

Student Organization Conduct Policy

Approved by SGA April 2017

Student Organization Conduct Policy

Recognized student organizations at the University of Wisconsin-Superior are student-led entities with autonomy to create organizational guidelines and practices that govern the involvement of students in the organization. In addition to the rights student organizations are given to make decisions about organization processes and policy, they are accountable to certain responsibilities of recognition imposed by Student Involvement and the Student Government Association at the University of Wisconsin-Superior.

These responsibilities include compliance with all applicable organizational, local, state and federal laws/ordinances, as well as all University rules, policies and procedures. Student organizations must also comply with any policies, procedures, and guidelines of off-campus facilities that the organization is using. This policy applies to the student organization as a whole and the individuals representing a recognized student organization and the University of Wisconsin-Superior.

Specific examples of applicable laws and policies include, but are not limited to:

- University of Wisconsin System Administrative Code Chapter 17: Student Nonacademic Misconduct
- University of Wisconsin System Administrative Code Chapter 18: Conduct on University Lands
- UW-Superior Discrimination, Harassment & Retaliation Policy
- UW-Superior Sex Discrimination & Sexual Misconduct Policy
- UW-Superior Anti-Bullying Policy
- Wisconsin state statutes pertaining to hazing.
- University Alcohol Use Policy and/or Wisconsin state statutes pertaining to the legal drinking age and the provision of alcoholic beverages to minors.
- Illegal drug use or sales at organization events or in organization facilities.
- Conduct that obstructs or impairs the ability of students or community members to participate in university-sponsored or authorized events, or that substantially and unreasonably interferes with others' participation in lawful activities.
- Creation of an unsafe or dangerous environment at an organization event or in organization facilities.
- Incident of theft, vandalism, excessive noise or disorderly conduct.
- Non-compliance with University Purchasing/Accounts Receivable cash handling policies, including misappropriation of funds or resources.
- Organization's own Constitution and By-Laws, including the rules, regulations, policies and procedures outlined in these documents.

Any student organization found in violation of these or other policies and procedures to which they are held accountable may be subject to disciplinary action as outlined in this document. This document outlines organization level misconduct and potential sanction(s). Individual organization members involved in the violation of these or other policies may, in addition, face disciplinary action under

University of Wisconsin System Administrative Code Chapter 17 (Student Nonacademic Disciplinary Procedures) or Chapter 18 (Conduct on University Lands). Individual student misconduct will be handled through the Dean of Students Office.

Procedures for Filing Student Organization Conduct Complaints

Any student, faculty, or staff member of the University of Wisconsin-Superior or community member may file a written complaint of an alleged violation against a recognized student organization with the Dean of Students Office. In order to proceed, as much of the following information must be included in the written complaint:

- Date, time, and location of alleged violation of policy.
- A detailed description of the alleged violation of policy.
- Name of the organization(s) involved.
- Name of individual(s) involved in the alleged violation.
- Name(s) of any additional witnesses of the alleged violation.
- Name and contact information of the person filing the complaint.

All complaints must be filed with the Dean of Students Office within sixty (60) days. **Written complaints can be submitted online through the Incident Reporting Form found at: www.uwsuper.edu/incidentreport.** Anonymous reports will be investigated and charges may be advanced if sufficient evidence or witnesses are discovered. Any concern of retaliation or harassment may be expressed to Campus Safety or the Superior Police Department by the Dean of Students Office upon request of the reporter.

Role of the Student Judicial Committee (or Ad Hoc Committee) in Regards to Student Organization Conduct

The role of the Student Judicial Committee (or Ad Hoc Committee) in regards to student organization conduct is to uphold student organization standards and expectations through the process of peer review. Committee members will review complaints and recommend sanctions which are designed to be educational and encourage future compliance.

Responsibilities of the Committee Members

Members of the Student Judicial Committee (or Ad Hoc Committee) are not advocates for either side. The committee shall fairly consider the information presented in the complaint and may ask questions of the student organization representatives and any potential witnesses. The committee shall decide whether the organization is responsible for violation of policies and if so, which sanctions will be imposed. The committee may not talk privately (outside of the meeting room) about the complaints with the parties involved.

- Maintain confidentiality of all cases discussed.
- Meet a minimum of once per semester for general training.
- Meet on an as needed basis to hear complaints.
- Maintain fairness and objectivity when adjudicating cases.
- Become knowledgeable about UWS student organization policies.

Any member of the Student Judicial Committee (or Ad Hoc Committee) may recuse themselves if bias or direct involvement in the case, or membership in the organization under investigation would prevent this person from rendering a fair and impartial decision.

Process of Discovery

Written complaints submitted online or filed with the Dean of Students Office will be passed on to the Assistant Director of Student Involvement within ten (10) business days. The Assistant Director of Student Involvement will determine if an investigation into the complaint is warranted.

If the Assistant Director does indeed determine an investigation is necessary, the Student Judicial Committee (or Ad Hoc Committee) will be notified of the complaint. A meeting will be arranged with representatives of the student organization named in the complaint within thirty (30) days from the receipt of the complaint. **The purpose of this meeting will be to review the complaint with the student organization representatives and to afford the organization an opportunity to respond.** If representatives from the student organizations do not respond to the offer of a meeting with the Student Judicial Committee (or Ad Hoc Committee) within a specified time period, a determination will be made concerning any responsibility for violation of policy using the information available. The committee will follow an "it is more likely than not" philosophy when making their determination.

Format for the Student Organization Conduct Meeting

All conduct meetings shall be recorded so a complete record is on file in the event of an appeal. At the beginning of the meeting the SJC Chair will:

- a. Call the meeting to order.
- b. Record attendance.
- c. Ask those present to introduce themselves and state their association with the case. (Faculty/staff advisors for the organization under investigation may attend and participate in the meeting).
- d. Explain the procedure to be followed during the meeting and answer any questions related to the proceedings.
- e. The SJC Chair will read aloud the complaint against the organization in question.
- f. The SJC Chair will ask the organization to state whether it accepts responsibility of misconduct or denies responsibility of misconduct.

If the organization **accepts responsibility** of misconduct, a settlement can be discussed:

- a. The student organization representatives will be provided an opportunity to make a statement.
- b. The SJC members may ask any clarifying questions of the student organization representatives.
- c. Through discussion, a mutually agreed upon sanction(s) can be decided. Any such agreement will be written and signed, binding the organization to complete the mutually agreed upon sanction and will conclude the case.
- d. If a mutual agreement cannot be reached, the SJC (in a closed session) will discuss the case and decide on a suitable sanction(s).

If the organization **denies responsibility** of misconduct:

- a. The student organization representatives will be provided an opportunity to make a statement.
- b. The SJC members may ask questions of the student organization representatives that are relevant to the complaint or violation under review.
- c. The SJC may decide to postpone a decision in order to further investigate the alleged misconduct by arranging meetings with any potential witnesses and/or procuring police reports or other documentation. The SJC should complete any additional investigation within five (5) business days of the original meeting.
- d. Once the SJC has sufficient information, it will (in a closed session) discuss the case and render a decision, and if necessary, decide on a sanction(s). A simple majority vote of the members present is needed to find responsibility of misconduct.

Conclusion

If a determination is made based on available information and discussion with student organization members that misconduct did NOT occur, or that no disciplinary sanction is warranted under the circumstances, the matter will be considered resolved without further action.

If a determination is made based on available information and discussion with student organization members that misconduct DID in fact occur, the Student Judicial Committee (or Ad Hoc Committee) in consultation with the Assistant Director of Student Involvement will select one or more disciplinary sanctions listed in this document. The disciplinary sanction(s) will be selected based on the criteria of what is most appropriate for the circumstances surrounding the case. The Assistant Director of Student Involvement will then prepare a written report containing the following:

- A description of the misconduct;
- Recommendation for the specified sanction(s);
- Justification for why the specific sanction(s) was selected; and
- Notice of the organization's right to appeal the decision of the committee.

The written report will be delivered to the student organization's mailbox in the Yellowjacket Union and will be emailed to the organization president's campus email address. A copy of the report will also be sent to the advisor of the student organization. Unless the student organization submits an appeal, the case is concluded and the recommended sanctions will be imposed immediately upon delivery of the report.

Possible Sanctions

Sanctions given to student organizations as a result of misconduct are designed to be educational in nature and encourage adherence to University of Wisconsin-Superior policies. Sanctions also serve the purpose of encouraging student organizations to consider why misconduct occurred and how student organization leaders can take responsibility for compliance. The range of possible sanctions the Student Judicial Committee (or Ad Hoc Committee) on behalf of the University of Wisconsin-Superior may impose on a student organization include, but are not limited to:

Disciplinary Warning – A written warning outlining why the conduct of the student organization was inappropriate and warning against additional sanctions if the conduct continues.

Community Service – The student organization will be required to organize, fund, and/or participate in an agreed upon service opportunity to give back to the larger community.

Educational Programming – The student organization will be required to attend an educational event(s) held on campus to receive information for the betterment of the student organization. Student organizations may also be required to plan or sponsor an educational program for members and/or the larger campus community.

Loss of University Privileges – Student organizations will be prohibited from using specific resources (such as University facilities) if found in violation of abuse of such resources. Loss of University Privileges will be sanctioned for a specified time period after which the privileges will be reinstated.

Restitution – The student organization will be responsible for the cost associated with replacement or maintenance of an item that was damaged due to misconduct.

Funds Freeze - This would impose a hold on the student organization's funding as provided and allowable through the Segregated University Fees Allocation Committee (SUFAC). This is intended to freeze organizational funds for a 6-9 month period from date of imposed sanction.

Disciplinary Probation – The student organization will remain recognized provided it abides by all applicable laws and policies for a period of time not to exceed 24 months. Probation will allow the use of University of Wisconsin-Superior facilities and resources available to all student organizations. Probation signifies a warning status that any further violation of policy may result in Disciplinary Suspension or loss of University Recognition. Disciplinary Probation will be given for a specific time period; the student organization will return to good standing once the time period has expired.

Disciplinary Suspension – Resources available to student organizations and the use of University facilities will be suspended. Student organizations on suspension will not be allowed to meet, conduct organization business and will be held accountable for any continued misconduct of the student organization. Any further violation of policy when suspension has been invoked will result in immediate loss of University Recognition. Disciplinary Suspension will be given for a specific time period, not to exceed 24 months, after which the student organization must re-apply for University Recognition. The re-application must include a plan for steps the student organization has taken to eliminate the risk of future violation of policy.

Revocation of University Recognition – The student organization will officially lose recognition by the University of Wisconsin-Superior. All resources and rights enjoyed by recognized student organizations will be permanently lost. Revocation of University Recognition will occur based upon the type and severity of the misconduct. In addition, University Recognition may be revoked when a student organization on Disciplinary Suspension violates University policy and/or federal, state, or local law. This is intended to be a permanent decision, and may only be carefully reconsidered after a period of at minimum, four calendar years from date of imposed sanction, and only upon the approval of the Chancellor and/or appointed designee.

Emergency Suspension – Recognized student organizations may be immediately suspended if the Assistant Director of Student Involvement has reason to believe the safety of individuals or the community may be in jeopardy. Any Emergency Suspension will be followed by an investigation as outlined in this

document. Emergency Suspension should be used in extraordinary circumstances and is not intended to be a long-standing condition for student organizations.

Referral to the Dean of Students Office – Individual student organization members may be referred to the Dean of Students Office for individual student misconduct concerns under UW System Chapter 17. It is important to note, the policies and processes in this document outline organizational level misconduct. Individual conduct is another matter subject to the policies and processes of the Nonacademic Misconduct Hearing Committee.

NOTE: A combination of multiple sanctions listed above can be used if the Student Organization Conduct Committee deems necessary.

Re-Application for University Recognition

The student organization after completing the terms of Disciplinary Suspension must re-apply to receive the full benefits of University Recognition. A request for re-application consists of the completion of all imposed sanctions and a statement outlining how the student organization will avoid misconduct in the future. Upon receipt of the re-application, the Student Involvement staff will conduct an administrative review to ensure all sanctions have been completed within the time frame specified. Student organization leaders may also be required to meet with Student Involvement staff to review and discuss expectations of student organizations.

Appeal Process

Student organization leaders may appeal in writing to the Dean of Students Office **within one week** after the written report is received from the Assistant Director of Student Involvement. The Dean of Students or designee shall sustain the decision unless it is found the evidence does not support the sanction or established procedures were not followed.

Reasons to appeal a decision may include:

- An error in the process outlined in this document occurred.
- Significant new evidence has become known after the sanctioning decision was made.
- Sanctions given are too severe in the opinion of the student organization leaders.

If the Dean of Students or designee finds the record supports the grounds for the appeal, he or she may invoke an appropriate remedy to settle the complaint against the student organization. All decisions and sanctions supported by the Dean of Students or designee or new/additional sanctions invoked shall be final.

Criteria Used in Determining Student Organization Sponsorship

The following questions are used to help determine whether or not an activity should be considered an “organization activity” as opposed to the actions of an individual or individuals.

1. Is the activity held to promote unity within the organization or group development?
2. Who is attending the activity? Why are they attending? Will a significant number of members attend? Do members perceive the activity to be open to the campus community at large?

3. Will organization funds be used to support the activity? Were members involved in the planning of the activity?
4. Will the organization's name or other identification method be used in the event publicity? Will the organization's communication mechanisms be used to promote the event? Is the event perceived to be associated with the student organization?
5. Where is the activity being held? If off-campus, is it held in the residence of organization members? If held at a third-party vendor location, who made the arrangements? Was the organization's name used when making arrangements?
6. Would a reasonable person think this activity is associated with your organization?
7. As a leader in your organization, do you believe you are in any way responsible for this activity? If not, who would be held responsible in the event of an accident?

Each activity, event, or program may involve a unique set of circumstances that you, as student leaders, should evaluate. Before planning an activity, event, or program, ask yourself these questions and consider what steps can be taken to ensure the safety and security of participants. If you have questions regarding expectations of student organization leaders and responsibilities in the event of an accident, please visit with the Assistant Director of Student Involvement. The Student Involvement staff can help you think through an event and provide ideas for limiting risk to those who will be involved.

The Student Judicial Committee of the SGA, in consultation with Student Involvement will be responsible for revisions to this policy. Revisions will be subject to the approval of the Student Senate and the Dean of Students.