



NORTHWEST
MISSOURI STATE UNIVERSITY

Student Organization Conduct Policy

Policy Name:	Student Organization Conduct Policy
Effective Date:	December 13, 2018
Responsible Office:	Student Affairs
Category:	Student Life

Preamble

Northwest Missouri State University embraces the value of a robust co-curricular experience for students. Involvement outside the classroom is an essential part of a holistic university experience, and the University formally recognizes many student organizations.

The Student Organization Conduct Policy outlines, among other things, the University's behavioral expectations for formally recognized student organizations. Situations arise in which formally recognized student organizations may be in violation of University policy and an appropriate level of disciplinary action is warranted to address the concern. The intent of the Student Organization Conduct Policy is to, among other things, articulate the University's behavioral expectations, provide a consistent and equitable framework for addressing University policy violations, and ensure the long-term viability of formally recognized student organizations and the co-curricular experience at Northwest Missouri State University.

A formally recognized student organization acts through its members, but the University understands that an individual can violate a University policy independent of the individual's affiliation with the student organization. Therefore, if a charge is filed against a student organization pursuant to this Policy, the University will, as explained in more detail throughout this Policy, review the underlying allegations and make a threshold determination as to whether the charge, if proven true, should proceed against the student organization or whether the underlying conduct is independent of the individual(s)' affiliation with the student organization. A charge that is based on conduct that is independent of the individual(s)' affiliation with the student organization will not be pursued against the student organization but may still be pursued against the individual(s) through other University policies. The threshold determination will be viewed on the totality of the circumstances.

Article I. Definitions

1. The term “University” means Northwest Missouri State University.
2. The term “student” includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies, enrolled in person or online. Persons who withdraw after allegedly violating a policy or regulation, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance for admission are considered “students” under this Policy, as are persons who are living in University residence halls, although not enrolled in this institution. This Student Organization Conduct Policy applies at all locations of the University, including the Kansas City Center.
3. The term “faculty member” means any person hired by the University to conduct classroom or teaching activities or who is otherwise considered by the University to be a member of its faculty.
4. The term “University official” includes any person employed by the University, performing assigned administrative or professional responsibilities and the Board of Regents and its members.
5. The term “member of the University community” includes any person who is a student, faculty member, University official or any other person employed by the University. A person’s status in a particular situation shall be determined by the Vice President of Student Affairs.
6. The term “student organization” means any number of persons who have complied with the formal requirements for University recognition by the Student Senate, and includes Greek Social Fraternities and Sororities as well as student organizations that have applied for approval by Student Senate or Greek Life. <https://nwmissouri.campuslabs.com/engage/organizations>
7. The term “Student Organization Conduct Board” means any person or persons authorized by the Vice President of Student Affairs to determine whether a student organization has violated University policies and/or regulations, and to issue sanctions that may be imposed when a violation has been committed.
8. The term “Student Organization Conduct Administrator” means a University official authorized on a case-by-case basis by the Vice President of Student Affairs to investigate charges and impose sanctions upon any student organization that admits to having violated University policies and/or regulations and agreed upon the recommended sanction.
9. The term “Appeals Board” means the persons authorized by the University President, or his/her designee, to consider an appeal from a Student Organization Conduct Board’s determination as to whether a student organization has violated University policies and/or regulations, or from the sanctions imposed by the Student Organization Conduct Board. The Appeals Board shall be comprised of two (2) Northwest Leadership Team members and one (1) current student. The Vice President of Student Affairs is not eligible to serve on an Appeals Board.

10. The term “shall” is used in the imperative sense.
11. The term “may” is used in the permissive sense.
12. The Vice President of Student Affairs is the person designated by the University President to be responsible for the administration of University policies and/or regulations as they relate to student organizations.
13. The terms “policy” or “regulations” mean the written regulations of the University, including, but not limited to, the Student Code, Residence Life Handbook, the University Policy Library, the University web page and computer use policy, and Graduate/Undergraduate Catalogs.
14. The term “Complainant” means any member of the University community who submits a charge alleging that a student organization violated University policies and/or regulations. When a student believes that s/he has been a victim of a student organization’s misconduct, the student who believes s/he has been a victim will have the same rights under the Student Code and this Student Organization Conduct Policy as are provided to the Complainant, even if another member of the University community submitted the charge itself.
15. The term “Accused Student Organization” means any student organization accused of violating University policies and/or regulations.
16. The terms “Student Code of Conduct”, “Student Code” and/or “student conduct code” mean the [Student Code of Conduct](https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf), set forth at <https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf>.
17. Definitions for violations of state statutes are available in the Missouri state statutes and in the Annual Security Report (when applicable) on the University Police website.

Article II. Student Organization Conduct Authority

1. The Vice President of Student Affairs shall determine the composition of Student Organization Conduct Boards and determine which Student Organization Conduct Administrator and Student Organization Conduct Board shall be authorized to hear each matter.
2. The Vice President of Student Affairs may develop procedures for the administration of the student organization conduct system and procedural rules for the conduct of Student Organization Conduct Board Hearings that are not inconsistent with provisions of this Policy.
3. Decisions made by a Student Organization Conduct Board shall be final, pending the normal appeal process.
4. Agreed upon sanctions between an Accused Student Organization, an umbrella student organization, and a Student Organization Conduct Administrator are not appealable.

Article III. Proscribed Conduct

1. Jurisdiction of the University Student Organization Policy

This Student Organization Conduct Policy expressly incorporates the University [Student Code of Conduct](https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf), found at <https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf>. By such incorporation, this Student Organization Conduct Policy shall apply to conduct that occurs on University premises, at University sponsored activities, at events hosted by a student organization, and to off-campus conduct that adversely affects a member of the University community and/or the pursuit of its objectives. Each student organization shall be responsible for the conduct of its members at all times, even though conduct may occur before classes begin or after classes end. The Student Code and this Student Organization Conduct Policy shall apply to a student organization's conduct even if the individual student(s) involved withdraw(s) from the University. The Vice President of Student Affairs shall decide whether the Student Code and this Student Organization Conduct Policy shall be applied to conduct occurring off campus, on a case-by-case basis, in his/her sole discretion. Additionally, the Vice President of Student Affairs, or his/her designee, shall make a threshold determination about whether the alleged conduct, if proven true, should be imputed to the student organization, or whether the alleged conduct should only constitute a violation by the individual(s) involved in the alleged conduct. If the Vice President of Student Affairs, or his/her designee, determines, after considering the totality of the circumstances, that the alleged conduct should not be imputed to the student organization, the charge should be dismissed without further investigation. The Office of Student Affairs has created a list of factors that the Vice President of Student Affairs, or his/her designee, will consider when analyzing whether the alleged conduct should be imputed to a student organization. The factors are not exhaustive or dispositive and may be amended, from time to time. The threshold determination about whether to proceed with a charge against a student organization is in the sole discretion of the Vice President of Student Affairs, or his/her designee.

2. Conduct—Rules and Regulations

Any student organization that, through the act(s) or omission(s) of any of its member(s), is found to have committed or to have attempted to commit any violation of University policy or regulation, including the following misconduct, is subject to disciplinary sanctions outlined in Article IV:

- A. Acts of dishonesty, including but not limited to the following:
 - i) Furnishing false information to any University official, faculty member, office, or hearing board.
 - ii) Forgery, alteration, or misuse of any University document, record, or instrument of identification.
- B. Disruption or obstruction of teaching, research, administration, disciplinary proceedings, other University activities, including its public service functions on or off campus, or of other authorized non-University activities when the conduct occurs on University premises.
- C. Harassment, threats, intimidation, coercion, and/or any other conduct that by design, intent, or recklessness places another individual in reasonable fear of

physical harm or creates emotional distress in which others are unable to reasonably conduct or participate in work, education, research, living, or other activities. This includes, but is not limited to, stalking and bullying. It also includes bias-motivated incidents based on, but not limited to race, color, national origin, sex, creed, disability, age, sexual orientation, or gender identity. This applies to conduct which occurs in any form whether in person, online, by phone, or through any other medium.

- D. Conduct which causes physical injury or endangers the health and safety of another person, which includes, but is not limited to, acts of physical violence and assault.
- E. Any and all acts of sexual misconduct, including domestic assault, dating violence, stalking, sexual harassment, or any other act outlined in the [University Title IX policy](#).
- F. Attempted or actual theft of and/or damage to property of the University or property of a member of the University community or other personal or public property, on or off campus.
- G. Hazing, please see the University's [Hazing Policy](#) for definition.
- H. Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself to these persons when requested to do so.
- I. Unauthorized possession, duplication or use of keys (traditional or electronic) to any University premises; or unauthorized entry to, or use of, University premises.
- J. Use of any University property or services without express authorization.
- K. Violation of any University policy, rule, guideline, handbook or regulation published in hard copy or available electronically on the University website.
- L. Violation of any federal, state, or local law.
- M. Smoking, as outlined in the University's [Smoking Policy](#), is prohibited on all University owned or leased grounds and in all University owned vehicles.
- N. Use, possession, manufacturing, or distribution of marijuana, heroin, narcotics, or other controlled substances, except as expressly permitted by law. (NOTE: Possession could mean knowingly in the presence of controlled substances)
- O. Possession or knowingly in the presence of drug paraphernalia. Paraphernalia includes any items used in conjunction with controlled substance use and/or ingestion and includes any items used to mask the use or possession of controlled substances.

- P. Consumption, possession, manufacturing, or distribution of alcoholic beverages not specifically permitted within the University's [Alcohol Policy](#). (NOTE: Possession could mean knowingly in the presence of alcohol)
- Q. Illegal or unauthorized possession of firearms, explosives, weapons, or dangerous chemicals on University premises or use of any such item, even if legally possessed, in a manner that harms, threatens or causes fear to others. The University's policy on weapons can be found in the Campus Security Report on the University Police [website](#).
- R. Possession or use of fireworks on University property unless previously approved by the University.
- S. Participating in an on-campus or off-campus demonstration, riot or activity that disrupts the normal operations of the University and/or infringes on the rights of other members of the University community; leading or inciting others to disrupt scheduled and/or normal activities on the University premises. However, the prohibition of these acts is not intended to infringe on First Amendment rights.
- T. Obstructing the free flow of pedestrian or vehicular traffic on University premises or at University sponsored or supervised functions unless previously approved by the University.
- U. Destroying, tampering with, or altering fire alarms or other safety equipment.
- V. Conduct that is disorderly, lewd, or indecent. Disorderly Conduct includes but is not limited to:
- i) Any conduct which disrupts the living/learning environment of the University.
 - ii) Any conduct which is a breach of peace.
 - iii) Any conduct which aids, abets, or procures another person to breach the peace on University premises or at functions sponsored by, or participated in by, the University or members of academic community.
 - iv) Any unauthorized use of electronic or other devices to make an audio or video record of any person while on University premises without his/her prior knowledge, or without his/her effective consent when such a recording is likely to cause injury or distress. This includes, but is not limited to, surreptitiously taking pictures of another person in a gym, locker room, or restroom.
 - v) Any conduct deemed inappropriate as a result of alcohol/drug impairment.

- vi) Any conduct deemed inappropriate but which is not specifically mentioned in the Student Code or this Student Organization Conduct Policy.
 - W. Any violation of the University [Computer Policy](#).
 - X. Abuse of the Student Organization Conduct System, including but not limited to:
 - i) Failure to obey the notice from a Student Organization Conduct Board or University official to appear for a meeting or hearing as part of the Student Organization Conduct System.
 - ii) Falsification, distortion, or misrepresentation of information before a University Official or a Student Organization Conduct Board.
 - iii) Disruption or interference with the orderly conduct of a Student Organization Conduct Board proceeding.
 - iv) Institution of a Student Organization Conduct Policy proceeding in bad faith.
 - v) Attempting to discourage an individual's proper participation in, or use of, the student organization conduct system.
 - vi) Attempting to influence the impartiality of a member of a Student Organization Conduct Board prior to, and/or during the course of, the Student Organization Conduct Board proceeding.
 - vii) Harassment (verbal and physical) and/or intimidation of a member of a Student Organization Conduct Board prior to, during, and/or after a student conduct code proceeding.
 - viii) Retaliation toward any individual involved in the Student Organization Conduct process.
 - ix) Failure to comply with the sanction(s) imposed through the Student Organization Conduct process.
 - x) Influencing or attempting to influence another person to commit an abuse of the Student Organization Conduct process.
 - Y. Any violation of a policy of Residential Life, including a list of policies specific to the Residence Hall community.
3. Violation of Law and University Discipline
- A. University disciplinary proceedings may be instituted against a student organization based on the act(s) or omission(s) of its member(s) who are charged

with conduct that potentially constituted a crime or a violation of any University policy or regulation. Proceedings under this Policy may be carried out prior to, simultaneously with, or following civil or criminal proceedings off campus or a Student Code hearing on campus at the discretion of the Vice President of Student Affairs. Determinations made or sanctions imposed under this Policy shall not be subject to change because criminal charges arising out of the same facts giving rise to violation of University rules were dismissed, reduced, or resolved in favor of or against the criminal law defendant.

- B. When a student is charged by federal, state, or local authorities with a violation of law, the University will not request or agree to special consideration for that individual or his/her student organization because of his or her status as a student. If the alleged offense is also being processed under the Student Code or this Policy, the University may advise off-campus authorities of the existence of the Student Code and this Policy, and of how such matters are typically handled within the University. The University will attempt to cooperate with law enforcement and other agencies in the enforcement of criminal law on campus and in the conditions imposed by criminal courts for the rehabilitation of student violators (provided that the conditions do not conflict with campus rules or sanctions). Individual students and other members of the University community, acting in their personal capacities, remain free to interact with government representatives as they deem appropriate.
- C. A student organization, including a student organization that governs other student organizations such as Student Senate, Interfraternity Council, National Pan-Hellenic Council, and Panhellenic Council, may create bylaws, rules, and expectations for its members. A student organization may hold its members accountable for adherence to its bylaws, rules, and expectations. Bylaws, rules and expectations created by a student organization will not, however, impact the University's ability to investigate misconduct or sanction an individual or a student organization. A student organization may not issue a sanction of deactivation or any other sanction impacting an organization's recognition by the University without written approval from the Vice President of Student Affairs. A student organization's willingness to hold its members accountable will be viewed as a mitigating factor in determining sanctions.
- D. This Policy supersedes any bylaw, rule, or expectation created by a student organization.

4. Student Code's Amnesty Provision

The Student Code includes an amnesty provision that states that the University will not impose sanctions that are punitive in nature (i.e., it will grant "amnesty" to) against those individual students who seek emergency medical attention for themselves or someone else related to the consumption of alcohol or other drugs. Additionally, any individual student who requires medical attention for the consumption of alcohol and other drugs will also be provided amnesty. Only sanctions related to the consumption and possession of alcohol and other drugs are covered

under this provision. For the full text of this Amnesty provision, see provision within the [Student Code of Conduct](https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf) at <https://www.nwmissouri.edu/studentaffairs/PDF/ConductCode.pdf>.

Student organizations are required to seek immediate medical assistance for their members or guests when any health risk is observed, including medical emergencies relating to the use of alcohol and/or drugs. Although the privileges of Amnesty do not extend to a student organization, a student organization's willingness to seek assistance and take proper measures to preserve the welfare of their members and guests will be viewed as a mitigating factor in determining whether charges against a student organization have merit and when determining sanctions.

Article IV. Student Organization Conduct Code Procedures

1. Charges and Student Organization Conduct Board Hearings.

- A. Charge:** Any member of the University community may file charges against a student organization for violations of University policies and/or regulations. A charge shall be prepared in writing and directed to the Student Organization Conduct Administrator. Any charge should be submitted as soon as possible after the event takes place, preferably within one week. The Student Conduct Administrator will provide the Accused Student Organization with written notice that a charge has been filed against it.
- B. Charge Assessment:** The Student Conduct Administrator shall conduct an investigation to determine if the charges have merit, if the charges constitute individual conduct or conduct by the Accused Student Organization, and if the charges should be adjudicated by the University or if the charges should be referred to Interfraternity Council, Panhellenic Council, or Student Senate for adjudication. In the sole discretion of the Vice President of Student Affairs, the investigation may be conducted, in whole or in part, by someone other than the Student Conduct Administrator, including, but not limited to, administration, faculty, campus police, or an independent-third party.
- C. Method of Adjudication:** After conducting the investigation and determining that the charge has merit, the Student Conduct Administrator shall confer with a representative of Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, or Student Senate and then decide whether the charge should proceed against the Accused Student Organization and whether the charge will be adjudicated under this Policy or whether the charge will be referred to Interfraternity Council, Panhellenic Council, or Student Senate for adjudication. The Student Conduct Administrator shall confer with a representative of (a) Interfraternity Council if the charge is against one of its member organizations, (b) Panhellenic Council if the charge is against one of its member organizations, (c) National Pan-Hellenic Council if the charge is against one of its member organizations, and (d) Student Senate if the charge is against any other student organization. Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, and Student Senate will each appoint a representative to serve as the

liaison to confer with the Student Conduct Administrator. A charge involving a major violation and/or repeat violations should be adjudicated under this Policy. A charge involving a minor violation should be referred to Interfraternity Council, Panhellenic Council, or Student Senate for adjudication.

- D. **Student Adjudication:** If the Student Conduct Administrator determines that the charge will not be adjudicated under this Policy, the Student Conduct Administrator will refer (a) charges against fraternities to Interfraternity Council, (b) charges against sororities to Panhellenic Council, and (c) charges against all other student organizations (including National Pan-Hellenic Council Organizations) to Student Senate. The University will provide Interfraternity Council, Panhellenic Council, and Student Senate with an advisor to serve as a resource while adjudicating the charge. Interfraternity Council, Panhellenic Council, or Student Senate may refer a charge back to the University to be adjudicated under this Policy if, after reviewing the matter, it determines that the charge involves a major violation. In the event that the National Pan-Hellenic Council creates a judicial board, the University will revise this policy to address their judicial process.
- E. **Consent:** If the Student Conduct Administrator determines that the charge will be adjudicated under this Policy, the Student Conduct Administrator will communicate with the Accused Student Organization and either Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, or Student Senate in an attempt to dispose of the charge by consent. The Student Conduct Administrator will communicate with a representative from (a) Interfraternity Council if the charge is against one of its member organizations, (b) Panhellenic Council if the charge is against one of its member organizations, (c) National Pan-Hellenic Council if the charge is against one of its member organizations, and (d) Student Senate if the charge is against any other student organization. Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, and Student Senate will each appoint a representative to serve as the liaison to communicate with the Student Conduct Administrator. If the matter cannot be resolved by consent of the Student Conduct Administrator, the Accused Student Organization, and either Interfraternity Council, Panhellenic Council, National Pan-Hellenic Council, or Student Senate, as the case may be, the matter will be transferred to the Student Organization Conduct Board Hearing for adjudication under this Policy.
- F. **Student Organization Conduct Board Adjudication Process:** All charges shall be presented to the Accused Student Organization in written form. The notice should identify the Complainant except as stated in Article IV, 5, J. If the Accused Student Organization does not admit the violations, a time shall be set for a Student Organization Conduct Board Hearing, not less than five nor more than fifteen calendar days after the Accused Student Organization has been notified. Maximum time limits for scheduling of Student Organization Conduct Board Hearings may be extended at the discretion of the Vice President of Student Affairs.

G. **Hearing:** Student Organization Conduct Board Hearings shall be conducted by a Student Organization Conduct Board according to the following guidelines except as provided by article IV(A)(7) below:

- i) Student Organization Conduct Board Hearings are not open to the public.
- ii) The Complainant, Accused Student Organization and their advisors, if any, shall be allowed to attend the entire portion of the Student Organization Conduct Board Hearing at which information is received (excluding deliberations). Admission of any other person to the Student Organization Conduct Board Hearing shall be at the discretion of the chairperson of the Student Organization Conduct Board.
- iii) In Student Organization Conduct Board Hearings involving more than one Accused Student Organization, the Vice President of Student Affairs, in his or her discretion, may permit the Student Organization Conduct Board Hearings concerning each student organization to be conducted either separately or jointly.
- iv) The Complainant and the Accused Student Organization have the right to be assisted by an advisor they choose, at their own expense. The Complainant and/or the Accused Student Organization is responsible for presenting his or her or its own information, and, therefore, advisors are not permitted to speak or to participate directly in any Student Organization Conduct Board Hearing before a Student Organization Conduct Board. The respective advisor may speak with the Complainant and/or the Accused Student Organization during the hearing as long as the communications do not, in the sole discretion of the chairperson of the Student Organization Conduct Board, interfere with the hearing. A student organization should select as an advisor a person whose schedule allows attendance at the scheduled date and time for the Student Organization Conduct Board Hearing because delays will not normally be allowed due to the scheduling conflicts of an advisor.
- v) The Complainant, the Accused Student Organization and the Student Organization Conduct Board may arrange for witnesses to present pertinent information to the Student Organization Conduct Board. The University will try to arrange attendance of possible witnesses who are members of the University community, if reasonably possible, and who are identified by the Complainant and/or Accused Student Organization at least two weekdays prior to the Student Organization Conduct Board Hearing. Witnesses will provide information to and answer questions from the Student Organization Conduct Board. Questions may be suggested by the Accused Student Organization and/or Complainant to be answered by each other or by other witnesses. This will be conducted by the Student Organization Conduct Board with such questions directed to the chairperson, rather than to the witness directly. This method is used to

preserve the educational tone of the hearing and to avoid the unnecessary creation of an adversarial environment. Questions of whether potential information will be received shall be resolved in the discretion of the chairperson of the Student Organization Conduct Board. Special procedures may be implemented in matters involving allegations of sexual misconduct to protect the sensitive nature of the information involved.

- vi) Pertinent records, exhibits, and written statements (including Student Impact Statements) may be accepted as information for consideration by a Student Organization Conduct Board at the discretion of the chairperson.
- vii) All procedural questions are subject to the final decision of the chairperson of the Student Organization Conduct Board.
- viii) After the portion of the Student Organization Conduct Board Hearing concludes in which all pertinent information has been received, the Student Organization Conduct Board shall determine whether the Accused Student Organization has violated each University policy and/or regulation which the student organization is charged with violating.
- ix) The Student Organization Conduct Board's determination shall be made on the basis of whether it is more likely than not that the Accused Student Organization violated University policies and/or regulations.
- x) Formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Student Organization Conduct proceedings.
- xi) The Student Organization Conduct Board shall be comprised of seven (7) members of the University community who are selected by the Vice President of Student Affairs, or his or her designee, on a case-by-case basis. The Student Organization Conduct Board shall consist of three (3) University officials, three (3) current students, and one (1) chairperson. The three (3) University officials shall be full-time faculty or staff at the University. The three (3) current students shall be selected from a pool of eligible students on file with the Office of Student Affairs and include at least one (1) student who is a member of a Greek Social Fraternity or Sorority, and one (1) student who is not a member of a Greek Social Fraternity or Sorority. The one (1) chairperson shall be a full-time faculty or staff at the University. An individual who is a member of—or a faculty advisor for—an Accused Student Organization may not serve on the Student Organization Conduct Board for the hearing of the Accused Student Organization.
- xii) The Student Organization Conduct Board will decide the charge following the conclusion of the Student Organization Conduct Board Hearing. The decision will be made by majority decision. The one (1) chairperson will

only vote on the matter in the event that the three (3) University officials and the three (3) students cannot reach a majority decision. It is the University's expectation that the chairperson will only need to vote in limited circumstances and will help facilitate a majority decision.

- H. There shall be a single verbatim record, such as a tape recording or transcript, of all Student Organization Conduct Board Hearings before a Student Organization Conduct Board (not including deliberations). Deliberations shall not be recorded. The record shall be the property of the University. Accused Student Organizations will be provided a copy of the verbatim record upon request.
- I. If an Accused Student Organization, with notice, does not appear before a Student Organization Conduct Board Hearing, the information in support of the charges shall be presented and considered even if the Accused Student Organization is not present.
- J. The Student Organization Conduct Board may accommodate concerns for the personal safety, well-being, and/or fears of confrontation of the Complainant, Accused Student Organization, and/or other witness during the hearing by providing separate facilities, by using a visual screen, and/or by permitting participation by telephone, videophone, closed circuit television, video conferencing, videotape, audio tape, written statement, or other means, where and as determined in the sole judgment of Vice President of Student Affairs to be appropriate.

2. Sanctions

- A. The following sanctions may be imposed upon any student organization:
 - i) **Warning**—A notice in writing to the student organization that the student organization is violating or has violated University policies and/or regulations and includes the possibility of more severe disciplinary sanctions if the student organization is found to further violate any University policies and/or regulations.
 - ii) **Probation**—A written reprimand for violation of specified University policies and/or regulations with an associated probation for a designated period of time and includes the probability of more severe disciplinary sanctions if the student organization is found to violate any University policies and/or regulations during the probationary period.
 - iii) **Campus Conduct Probation**—This is a formal probationary status for a specified period of time. Restrictions and provisions of this probation are individualized to allow for the particular need of the student organization, the University, and/or situation. Any further violation of University policies or regulations while on probationary status means that the student organization is subject to further disciplinary action.

- iv) Social Probation—S Student organizations cannot host or co-host, attend, or participate in any Greek or non-Greek social functions (mixers, formals, informals, etc.). No alcohol may be present for any organization events or functions.
- v) Strict Campus Conduct Probation—This action is a formal probationary status during which the student organization is removed from good standing at the University. Student organizations on Strict Campus Conduct Probation must also adhere to Social Probation. This term describes a set of conditions making it possible for a student organization to remain recognized by the University in spite of a serious violation. The status is very near deactivation from the University, and indicates the extreme seriousness of the probation. The student organization will have the following conditions imposed when removed from good standing:
 - a) The student organization will not be able to sponsor or hold events (either on or off campus). Organizations may request, and receive in writing, permission from the Vice President of Student Affairs, or designee to host service or philanthropic events.
 - b) The student organization will not be permitted to use digital signage, campus bulletin boards, or sidewalk chalking.
 - c) The student organization will be restricted from representing the University in any public performance or exhibit, sporting event, intramural event, etc. The student organization will not be permitted to participate in services or events in University facilities that are announced as open to all recognized student organizations, including Homecoming.
 - d) The student organization will not be eligible for University awards or honors presented to student organizations and members.
 - e) Any further violation of University policies and/or regulations while on probationary status means that a student organization is subject to suspension and/or deactivation from the University.

These conditions will remain in effect until the student organization is returned to good standing at the University.

- vi) Loss of Privileges—Denial of specified rights and privileges for a designated period of time.
- vii) Educational Response—Mandatory online or in person classes regarding specific topics (i.e. substance abuse). The sanction may include a deadline for completion of program.

- viii) Fines—Fines may be levied as a sanction. The amount of a fine should correspond to the severity of the violation with a maximum fine of \$100 per violation per member.
- ix) Restitution—Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- x) Discretionary Sanctions—Work assignments, service to the University, or other related discretionary assignments.
- xi) Deactivation. Loss of all privileges, including University recognition, for a specified period of time.
 - a) During this period, the organization will not be recognized as a registered student organization and will lose all privileges associated with being a registered student organization.
 - b) During this period, all members currently affiliated with the organization will not be able to host, co-host, or participate in any University recognized activities as representatives of the organization.
 - c) Organization will not hold itself out or market itself as being recognized, approved, or affiliated with the University in any way, regardless of status with National or International Organizations.
 - d) Organization will not attempt to circumvent these sanctions by conducting illicit or clandestine activities or by reorganizing itself under another name.
 - e) Violation of any component of this sanction, including operating as a non-recognized organization, will result in permanent revocation of the organization’s recognition at the University. This can include (but is not limited to) hosting events or meetings (whether on or off campus), conducting recruitment activities, and producing materials/marketing that may allude to the contradiction of the suspension/deactivation terms.

3. More than one of the sanctions listed above may be imposed for any single violation. In situations involving both an Accused Student Organization and a student(s) claiming to be the victim of another student’s conduct, the records of the process and of the sanctions imposed, if any, shall be considered to be the education records of both the Accused Student(s) and the student(s) claiming to be the victim because the educational career and chances of success in the academic community of each may be impacted.

4. In each case in which the Student Organization Conduct Board determines that a student organization has violated University policies or regulations, the sanction(s) shall be determined and imposed by the Student Organization Conduct Board. Following the Student Organization

Conduct Board Hearing, the Student Organization Conduct Board shall advise the Accused Student Organization (and a complaining student who believes s/he was the victim of the student organization's conduct) in writing of its determination and of the sanction(s) imposed, if any.

5. If a student organization is deactivated for a certain period of time under this Policy, the student organization must apply for reinstatement to regain campus recognition. Such reinstatement decisions are considered and determined by an Appeal Board made of two (2) Northwest Leadership Team members and one (1) student selected from the pool of eligible students on file with the Office of Student Affairs. If reinstatement is granted by the Appeal Board, the reinstated student organization must still meet the requirements of being a recognized student organization pursuant to the applicable umbrella organization policy. Students cannot attempt to reorganize into a new organization with the University in an attempt to circumvent a sanction.

6. Interim Suspension

As set forth herein, the Vice President of Student Affairs may suspend a student organization prior to the Student Organization Conduct Board Hearing.

- A. Interim suspension should be imposed only when, in the sole discretion of the Vice President of Student Affairs, there is reasonable cause to believe the student organization's participation in certain University activities will lead to conduct that threatens the health or safety of any member of the University community; or other activity that is disruptive to the orderly operation of the University.
- B. During the interim suspension, a student organization's access will be restricted to the minimum extent necessary as the Vice President of Student Affairs may determine to be appropriate.
- C. The interim suspension does not replace the regular process, which shall proceed on the normal schedule, up to and through a Student Organization Conduct Board Hearing, if required. However, the student organization will be notified in writing of this action and the reasons for the interim suspension. The notice will include the process for a student organization to appeal the interim suspension decision.
- D. Appeals of an interim suspension are considered by an Interim Suspension Appeal Board made of two (2) Northwest Leadership Team members and one (1) student selected from the pool of eligible students on file with the Office of Student Affairs. The student organization's appeal should include information the student organization would like considered by the Interim Suspension Appeal Board. When submitting an appeal, the student organization may write a letter and submit any evidence for the Interim Suspension Appeal Board to show why there was no reasonable cause for the interim suspension. The student organization will be given notice of the date and time of the meeting of the Interim Suspension Appeal Board, which will take place within seven (7) days of the interim suspension appeal. Limited exceptions to this timeline may apply on a case by case basis. Student organizations will not be present for this meeting unless

requested by the Interim Suspension Appeal Board. The Interim Suspension Appeal Board has the option to uphold, overturn, or modify the interim suspension. The Interim Suspension Appeal Board will make a determination and communicate the determination to the student organization. Decisions of the Interim Suspension Appeal Board are final. The terms of the Interim Suspension will be in effect until a final decision is made by consent or the Student Organization Conduct Board.

- E. Notice of an interim suspension will not be used as evidence in a Student Organization Conduct Board Hearing. However, failure to comply with the provisions of an interim suspension is a violation of the Student Code of Conduct and this Policy, and may be used as evidence when there is an alleged violation of the provisions of the interim suspension.

7. Appeals

- A. A decision reached by the Student Organization Conduct Board or a sanction imposed by the Student Organization Conduct Board may be appealed by the Accused Student Organization(s), Complainant(s), or Vice President of Student Affairs to an Appellate Board established by the President, or his or her designee, made up of two (2) Northwest Leadership Team members and one (1) student selected from the pool of eligible students on file with the Office of Student Affairs, within five (5) school days of the decision, or at such later time as reasonably determined by the Appellate Board. Such appeals shall be in writing and shall be delivered to the Student Organization Conduct Administrator or his or her designee. The student selected to the Appellate Board cannot be a member of the Accused Student Organization or a member of the underlying Student Organization Conduct Board.
- B. Except as required to explain the basis of new information, an appeal shall be limited to a review of the verbatim record of the Student Organization Conduct Board Hearing and supporting documents for one or more of the following purposes:
 - i) To determine whether the Student Organization Conduct Board Hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures giving the complaining party a reasonable opportunity to prepare and to present information that University policies and/or regulations were violated, and giving the Accused Student Organization a reasonable opportunity to prepare and to present a response to those allegations. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - ii) To determine whether the decision reached regarding the Accused Student Organization was based on substantial information, that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to

establish that a violation of University policies and/or regulations occurred.

- iii) To determine whether the sanction(s) imposed were appropriate for the violation of the University policies and/or regulations which the student organization was found to have committed.
- iv) To consider new information, sufficient to alter a decision, or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the person appealing at the time of the original Student Organization Conduct Board Hearing.

- C. If an appeal is upheld by the Appellate Board, the matter shall be returned to the original Student Organization Conduct Board for re-opening of Student Organization Conduct Board Hearing to allow reconsideration of the original determination and/or sanction(s) consistent with the direction from the Appellate Board. If an appeal is not upheld, the matter shall be considered final and binding upon all involved.

Article V. Interpretation and Revision

1. Any question of interpretation of application of the Student Code and/or this Policy shall be referred to the Vice President of Student Affairs or his or her designee for final determination. This Policy may be amended by the Board, in its sole discretion, from time to time.