Student Organization Code of Conduct & Resolution Process

Article I: Introduction

The University of Idaho is committed to creating and maintaining a productive living and learning community that fosters the intellectual, personal, and ethical development of its students. Participation in student organizations creates opportunities to learn, develop, and practice skills that are important for growth.

Membership in student organizations is a privilege. Student organizations (SOs) and their members are expected to engage in behavior that results in positive outcomes for their organizations, members of the organizations, and the University of Idaho campus community. Expectations for organizations and their members include the following:

- Show respect for order and civility and respect for the rights of others within and outside of the University. These attributes are demanded of good citizens.
- Uphold the rights and dignity of others.
- Uphold the integrity of the University as a community of scholars in which free speech is available to all and intellectual honesty is demanded of all.
- Respect University policies as well as local, state, and federal law.

This Student Organization Code of Conduct (Org Code) is available on the Dean of Students website. Units responsible for SOs will make the Org Code available to student organizational leadership. SO and students who are part of a student organization are responsible to read and abide by the policies and provisions of the Org Code.

A. Purpose of the Org Code & Conduct Resolution Process

The *Student Organization Code of Conduct* provides an effective process for organizational misconduct and a tool to help protect the rights of student organizations while ensuring those organizations are held accountable to their members, the University, and community. The Org Code includes a set of rules and behavioral standards that apply to student organizations and procedures for reporting and adjudicating violations of those standards. Consistent with applicable law, the University strives to provide a fair and consistent process for student organizations based on university policy and best practices.

A. Applicability

The Org Code applies to registered and recognized student organizations (Student Org or SO). The Conduct of SO leaders and officers, members, guests, professional

staff/employees, and alumni who maintain membership may be attributed to the SO, and the SO may be charged under this Org Code.

Disciplinary action may be instituted under FSH 2300 against any officers and current and potential members who have knowledge of Prohibited Conduct under this Code that occurred within their own organization may also be subject to disciplinary action.

Student organizations that have lost University recognition may still be subject to the provisions in this Code.

If a Student Org withdraws recognition or registration while a conduct matter is pending, the Code remains applicable to conduct occurring prior to withdrawal.

B. Jurisdiction

The Org Code applies to conduct that occurs on university property, within or at university-sponsored activities whether on or off campus, on SO owned or controlled property, within or at a SO-sponsored activities whether on or off campus, online, or through other electronic means. Additionally, if the inter/national governing body of a student organization considers a gathering to constitute an official organization event, it is also covered under the jurisdiction of the University.

The Dean of Students determines whether an activity is SO sponsored based on available information. The University may address off-campus behaviors when the Dean of Students or university designee determines that the off-campus conduct affects a university interest. University interests include but are not limited to health and safety; protection of rights or property of others and promoting the University's mission.

C. Definitions

The following definitions explain the terminology used in this Org Code. Code violations are listed and defined in Article II, Prohibited Conduct.

C-1: Code: The Student Code of Conduct, which is currently found in FSH 2300.

C-2: Days: Days that the University is open for business, not including Saturdays, Sundays, Fall Recess, Winter Recess, Spring Recess, or University holidays.

C-3: Disciplinary outcome: Disciplinary or corrective action imposed following a responsible finding of organizational misconduct. The term includes, but is not limited to, educational programming, restitution, community service activities, apology letters, probation (including denial of specified University privileges), suspension, termination, or other such sanctions deemed appropriate.

C-4: DOS: The Office of the Dean of Students at the University of Idaho which is responsible for the administration of the Org Code and includes the Dean of Students and their designees

C-5: FSH: Faculty Staff Handbook

C-6: Good Standing: A SO is in good standing when it is in a status other than Probation, Deferred Suspension, or Suspension. Individual members of SO's that are not in good standing may not be eligible to participate in student organization governance.

C-7: Hearing Officer: A person appointed by the Administrator to serve as the person presiding over a hearing. The hearing officer investigates the alleged behavior and can administer the conduct process for either administrative or formal resolutions. The Administrator may also serve as the hearing officer.

C-8: Inter/National Organizational Governing Body: Any known or designated association or body affiliated with any student organization. Examples may include national headquarters of Greek-letter organizations, national governing bodies of sports organizations, national honor societies, etc.

C-9: Investigator: The person assigned by the University to investigate a report of a violation of the Student Organization Code. The investigator may be any qualified person assigned by DOS.

C-10: Mediation: An intervention between conflicting parties to promote reconciliation, settlement, or compromise.

C-11: Org Code: The Student Organization Code of Conduct & Conduct Resolution Process

C-12: Outcome: Disciplinary or corrective action imposed by the deciding body of a process outlined in this Code following a finding of misconduct. The term includes, but is not limited to, educational programming, restitution, community service activities, apology letters, probation (including denial of specified University privileges), suspension, termination, or other such sanctions deemed appropriate.

C-13: Policy: The written regulations of the University as found in, but not limited to, the Faculty Staff Handbook, including the Student Code of Conduct, the Administrative Procedures Manual, the Residence Hall Handbook, all Housing and Residence Life policies, and Graduate and Undergraduate Catalogs.

C-14: Preponderance of the Evidence Standard: The standard of evidence that is

used to decide responsibility for Org Code violation. It means that it is more likely than not, based upon the totality of all relevant evidence and reasonable inferences from the evidence, that there is a violation of the Org Code.

C-15: Respondent: the student organization or other person covered by this Code who is alleged to have violated the Code.

C-16: Response Review Officer: The person(s) designated by the Dean of Students or designee to review responses to findings associated with the Formal Resolution Process, or any assigned outcomes, or both, whether through the administrative or formal resolution process. The response review officer must be a different person than the investigator and must not have previous involvement in the case.

C-17: Student (including Student Organization leaders and members): includes, but is not limited to, all persons admitted to the University, either full-time or part-time, online or in-person, to pursue undergraduate, graduate, or professional studies, and includes non-degree seeking students. The following persons are also considered "students":

a. Persons who are suspended, or those who withdraw or graduate after allegedly violating the Code of Conduct.

b. Persons who are eligible to enroll for classes without applying for re-admission.

c. Individuals participating in the American Language and Culture Program, Independent Study of Idaho sponsored by the University of Idaho, the University of Idaho International Student Success Program (UI-ISSP), or any other similar educational program of the University.

C-18: Student Organization (SO): An organization at an institution of higher education (such as a club, society, association, varsity or junior varsity athletic team, club sports team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at the institution of higher education, whether or not the organization is established or recognized by the institution.

C-19: SO Advisor: Any individual designated by the SO as their advisor. Advisors may be present for any meetings or hearings related to the University disciplinary process. Advisors may provide support and advice but may not speak on behalf of the SO representative or designee or otherwise participate in or disrupt hearings, conferences, or interviews unless requested by the University official conducting the interview.

C-20: SO Representative: The SO Representative is the elected/appointed leader of the SO (e.g., president or team captain), unless the SO designates a different Representative. The SO may choose any student member to serve as its representative of the SO at any time during the process as outlined in this Code. If the individual designated is no longer eligible to serve in that role (e.g., the student withdraws from the University or is no longer a member of the SO) or if the SO dissolves prior to or during the investigation/adjudication process as outlined in this Code, the University may

designate another SO representative. The University will direct communication regarding the process in this Code to the SO Representative.

C-21: Sponsored Event/Gathering: Sponsored events, meetings, gatherings whether on or off-campus, include, but are not limited to:

- Any event or meeting that the SO registers with the University or otherwise notifies the University that it is sponsoring/hosting
- Any event or meeting that meets the criteria of an event that should be registered with the University or that the SO should have otherwise notified the University
- Any event or meeting that the University determines may qualify as a sponsored event based on, but not limited to, the following factors: the nature of the event, the number of SO members in attendance at the event, the level of organization/advertising undertaken by members of the SO, etc.

C-22: Totality of the Circumstances: method of analysis where decisions are holistic, fact-specific, and based on all available information.

C-23: University: The University of Idaho, all its campus locations, education, outreach and research programs, including extension programs and distance education programs, and at all locations where any of these programs are offered or administered.

C-24: University Official: Includes any person employed or contracted by the University performing assigned duties.

D. Prohibited Conduct

The following conduct is prohibited:

D-1: Abuse of Process: A SO, or someone acting on behalf of an SO, violates this Code by directly or indirectly abusing or interfering with the University investigation/adjudication process by engaging in one or more of the following: falsifying, distorting, or misrepresenting information or colluding to do the same in the investigation/adjudication process; destroying or concealing information; attempting to discourage an individual's proper participation in the investigation/adjudication process; harassing or intimidating (verbally or physically) any person involved in the University processes before, during, and/or following proceedings (including up to, throughout, and after any outcome); unauthorized disclosure of a reporting party's identifying information; failing to comply with a temporary measure or other sanction; distributing or otherwise publicizing materials created or produced during an investigation as a part of these policies or procedures, except as required by law or as expressly permitted by the University; or influencing or attempting to influence another person to commit abuse of process.

D-2: Aiding and Abetting: (A) An SO that assists a group that has lost University recognition or facilitates the existence of a group that does not have University recognition, (B) A student organization aiding and abetting another person or group in violation of a University policy or procedure or local, state, or federal law, (C) Encouraging, permitting, or assisting another to do any act that is subject to disciplinary action.

D-3: Alcohol: An SO that aids, abets, incites, organizes, approves or otherwise violates the alcohol policy in FSH 2300 E-7 (c). Alcoholic beverages may not, in any circumstance, be consumed or possessed by, or distributed to, any person under twenty-one (21) years of age. Except at permitted events pursuant to APM 80.01, alcoholic beverages may not be possessed or consumed by any student under any circumstances on campus in areas open to the general public, which areas include, but are not limited to, lounges, student union buildings, recreation rooms, conference rooms, athletic facilities, and other public areas of University-owned buildings or grounds.

D-4: Animals: Animals shall only be used in club capacity and not for amusement, pranks, or otherwise cruel manners. All animal use must be approved by the University.

D-5: Arrest policy*: T*he SO leadership fails to notify the appropriate University official as soon as possible (preferably within 48 hours) if a member of the SO is arrested and detained because of any actions or behaviors taking place at or arising out of a SO-sponsored event.

D-6: Bullying/Cyberbullying: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute bullying and/or cyberbullying, which are defined as repeated and/or severe aggressive behaviors that intimidate or intentionally harm or control another person physically or emotionally, and are not protected by current law and case law interpreting the First Amendment to the Constitution and/or relevant University policies on speech and expression.

D-7: Damage/Destruction of Property: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of the University damage/destruction of property policy.

D-8: Discrimination/Harassment: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of the University discrimination/ harassment policy.

D-9: Dishonesty: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute furnishing false information, making false representations, or academic dishonesty as these terms are defined in FSH 2300.

D-10: Disruptive Activity/Disorderly Conduct: *T*he SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of the University disruptive activity/disorderly conduct policy.

D-11: Drugs or Other Controlled Substances: *T*he SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that violates the policy in FSH 2300 A-7 (b) Using, possessing, manufacturing, cultivating, selling, or distributing any state or federally controlled drug, substance, or paraphernalia, including, but not limited to, marijuana, heroin, narcotics, or other controlled substances, in violation of any applicable law or University policy. Inhaling or ingesting any substance (e.g., nitrous oxide, glue, paint, etc.) that is intended to alter a student's mental state without a prescription is also prohibited.

D-12: Endangerment: The SO aids, abets, incites, organizes, approves, or otherwise participates in any activity that would constitute physical abuse or would endanger the safety, health or well-being of other individuals or groups or would cause reasonable apprehension of such harm. Also, activities that might endanger the safety, health, or well-being of individuals by SO members in a position to intervene but who fail to intervene.

D-13: Failure to Comply: The SO or its representatives fail to comply with the directives of university officials or designees or law enforcement officers during the performance of their duties. This would include failure to comply with any interim measures instituted during any investigation/adjudication process, or failure to comply with any outcomes assigned to an SO at the completion of the conduct process.

D-14: Hazing: Any intentional, knowing, or reckless act committed by a person (whether individually or in concert with other persons) against another person or persons regardless of the willingness of such other person or persons to participate, that

i. is committed in the course of an initiation into, an affiliation with, or the maintenance of membership in, a student organization (e.g., a club, athletic team, fraternity, or sorority); and

ii. causes or creates a risk, above the reasonable risk encountered in the course of participation in the University of Idaho or the organization, of physical or psychological injury.

D-15: Noise: The SO violates municipal noise ordinances by, among other things, failure to obtain a required noise permit for an off-campus event or excessive noise which disrupts the campus or surrounding community, including but not limited to use of amplified sound on campus (except as expressly permitted in compliance with the University).

D-16: Retaliation: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of the retaliation policy. Retaliation is defined as any adverse action towards any person for reporting an alleged violation of this policy or for cooperating with or otherwise participating in any University investigation. Retaliation includes, but is not limited to, verbal or implied threats, physical or psychological abuse, intimidation, harassment (verbal or written), or any

other action intended to create a hostile environment for the intended target of the retaliation. In addition, isolation may constitute retaliation under this policy if the target of the isolation is deprived of an educational opportunity or benefit.

D-17: Sexual Misconduct: The SO aids, abets, incites, organizes, approves, or otherwise participates in any behavior that would constitute a violation of the University sexual misconduct policy.

D-18: Theft: Theft of property or services from the University or private property, or misappropriation of University resources for the benefit of the organization; unauthorized removal of University property from common use areas; possession by the student organization or presence at organization-related facilities of stolen property or University property that has been removed from common use areas without authorization; unauthorized mass removal of publications from campus distribution racks with the intent of limiting public access to the materials; theft of property or services from student organizations, student organization events or student organization facilities; “pranks” where theft is involved are considered to be a violation of this policy.

D-19: Trademark/Copyright Violations: The SO engages in unauthorized use (including misuse) of University, organizational, or other legally protected names, images, and creative works, both published and unpublished.

D-20: Violation of Governing Organization Rules: Violating the rules of a SO inter/national governing body may constitute a violation of this Org Code.

D-21: Violations of University Policies: Violation of published University policies, rules and regulations.

E: Conduct Resolution Process

This article includes information about how to report Prohibited Conduct, initial assessment of such reports, and options for resolution, including administrative and formal resolution processes.

E-1: Report & Review

a. Reporting Alleged Violations

The University will accept reports from anyone with knowledge of potential violations of the Student Organizational Code of Conduct. Reports must be made to either DOS or the Administrator responsible for the student organization involved in the incident. Reports can be made in writing or orally and can also be received through the VandalCARE reporting system www.uidaho.edu/vandalcare. Reports should be submitted as soon as possible after the incident occurred.

The report must provide a detailed description of the allegation, the names of individuals involved, and a description of any action already taken by the SO.

b. Initial Review

The DOS, in consultation with appropriate departments, will conduct a preliminary assessment to determine if there is a reasonable basis for investigating the alleged violation or may schedule an educational meeting with the organizational leadership to explain the conduct process and gather information.

In certain cases, there may be insufficient evidence to proceed with an investigation, and/or the information collected, even if true, would not constitute a violation of policy. In these cases, DOS or designee may choose to meet with the SO representative and any other appropriate parties to discuss behavioral expectations. If no investigation is necessary, the report is documented and administratively closed.

The area responsible for the student organization in partnership with DOS will assess the allegations to determine the applicable resolution options available.

- The area responsible for oversight in conjunction with the hearing officer and the SO leadership will determine if the incident will be resolved through an administrative or formal process.

c. Notice of Reported Violation

The DOS will notify the SO about the alleged violation(s) and schedule a meeting. DOS may also notify SO advisors, any relevant University departments and if applicable, the SO inter/national governing body.

University email is the primary and official means of communication with SO representatives and will be used for all notices described in this Code. SO representatives are responsible for all communication delivered to their university email address.

The notice of reported violation will include descriptions of the administrative and formal resolution processes. In the meeting with DOS, the SO can opt for an administrative or formal resolution process. Even if an administrative resolution process is selected, the DOS may choose to transition to the formal resolution process.

d. Interim Action

In cases where it is determined that continued operations of an SO constitutes a reasonable threat of harm to individuals, damage of University premises, or disruption to the educational mission of the University, the DOS or designee may issue interim measures, up to and including an interim suspension of all SO activities, pending final

disposition of the matter. Upon issuance of an interim measure, the DOS or designee will notify the SO representative and other appropriate parties in writing.

If an SO wishes to seek a review of these interim measures, the SO must submit a written request for an administrative review to the Dean of Students or designee within five (5) business days. This administrative review is to determine if the interim measures are appropriate. The review may lead to a continuance, revocation, and/or modification of the interim measures, including modifications that may be more restrictive than the initial measures. The University will notify SO leadership of the outcome of the review via email within three (3) business days of the review meeting. This notification will include the University's decision and the rationale for that decision.

E-2: Resolution Processes

a. Administrative Resolution

The Administrative Resolution Process serves to resolve reports without initiating the Formal Resolution Process.

Administrative Resolution may include mediation, meetings with a Hearing Officer, meetings with student organization leadership, meetings involving representatives of an inter/national governing organization, or another administrative process appropriate to the circumstances.

During the Administrative Resolution Process, the University may gather information necessary to understand and resolve the reported conduct. Information gathering may include, but is not limited to, interviews with organization members or other witnesses, incident reports, police reports, photographs, videos, electronic communications, social media, and documentation provided by the student organization or its inter/national governing organization.

Before a final determination is made, the student organization will be provided an opportunity to review the information relied upon by the University and submit a written and/or verbal response. The Dean of Students or designee will consider the student organization's response, together with all other available information, before determining whether the student organization is responsible for violating the Student Organization Code of Conduct.

If the student organization is found responsible, the Dean of Students or designee may impose educational, developmental, restorative, or administrative outcomes appropriate to the circumstances. The University will issue a written decision outlining the findings, any assigned outcomes, and information regarding the student organization's opportunity to submit a Response as outlined in Section E-4 of this Code.

When appropriate, the University may consult and coordinate with the organization's inter/national governing organization throughout the Administrative Resolution Process.

Any actions taken by an inter/national governing organization are independent of, and are not binding upon, the University's conduct process.

A student organization may request that the matter be resolved through the Formal Resolution Process. The Dean of Students retains discretion to determine whether referral to the Formal Resolution Process is appropriate. The University's ability to proceed with the Administrative Resolution Process is not dependent upon the participation of the student organization and may continue based on the reasonably available information.

b. Formal Resolution

The Formal Resolution Process includes a formal investigation followed by an adjudication before a Student Organization Conduct Board or Administrator as described in this Code. During the Formal Resolution Process the investigator will conduct a formal investigation and the student organization will receive a preliminary investigative report and an opportunity to respond. The investigator will incorporate responses and issue a final investigative report.

A determination regarding responsibility will be made by either the Student Organization Conduct Board (SOCB) or an Administrator, as outlined in the Student Organization Code of Conduct, using the preponderance of the evidence standard. The SOCB or Administrator considers all available information and determines whether it is more likely than not (greater than 50% likelihood) that a policy violation occurred. If the evidence supporting a violation is more convincing than the evidence against it, the student organization will be found responsible.

If the student organization is found responsible, educational, developmental, restorative or administrative outcomes may be imposed consistent with this Code.

Please be aware that conduct involving a student organization may also result in individual students being referred for alleged violations of the Student Code of Conduct. Any such allegations will be addressed through the University's individual student conduct process.

1. Formal Hearing

The applicable procedures are consistent with FSH 2300, Section F. Accordingly, all rules applying to the Formal Resolution Process, including but not limited to confidentiality obligations, also apply when addressing violations of this Org Code. Any alterations or supplements to those procedures are indicated below.

Formal hearings may be conducted before either a Student Organization Conduct Board or a Hearing Officer, as determined by the Dean of Students or designee.

When a Student Organization Conduct Board is convened, it will consist of three (3) to five (5) impartial and unbiased University members, which may include faculty, staff, and organizational advisors.

The president or appointed leader will be invited to represent the organization during the hearing. The organization may request that additional leaders or members be present during the hearing. The Dean of Students or designee will determine whether additional representatives may participate. Requests for additional representatives must be submitted

no later than three (3) business days prior to the hearing. The organization will receive a response to the request no later than one (1) business day before the hearing.

The organization may be accompanied by an advisor during the hearing. The advisor's role is limited to providing support and advice to the organization and its representative. Advisors may not speak on behalf of the organization or otherwise participate in or disrupt hearings, conferences, or interviews unless permitted by the University official conducting the proceeding.

E-3: Outcomes

If an organization is found responsible for violation(s) through any resolution process, the organization will receive a decision letter outlining the violation, the assigned outcomes, and the deadlines for the outcomes.

The Dean of Students or designee will maintain the decision letter in the SO's record for a period of no less than seven (7) years. If an SO loses campus recognition, the Dean of Students or designee will maintain the decision letter indefinitely. If applicable, a copy of the decision letter may be sent to the inter/national organizational governing body or other appropriate parties.

The Dean of Students or designee and/or the appropriate University department will oversee the completion of outcomes. If the SO misses any deadlines, fails to complete any outcomes, and/or has a subsequent violation(s), the SO may be subject to additional outcomes and/or disciplinary actions at the discretion of the Dean of Students/designee.

The outcomes implemented at the conclusion of the disciplinary process may include status outcomes, educational outcomes, or organizational operational outcomes.

a. **Status Outcomes:**

Status outcomes may include, but are not limited to:

- **Warning:** A warning is given to notify a SO that the behavior and conduct has been inconsistent with the expectations of the University. A warning has no immediate effect upon an SO's status at the University and may be specified for a period. However, once given a warning, an SO should expect more serious outcomes to result from any subsequent violations, especially while on a current warning status when/if similar behaviors occur.
- **Restriction of Privileges**: Restriction of Privileges precludes an SO from participating in certain activities or may require an SO to forfeit specific privileges. Restriction of privileges may include, but is not limited to, loss or limitation of social events or limitation of ability to participate in university events or activities.
- **Probation**: Probation serves to notify an SO that it must avoid any further violations for a specified period in order to avoid additional disciplinary action. An SO may be prohibited from participating in certain activities or forfeit specific privileges while on probation. If a SO on probation is found responsible for any subsequent violations, the outcomes may escalate. Probation may include Restriction of Privileges. Probation under this Org Code is separate and distinct

from probationary status with an inter/national governing body and the assignment or lifting of probationary status by an inter/national governing body is not binding on the University.

- **Deferred Suspension:** Deferred Suspension is a status for a specified period during which any subsequent finding of responsibility for a violation of the Student Organization Code of Conduct or any other University policy shall result in the outcome of suspension for the SO. Deferred Suspension may include Restriction of Privileges.
- **Suspension:** Suspension is a status for a specified period of time that includes, but is not limited to, the revocation of the University's registration of the SO for a stated or an indeterminate period of time, cessation of University funding, restriction of all operations at the University, and restriction of use of University resources. If the SO also holds a charter from an inter/national organizational governing body, the University may also request that the inter/national organizational governing body revoke the charter of the SO.
    - An SO placed on suspension is prohibited from sponsoring, co-sponsoring, or participating in all education or social programs, on or off campus. A suspended SO may not solicit or initiate (recruit) any new members.
    - Suspension may also include the forfeiture of other specifically listed privileges. Suspension should be for a specific and determined period and will include a written return agreement outlining specific conditions for return.
    - The suspension may be delayed at the discretion of the Dean of Students or designee.
    - Continued operation of the SO after suspension or loss of recognition will result in a violation of failure to comply and may result in additional outcomes or restrictions, up to and including an extension of the suspension beyond the terms originally outlined in the initial decision/outcome letter/return agreement.
    - An SO that has completed a period of suspension and has met conditions for return as outlined in the return agreement may seek reinstatement by complying with the registration requirements of the appropriate University department.

b. <u>Educational Outcomes:</u>

Educational outcomes may also be assessed if applicable. Educational outcomes may result from consultation with the appropriate University office(s), the governing body and/or affiliated organization of the SO, organizational leadership, advisors, and/or other appropriate stakeholders as necessary.

Educational outcomes may include, but are not limited to:

- Educational programming, community service, interventions, restrictions, workshops
- Outcomes to develop the culture and community of the SO

c. <u>Organization Operations Outcomes:</u>

Organization operations outcomes are related to the structure, membership, or governance of the organization. They may be included alongside any status and educational outcomes, but only after consultation with the appropriate University department(s), the SO inter/national governing body (if applicable), the SO representative, SO advisors, and/or other appropriate stakeholders as necessary.

Organization Operations outcomes may include, but are not limited to:

- Changes to SO operating procedures,
- Review of SO membership/leadership,
- External SO review,
- Changes to SO advisor support.

d. <u>Financial Outcomes:</u>

When appropriate, SO areas of oversight may impose administrative fees/fines or restitution when an SO is found responsible for violating the Org Code. The monetary assessment may assist with costs associated with educational workshops, programming or compensation for the loss, damage, or injury caused by the SO.

E-4: Response to Resolution Decision

a. Any party may respond to the Administrative or Formal Resolution Process decision.

b. Responses are not limited to arguments that the decision should be overturned or modified but can be statements in support of the findings of responsibility of Code violations using the factors for response established below. That is to say, the Response is an opportunity to argue in favor of, or against, the decision based on the specific listed factors.

c. Outcomes imposed through the decision will not go into effect until either the deadline for a response has expired and no response has been filed or until the decision is upheld after response. However, the Administrator may impose any outcome as an interim action pending the response review.

d. Any party may submit a response to the Administrator's, Hearing Officer's, or SOCB's final decision. Responses must be submitted in writing to the Administrator and must set forth the grounds for the response. The response must be filed no later than five days after the decision is delivered to the parties. Responses are to be directed to the University and will not be provided to other parties in the case, if any. There is no expectation that the response be of a certain level of formality or read like a legal filing.

e. Responses are limited to the following grounds:

1. A conflict of interest by a decision maker that significantly impacted the outcome of the hearing or a procedural error in the investigation process that significantly impacted the outcome of the hearing.

2. New information, unavailable during the investigation or hearing, or information that was technically available but for which no reasonable person would have

sought that information in advance of the hearing, as the need for the information or its evidentiary value did not reasonably arise until during the hearing, and that would likely have substantially impacted the original findings of responsibility of Code violation or outcome if known.

3. The outcomes imposed are substantially disproportionate to the severity of the violation. Note that the imposition of an administrative fee is not a outcome and therefore cannot be reversed or modified.

f. A response review will be limited to a review of the decision, the final report, any written material considered in the decision, the recording of the hearing if held before the SOCB, and any written materials submitted with the response. Where a response is based on the discovery of new information, the new information may be considered only to determine whether the information was unavailable at the time of the decision and whether the new information would likely have substantially impacted the original findings of responsibility of Code violation or outcome if known.

g. Response review procedure

The chair of the SOCB will appoint three to five members of the SOCB to serve on the Response Review Panel and will designate one member to serve as chair of the Response Review Panel. Any member who served on the original decision making SOCB will not serve on the Response Review Panel on the same case. A student may not serve as chair of a Response Review Panel.

The Response Review Panel will issue a written decision. The decision should be issued within 15 days of receiving the response or responses. The chair of the Response Review Panel will provide the written decision to the Administrator, who will then simultaneously provide the decision to the parties.

The Response Review Panel may:

1. Uphold the Administrator's, Hearing Officer's, or SOCB's decision.
2. Uphold the finding that the respondent violated the code but revise the outcome(s).
3. Return the matter for reconsideration or
4. Return the matter for additional investigation.

Unless the case is returned for reconsideration or to the investigator for additional investigation, the decision of the Response Review Panel is the final institutional decision. If the decision upholds the finding that the respondent violated the Code, the outcomes imposed will go into effect immediately.

E-5: Recognition Reinstatement

If the SO dissolves or loses recognition, because of organizational misconduct, and then attempts to seek recognition under the guise of a different organizational name, the University reserves the right to deny the request for recognition or withdraw the recognition. This conclusion may be based on any of multiple factors, including but not limited to, membership overlap, purpose similarity, and the timing of the dissolution or prior loss of recognition and the request for new recognition.

Student organizations that have their recognition removed or revoked must make a formal request for reinstatement to the Dean of Students or designee before they can be considered to return to campus. This includes organizations whose inter/national organization or affiliation removed their recognition or approval of the local organization. Organizations affiliated with other governing bodies must also follow their process.