, sexual or economic abuse to control another partner in an intimate relationship. This includes any behaviors that intimidate, manipulate, humiliate, isolate, frighten, terrorize, coerce, threaten, blame, hurt, injure, or wound someone. Domestic violence can be a single act or a pattern of behavior in relationships which Michigan law defines as: currently or formerly married, currently or formerly dating, currently or formerly living together or having a child in common. Domestic violence may be known by other terms, including intimate partner violence or relationship abuse.

Michigan State Law Domestic Violence ([http://www.legislature.mi.gov/\(S\(qhycpc55ptn3nkuy3vz1u3qg\)\)/mileg.aspx?page=getobject&objectname=mcl-400-1501&query=on&highlight=domestic%20AND%20violence%20AND%20domestic%20AND%20violence](http://www.legislature.mi.gov/(S(qhycpc55ptn3nkuy3vz1u3qg))/mileg.aspx?page=getobject&objectname=mcl-400-1501&query=on&highlight=domestic%20AND%20violence%20AND%20domestic%20AND%20violence)): the occurrence of any of the following acts by a person that is not an act of self-defense:

- (i) Causing or attempting to cause physical or mental harm to a family or household member.
- (ii) Placing a family or household member in fear of physical or mental harm.
- (iii) Causing or attempting to cause a family or household member to engage in involuntary sexual activity by force, threat of force, or duress.
- (iv) Engaging in activity toward a family or household member that would cause a reasonable person to feel terrorized, frightened, intimidated, threatened, harassed, or molested.

(Michigan Legislature)

F. Harassing or bullying another person—physically, verbally, or through other means

University Policies	<p>Harassing: conduct directed toward a person that includes repeated or continuing unconsented contact that would cause a reasonable individual to suffer substantial emotional distress and that actually causes the person to suffer substantial emotional distress. Harassing does not include constitutionally protected activity or conduct that serves a legitimate purpose.</p> <p>Bullying: any written, verbal, or physical act, or any electronic communication, directed toward a person that is intended to cause or that a reasonable person would know is likely to cause, and that actually causes, physical harm or substantial emotional distress and thereby adversely affects the ability of another person to participate in or benefit from the University's educational programs or activities. Bullying does not include constitutionally protected activity or conduct that serves a legitimate purpose.</p>
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G. Tampering with fire or other safety equipment or setting unauthorized fires

Campus Community Perspectives	<p>False Fire Alarms: (http://www.housing.umich.edu/fire-safety) Nothing does more harm to fire safety in residence halls than pulling a false alarm. It can lead to residents assuming that any alarm is false and if they do not evacuate the building they endanger themselves and others if the alarm represents an actual fire.</p> <p>(Campus Housing Fire Safety Guide)</p>
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H. Illegally possessing or using alcohol

Campus Community Perspectives	<p>UHS Alcohol Guidelines (http://www.uhs.umich.edu/communitypartners)</p>
University Policies	<p>Alcohol & Other Drugs Policy (http://www.umich.edu/~spolicy/studentalcoholdrug.html#2)</p>

Michigan State Law	<p>Constitution of Michigan 1963 (http://www.legislature.mi.gov/(S(bmhen4vzb0lhzznfy3h1px45))/mileg.aspx?page=GetObject&objectname=mcl-Article-IV-40&queryid=20961944&highlight=alcohol): A person shall not sell or give any alcoholic beverage to any person who has not reached the age of 21 years. A person who has not reached the age of 21 years shall not possess any alcoholic beverage for the purpose of personal consumption. An alcoholic beverage is any beverage containing one-half of one percent or more alcohol by volume. (Michigan Legislature)</p>
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I. Illegally distributing, manufacturing, or selling alcohol

University Policies	<p>Alcohol & Other Drugs Policy (http://www.umich.edu/~spolicy/studentalcoholdrug.html#2)</p>
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Michigan State Law	<p>Constitution of Michigan 1963 (http://www.legislature.mi.gov/(S(bmhen4vzb0lhzznfy3h1px45))/mileg.aspx?page=GetObject&objectname=mcl-Article-IV-40&queryid=20961944&highlight=alcohol): A person shall not sell or give any alcoholic beverage to any person who has not reached the age of 21 years. A person who has not reached the age of 21 years shall not possess any alcoholic beverage for the purpose of personal consumption. An alcoholic beverage is any beverage containing one-half of one percent or more alcohol by volume. (Michigan Legislature)</p> <p>Distribute (http://www.legislature.mi.gov/(S(3ftohvzqqdeprl55akr4nq45))/mileg.aspx?page=getObject&objectName=mcl-333-7105): means to deliver other than by administering or dispensing a controlled substance. (Michigan Legislature)</p>
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J. Illegally possessing or using drugs

University Policies	<p data-bbox="610 163 971 195">Alcohol & Other Drugs Policy</p> <p data-bbox="610 205 1349 237">http://www.umich.edu/~spolicy/studentalcoholdrug.html#2):</p> <p data-bbox="610 247 1349 394">While on University property all individuals are prohibited from possessing, consuming, manufacturing, dispensing, or being under the influence of illegal drugs or engaging in improper self-medication.</p> <p data-bbox="610 426 678 457">Drug:</p> <p data-bbox="610 468 1377 499">http://www.uhs.umich.edu/wellness/aod/policy.html) includes:</p> <p data-bbox="610 510 1341 573">a. controlled substances, as defined in 21 USC 802, which cannot be legally obtained; or</p> <p data-bbox="610 583 1341 657">b. legally obtainable controlled substances which were not legally obtained, including:</p> <ul data-bbox="630 678 1377 835" style="list-style-type: none"> <li data-bbox="630 678 1377 720">· prescribed drugs when prescription is no longer valid; <li data-bbox="630 741 1341 783">· prescribed drugs used contrary to the prescription; <li data-bbox="630 804 1243 846">· prescribed drugs issued to another person. <p data-bbox="610 867 841 898">(UHS Drug Policy)</p>
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Michigan State Law	<p data-bbox="610 953 1081 984">Drug (http://www.legislature.mi.gov/(S(3ftohvzqqdeprl55akr4nq45))/mileg.aspx?page=getObject&objectName=mcl-333-7105): means a</p> <p data-bbox="610 995 1359 1499">substance recognized as a drug in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them; a substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals; a substance other than food intended to affect the structure or any function of the body of human beings or animals; or, a substance intended for use as a component of any article specified in this subsection. It does not include a device or its components, parts, or accessories.</p> <p data-bbox="610 1509 886 1541">(Michigan Legislature)</p>
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K. Illegally distributing, manufacturing, or selling drugs.

Campus Community
Perspectives

University Policies	<p>Alcohol & Other Drugs Policy (http://www.uhs.umich.edu/communitypartners): While on University property all individuals are prohibited from possessing, consuming, manufacturing, dispensing, or being under the influence of illegal drugs or engaging in improper self-medication.</p>
Michigan State Law	<p>Drug (http://www.legislature.mi.gov/(S(3ftohvzqqdeprl55akr4nq45))/mileg.aspx?page=getObject&objectName=mcl-333-7105): means a substance recognized as a drug in the official United States pharmacopoeia, official homeopathic pharmacopoeia of the United States, or official national formulary, or any supplement to any of them; a substance intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in human beings or animals; a substance other than food intended to affect the structure or any function of the body of human beings or animals; or, a substance intended for use as a component of any article specified in this subsection. It does not include a device or its components, parts, or accessories. (Michigan Legislature)</p> <p>Distribute (http://www.legislature.mi.gov/(S(3ftohvzqqdeprl55akr4nq45))/mileg.aspx?page=getObject&objectName=mcl-333-7105): means to deliver other than by administering or dispensing a controlled substance. (Michigan Legislature)</p>

L. Intentionally and falsely reporting bombs, fires, or other emergencies to a University official

Campus Community Perspectives	<p>False Fire Alarms: (http://www.housing.umich.edu/node/63) Nothing does more harm to fire safety in residence halls than pulling a false alarm. It can lead to residents assuming that any alarm is false and if they do not evacuate the building they endanger themselves and others if the alarm represents an actual fire.</p> <p>(Campus Housing Fire Safety Guide)</p>
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M. Stealing, vandalizing, damaging, destroying, or defacing University property or the property of others

Campus Community Perspectives	Vandalism (http://www.urespect.umich.edu/report/definitions/): the destruction or alteration of property (individual, public or communal)
Michigan State Law	Vandalism (http://www.michigan.gov/documents/VAND2000_17338_7.pdf): is the willful or malicious destruction, injury, disfigurement, or defacement of any public or private property, real or personal, without consent of the owner or person having control. (Michigan Legislature)

N. Obstructing or disrupting classes, research projects, or other activities or programs of the University; or obstructing access to university facilities, property, or programs (except for behavior that is protected by the University's policy on Freedom of Speech and Artistic Expression)

Campus Community Perspectives	<p>Safety In Residence Hall (http://www.housing.umich.edu/system/files/pdfs/CLAM.pdf)</p> <p>University Housing is committed to providing housing and facilities that are safe for residents and guests. The following standards are designed to protect the interest of all students.</p> <p><i>2.1 Disruptive Behavior</i></p> <p>Behavior that is disruptive to orderly community living is prohibited. In the residence hall communities, this includes, but is not limited to throwing items in the hallways, bouncing balls, engaging in horseplay or creating a health or safety hazard. Riding a bike, skateboarding and rollerblading are prohibited inside of all residence halls. Possessing or using any motor-driven vehicle inside a residence hall is also prohibited, except for assistive devices utilized by a person with a disability. Additional prohibited behavior includes, but is not limited to, streaking, nudity and sexual activity in common areas.</p> <p>(Community Living at Michigan)</p>
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University Policies	U-M Policy on Freedom of Speech and Artistic Expression (http://www.umich.edu/~spolicy/statefree.html)
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O. Making, possessing, or using any falsified University document or record; altering any University document or record, including identification cards and meal cards

University Policies	University Records (http://spg.umich.edu/pdf/601.08.pdf): all records, regardless of their form, prepared, owned, used, in the possession of, or retained by administrators, faculty acting in administrative capacities, and staff of university units in the performance of an official function. (Standard Practice Guide)
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P. Assuming another person's identity or role through deception or without proper authorization. Communicating or acting under the guise, name, identification, email address, signature, or indicia of another person without proper authorization, or communicating under the rubric of an organization, entity, or unit that you do not have the authority to represent

University Policies:	Identity Misrepresentation (http://spg.umich.edu/pdf/601.19.pdf) (Standard Practice Guide)
	Proper use of Information Resources, Information Technology, and Networks at the University of Michigan (http://spg.umich.edu/pdf/601.07-0.pdf) (Standard Practice Guide)

Q. Failing to leave University controlled premises when told to do so by a police or security officer with reasonable cause.

R. Conviction, a plea of no contest, acceptance of responsibility, or acceptance of sanctions for a crime of civil infraction (other than a minor traffic offense) in state or federal court if the underlying behavior impacts the University community

S. Misusing, failing to comply with, or jeopardizing Statement procedures, sanction, or mediated agreements, or interfering with participants involved in the resolution process

T. Violating University computer policies

University Policies	Proper Use of Information Resources, Information Technology, and Networks at the University of Michigan (http://spg.umich.edu/policy/601.07)
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U. Possessing, using, or storing firearms, explosives, or weapons on University controlled property or at University events or programs

University Policies	<p>Weapon Possession (http://spg.umich.edu/pdf/201.94.pdf) (Standard Practice Guide)</p> <p>Dangerous Weapon (http://www.regents.umich.edu/ordinance.pdf): any firearm or any other dangerous weapon as defined in or interpreted under Michigan law or...any knife, sword or machete having a blade longer than four (4) inches, or, in the case of a knife with a mechanism to lock the blade in place when open, longer than three (3) inches.</p> <p>(Board of Regents Ordinance)</p>
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Michigan State Law

Firearms ([http://www.legislature.mi.gov/\(S\(nvtuc555lznw4r2emotdhm45\)\)/mileg.aspx?page=GetObject&objectname=mcl-28-421&queryid=20960794&highlight=dangerous%20AND%20weapon](http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-28-421&queryid=20960794&highlight=dangerous%20AND%20weapon)): a weapon from which a dangerous projectile may be propelled by an explosive, or by gas or air. Firearm does not include a smooth bore rifle or handgun designed and manufactured exclusively for propelling by a spring, or by gas or air, BB's not exceeding .177 caliber.
(Michigan Legislature)

Explosives ([http://www.legislature.mi.gov/\(S\(nvtuc555lznw4r2emotdhm45\)\)/mileg.aspx?page=GetObject&objectname=mcl-257-15&queryid=20960895&highlight=explosives](http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-257-15&queryid=20960895&highlight=explosives)): any chemical compound or mechanical mixture that is commonly used or intended for the purpose of producing an explosion and which contains any oxidizing and combustive units or other ingredients in such proportions, quantities, or packing that an ignition by fire, friction, by concussion, by percussion, or by detonator of any part of the compound or mixture may cause such a sudden generation of highly heated gases that the resultant gaseous pressures are capable of producing destructible effects on contiguous objects or of destroying life or limb.
(Michigan Legislature)

Dangerous Weapon ([http://www.legislature.mi.gov/\(S\(nvtuc555lznw4r2emotdhm45\)\)/mileg.aspx?page=GetObject&objectname=mcl-380-1313&queryid=20960794&highlight=dangerous%20AND%20weapon](http://www.legislature.mi.gov/(S(nvtuc555lznw4r2emotdhm45))/mileg.aspx?page=GetObject&objectname=mcl-380-1313&queryid=20960794&highlight=dangerous%20AND%20weapon)): a firearm, dagger, dirk, stiletto, knife with a blade over 3 inches in length, pocket knife opened by a mechanical device, iron bar, or brass knuckles.
(Michigan Legislature)

Additional Information

The Statement of Student Rights and Responsibilities (/statement)



(<https://studentlife.umich.edu>)

100 Student Activities Building

515 East Jefferson

Ann Arbor, MI 48109-1316

9 AM - 5 PM, Mon. - Fri.

(734) 936-6308 ([http://tel:\(734\) 936-6308](http://tel:(734) 936-6308))

(734) 615-8826 ([http://tel:\(734\) 615-8826](http://tel:(734) 615-8826))

oscr@umich.edu (<mailto:oscr@umich.edu>)

Map ([node/143](#))



**OUR STRATEGIC PLAN FOR
DIVERSITY, EQUITY & INCLUSION**

(<https://studentlife.umich.edu/diversity-equity-inclusion>) >>

(<https://studentlife.umich.edu/diversity-equity-inclusion>)

Web Accessibility Statement (<http://studentlife.umich.edu/accessib>) | Non-Discrimination Policy

(<http://hr.umich.edu/oie/ndpolicy.html>) | U-M Gateway (umich.edu)

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