



MICHIGAN STATE UNIVERSITY
BOARD OF TRUSTEES
Executive Action Summary

Academic Affairs-Attachment 1

Committee Name: Academic Affairs

Date: December 12, 2025

Agenda Item: Rescission of BOT 703, *Student-Athlete Conduct*

Policy

☐

Information

☐

Review

Resolution:

☒

Action

BE IT RESOLVED that the Board of Trustees hereby approves the rescission of BOT 703, *Student Athlete Conduct Policy*.

Recommendation:

The Trustee Committee on Student Life and Culture recommends that the Board of Trustees rescind BOT 703, *Student-Athlete Conduct Policy*.

Prior Action by BOT:

Board of Trustees Policy 703 was enacted in March 1996 and was amended in January 2013.

Responsible Officers:

J Batt, Vice President and Director of Athletics

Summary:

This rescission is proposed to eliminate redundancy, ensure alignment with current governance best practices, and reflect the evolving landscape of NCAA collegiate athletics, particularly among peer universities in the Big Ten, and University policy. BOT 703, originally adopted over nearly thirty years ago, is outdated in light of more recent University and regulatory developments, particularly surrounding Title IX and student conduct rules.

During a recent policy review prioritization process, BOT 703 was flagged as a candidate for review given the substantial shifts in national conversations about student-athlete rights, conduct expectations, and support frameworks. Additionally, the existing University-level policy governing student-athlete conduct already addresses expectations, disciplinary procedures, and NCAA compliance, rendering the board-level policy duplicative.

Among Big Ten and comparable institutions, only the University of California system retains a board-level student-athlete policy. Notably, that policy focuses on academic and wellness support, contrasting with BOT 703's emphasis on disciplinary measures for criminal conduct. Most peer institutions regulate student-athlete conduct through university-level policies and compliance protocols, not through board governance.

Additionally, the University maintains a Student-Athlete Handbook, a University level policy, and the Michigan State University Name, Image and Likeness Activities Policy.

Rescinding BOT 703 will streamline MSU's policy structure, eliminate duplication, and bring institutional governance into closer alignment with current standards across the Big Ten. The University's internal policies will continue to guide student-athlete conduct, ensuring consistency with NCAA regulations and institutional values while allowing for adaptive responses to a changing collegiate athletics environment.

Background Information:

The Student-Athlete Conduct Policy was originally adopted by the Board of Trustees on March 7, 1996, following over a year of consultation with the Student-Athlete Advisory Committee, the Athletic Council, and faculty and student representatives. The policy was enacted in response to growing national concern over student-athlete behavior and the need to affirm institutional expectations for high-profile students representing the University in intercollegiate athletics. The original policy emphasized accountability, stating that student-athletes convicted of felonies would be suspended from team activities, with possible reinstatement subject to review and presidential discretion. The policy was also intended to set a broader example of personal responsibility within the student-athlete community. Trustees acknowledged both the significance of student-athletes as representatives of the University and the importance of fairness and inclusiveness in the disciplinary process.

In 2013, the policy was administratively revised to update references to University officials, specifically removing mention of the Vice President for Finance and Operations, without altering the policy's substantive provisions. The policy has not undergone a full review since its initial adoption nearly three decades ago, and the evolving legal, regulatory, and athletic landscape—including changes to University conduct frameworks and national standards—makes the current board-level policy outdated and duplicative of more current University-wide conduct policies that now govern all students, including athletes.

Source of Funds:

Not applicable.

Resource Impact:

Not applicable.

POLICY NAME: Student-Athlete Conduct Review Policy**POLICY NUMBER: UW-01-02**

Authority Title and Review Information:	Name and Date
Approval Authority:	President
Responsible Executive:	Vice President and Director of Intercollegiate Athletics
Responsible Office:	Department of Intercollegiate Athletics
Responsible Officer:	Deputy Athletic Director
Policy Category:	Academics and Student Life
Effective Date:	July 21, 2022
Last Review Date:	July 21, 2022
Next Review Date:	July 21, 2025

I. POLICY STATEMENT

Student-athletes who have earned the privilege of representing Michigan State University (“MSU”) in intercollegiate athletics are expected to uphold high standards of personal conduct and are subject to all team rules, as well as to general University rules and regulations governing student conduct and disciplinary procedures.

MSU takes reasonable steps to:

- confirm whether student-athletes have been disciplined through a Title IX or similar campus proceeding or criminally convicted of sexual, interpersonal, or other acts of violence, in accordance with the National Collegiate Athletics Association (“NCAA”) Board of Governors Policy on Campus Sexual Violence; and
- promptly determine how a student’s conduct involving sexual, interpersonal, or other acts of violence or sexual misconduct may impact a student-athlete’s participation in intercollegiate athletics.

II. SCOPE

This policy applies to the MSU Department of Intercollegiate Athletics (“DIA”) and all student-athletes participating in intercollegiate athletics.

III. DEFINITIONS

Student-Athlete: A student whose enrollment was solicited by a member of DIA staff or other representative of athletic interests with a view toward the student’s ultimate participation in the intercollegiate athletics program.

Incoming student-athlete: A student whose enrollment was solicited by a member of DIA staff or other representative of athletic interests and has been accepted to or applied for admission to the University by the Office of Admissions for a future term.

Continuing student-athlete: A student-athlete who has participated and intends to continue participating as a student-athlete in intercollegiate athletics at MSU.

Transfer student-athlete: A student-athlete seeking to participate in intercollegiate athletics at MSU who has previously attended a different institution of higher education.

Interpersonal Violence: Violence that is predominantly caused due to the relationship between the victim and perpetrator, including dating and domestic violence.

Sexual Violence: A term used to include both forcible and nonforcible sex offenses, ranging from sexual battery to rape.

Other Acts of Violence: Crimes including murder, manslaughter, aggravated assault, or any assault that employs the use of a deadly weapon or causes serious bodily injury.

Discipline: any action that a school takes in a Title IX or similar campus proceeding after a student has a final finding of responsibility. Discipline may include suspensions or dismissal as well as informal resolutions based on campus policies and procedures.

Suspension: in the context of intercollegiate athletics, suspension can be interim (prior to the conclusion of a proceeding), for a specified period of time, or permanent. During an interim suspension, the student-athlete will continue to have access to training, medical, counseling, and academic support services and any financial aid will remain unchanged.

Student-Athlete Conduct Review Committee: committee with duties described in this policy, consisting of, at minimum: the Deputy Athletic Director, Dean of Students or designee, Title IX Coordinator or designee, and a Faculty Athletic Representative. The Committee will consult with other University administrators as necessary.

Title IX Proceeding: grievance process for addressing formal complaints of “sexual harassment” as defined in 34 CFR 106.30, the implementing regulations for Title IX of the Educational Amendments of 1972. Title IX “sexual harassment” includes:

- Unwelcome conduct on the basis of sex that is so severe, pervasive, and objectively offensive that it effectively denies a person equal access to the University's education, program, or activity as determined by a reasonable person standard
- "Sexual assault" as defined in 20 U.S.C. 1092(f)(6)(A)(v)
- "Dating violence" as defined in 34 U.S.C. 12291(a)(10)
- "Domestic violence" as defined in 34 U.S.C. 12291(a)(8)
- "Stalking" as defined in 34 U.S.C. 12291(a)(30)

MSU also prohibits sexual harassment and violence beyond what is prohibited by Title IX. Information about Title IX and other sexual misconduct proceedings at MSU can be found in MSU's [Relationship Violence and Sexual Misconduct and Title IX Policy](#).

IV. POLICY

DIA will require incoming, continuing, and transfer student-athletes to complete an annual disclosure related to their conduct that resulted in discipline through a Title IX or similar campus proceeding or in a criminal conviction for sexual, interpersonal, or other acts of violence. Transfer student-athletes will also be required to disclose whether a Title IX or similar campus proceeding was incomplete at the time of transfer.

DIA will take reasonable steps to confirm whether student-athletes have been disciplined through a Title IX proceeding, other campus proceeding related to sexual misconduct, or criminally convicted of sexual, interpersonal or other acts of violence.

When recruiting an incoming or transfer student-athlete, DIA will gather information that reasonably yields information from any former institution(s) attended by the student-athlete on whether the student left the institution with an incomplete Title IX or similar campus proceeding, was disciplined through a Title IX or similar campus proceeding, or has a criminal conviction for sexual, interpersonal or other acts of violence.

In a manner consistent with federal and state law, the University will share relevant discipline information and Title IX or similar campus proceedings with other institutions when a student-athlete attempts to enroll in a new college or university.

If the DIA learns that a student-athlete may have committed sexual, interpersonal, or other acts of violence or other sexual misconduct, it will promptly review the student-athlete's participation in intercollegiate athletics.

V. POLICY PROCEDURES

A. Student-Athlete Disclosure

DIA will provide incoming, continuing, and transfer student-athletes with the Student-Athlete Disclosure Form and require that it is completed and returned to DIA before the student-athlete is permitted to participate in any DIA athletics activities and/or receive DIA athletics financial aid.

B. DIA Review and Information Gathering

DIA will promptly review completed Student-Athlete Disclosure Forms and take reasonable steps to confirm whether student-athletes have been disciplined through a Title IX or similar campus proceeding or criminally convicted of sexual, interpersonal or other acts of violence. Those steps may include, as appropriate:

- requesting and reviewing information from MSU's Office of Admissions, Office for Civil Rights (Title IX office), Office for Student Support and Accountability, Office of the Registrar, and/or other MSU offices, as applicable
- reviewing Athletics records for relevant information
- conducting a criminal background check
- requesting information from former educational institutions (*required for all transfer student-athletes*)
- conducting an internet/media search
- requesting information from the student-athlete and other individuals or third parties as necessary

The DIA Office of Compliance Services will document and maintain a record of the steps taken and information gathered. The Head Coach will provide written confirmation that all information known to coaching staff has been reported.

C. Response to Past Conduct

If the DIA learns that a student-athlete was disciplined through a Title IX or other proceeding related to sexual misconduct or was criminally convicted for sexual, interpersonal, or other acts of violence, the Director of Intercollegiate Athletics or designee will convene a review by a Student-Athlete Conduct Review Committee.

- The student-athlete will have an opportunity to provide information.
- The Student-Athlete Conduct Review Committee will consider the following when assessing the impact of past conduct on current athletics participation:
 - The nature and gravity of any criminal or conduct offense(s)
 - The individual's age at the time of the offense(s)

- The number and type of offense(s) (felony, misdemeanor, etc.)
- The sentence or sanction for the offense(s) and compliance with the sanction(s)
- The amount of time that has passed since the offense(s) and/or completion of the sentence(s)
- Whether there is a pattern of offenses
- Whether the offense(s) arose in connection with the individual's prior school, athletics, employment, or volunteer activities
- Information supplied by the individual and others about the offense(s)
- Work or school record and references after the offense(s)
- Subsequent criminal activity or other misconduct
- Truthfulness of the individual in disclosing the offense(s)
- After the Student-Athlete Conduct Review Committee provides a recommendation, based on the Committee's recommendation, the Director of Intercollegiate Athletics will determine whether a student-athlete is eligible to participate in intercollegiate athletics, with or without any restrictions. Restrictions may range from probation up to and including suspension from participation in and/or revocation of financial aid associated with intercollegiate athletics.

D. Response During Ongoing Proceeding

If the DIA learns that a student-athlete may have committed sexual, interpersonal, or other acts of violence or other sexual misconduct, and criminal or institutional proceedings related to the alleged conduct have not concluded, the Director of Intercollegiate Athletics or designee will proceed as follows:

- If the alleged conduct is prohibited by MSU's Relationship Violence and Sexual Misconduct (RVSM) and Title IX Policy, consult with the Title IX Coordinator and Office of General Counsel to determine any actions DIA can take prior to the conclusion of a RVSM & Title IX proceeding.
- If the conduct is not prohibited by MSU's RVSM and Title IX Policy, the Director of Intercollegiate Athletics or designee will convene a review by the Student-Athlete Conduct Review Committee. The Review Committee will recommend, based on the information available and the seriousness of the alleged conduct, whether the student-athlete should be suspended from competition and practice, or whether any other restrictions should be imposed immediately. Based on the Committee's recommendation, the Director of Intercollegiate Athletics will determine whether a student-athlete will be suspended from competition and practice, or whether any other restrictions will be imposed, pending resolution of the institutional or criminal proceeding. Prior to conclusion

of the institutional or criminal proceeding, the Review Committee may be re-convened to re-assess restrictions based on additional information that becomes available.

E. Conclusion of a Proceeding

Upon the conclusion or closure of a criminal or institutional proceeding addressing allegations that a student-athlete may have committed sexual, interpersonal, or other acts of violence or other sexual misconduct, the Director of Intercollegiate Athletics or designee will proceed as follows:

- If the student-athlete is convicted of a felony, permanently suspend the student-athlete from the team and all other benefits related to team membership, in accordance with the MSU Board of Trustees Student-Athlete Conduct Policy.
- In all other cases, request review by the Student-Athlete Conduct Review Committee.¹ After the Student-Athlete Conduct Review Committee provides a recommendation, the Director of Intercollegiate Athletics will determine whether a student-athlete is eligible to participate in intercollegiate athletics going forward, with or without any restrictions. Restrictions may range from probation up to and including suspension from participation in and/or revocation of financial aid associated with intercollegiate athletics.

F. Opportunity to Appeal

A student-athlete who has been suspended or is subject to other restrictions may submit a written appeal to the President. Upon consultation with other relevant administrators, the President shall decide whether to grant or deny the appeal. If the President grants the appeal, the President shall determine any terms or conditions required for reinstatement.

G. Information Sharing With Other Institutions

If the University receives a request from another institution seeking a student-athlete's discipline or conduct information, DIA will coordinate with the Office for Civil Rights and the Office of Student Support and Accountability to respond and share relevant discipline information and Title IX or similar campus proceedings in a manner consistent with state and federal law.

H. Information Sharing Within the University

Student-Athlete Disclosure Forms and other information gathered pursuant to this Policy will be maintained by the DIA Office of Compliance Services and will only be shared with other University officials on a need-to-know basis.

¹ If one proceeding concludes but an additional proceeding is ongoing, the Director of Intercollegiate Athletics or the Review Committee may choose to delay review and determination until conclusion of all proceedings.

Pursuant to University policy, DIA and other employees are required to report incidents of relationship violence, sexual misconduct, stalking, and retaliation to the MSU Office for Civil Rights.

VI. VIOLATIONS

Any employees or students who violate this policy may be subject to discipline. Failure of a student-athlete to make a full and accurate disclosure could result in discipline, including loss of eligibility to participate in intercollegiate athletics.

VII. RELATED INFORMATION AND ATTACHMENTS

- [NCAA Board of Governors Policy on Campus Sexual Violence](#)
- Student-Athlete Disclosure Form

VIII. HISTORY

Action	Description
Issued:	1. Office of Audit, Risk and Compliance [July 21, 2022]
Approved by:	1. President Samuel Stanley, Jr., M.D., [July 21, 2022] 2. October 3, 2024 revisions approved by President Kevin M. Guskiewicz [October 7, 2024]
Revised:	1. Policy revisions to MSU's right to share legal information [October 3, 2024]