

# Club and Organization Conduct Procedures

## Purpose

The purpose of the Student Code of Conduct (“Code”) is to maintain the general welfare of the University community and support community safety and student growth by helping students. The University strives to make the campus community a place of study, work, and residence where people are treated with respect and civility. The University views the student conduct process as a learning experience that can result in growth and personal understanding of one's responsibilities and privileges within both the University community and the greater community. The UCCS Student Code of Conduct governs both individual and organizational behaviors.

This document serves as a supplement to the Student Code of Conduct and outlines the procedures for addressing any alleged violations involving clubs and organizations, including fraternities and sororities.

## Jurisdiction

All University of Colorado at Colorado Springs (UCCS) student clubs and organizations are required to uphold federal, state, and local government laws, as well as University policies and procedures. Furthermore, fraternities and sororities are required to comply with the Standards for National Fraternities and Sororities at UCCS.

The Club and Organization Conduct Process is facilitated by the Department of Student Life in conjunction with the Office of the Dean of Students. The appropriate Student Life Director (or designee) will oversee the process.

The Club and Organization Conduct Procedures apply to all registered and recognized student clubs and organizations, including fraternities and sororities. Any student club or organization can be held responsible for its actions of one or more of its members (active or inactive). There is not a minimum number of group members who must be involved in an incident before disciplinary action may be taken against the club or organization. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire club or organization.

A student club or organization may be subject to conduct proceedings when it engages in a violation of law, University policy, the Student Code of Conduct, or the Standards for National Fraternities and Sororities in one or more of the following ways:

1. Members of the club or organization act together to violate the Code of Conduct;
2. One or more members, alumni, or guests allegedly violate the Code of Conduct at a club- or organization-sponsored, financed, or otherwise supported activity;
3. One or more members of a club or organization knew that an act constituting a violation was either occurring or about to occur, and fails to prevent the action, or fails to report it to appropriate University official in a timely manner;
4. A violation occurs on premises and/or transportation owned, operated, or rented exclusively by the student club or organization;
5. A pattern of individual violations that negatively reflects upon, and compromises the status of, the University student club or organization community has occurred and/or continues to occur without adequate control, response, or sanction on the part of the student club or organization, or its leaders;
6. The acts occurred within the context of a student club or organization related activity;

7. The student club or organization knowingly choose to protect or cover up one or more individual offenders who are members, alumni, former members, or guests of the student organization from official actions, or members knowingly interfere with a University investigation;
8. Members of the club or organization violate a policy of a related national governance group that designates the behavior as being on behalf of an organization.
9. Individual member(s) and/or officer(s) who partake in actions that violate the Collective Responsibility Provision found in the UCCS Student Organization Agreement, signed at the commencement of each academic year.

### **Referrals**

1. *Sexual Misconduct and Protected Class Discrimination and Harassment*: The UCCS Office of Institutional Equity receives complaints of and investigates all allegations of sexual misconduct and protected class discrimination and harassment.
2. *Academic Misconduct*: Cases involving academic misconduct are heard through the individual college or school in which the alleged misconduct occurred. The UCCS Student Academic Ethics Code Policy is available at <http://www.uccs.edu/Documents/vcaf/200-019%20StudentAcademic%20Ethics.pdf>. Each college and school has their own processes available. For information about classroom behavior, see the Office of the Dean of Students Classroom Behavior Policy, available at <http://www.uccs.edu/dos/student-conduct/student-classroom-behavior-policy.html>
3. *Individual Misconduct*. Individual students who may have engaged in misconduct will be referred to the Office of the Dean of Students. While the processes are similar, individual and organizational outcomes and sanctions may vary.

### **Duties and Expectations of Students**

All club and organization members are expected to read and be familiar with the Student Code of Conduct and the Club and Organization Conduct Procedures and make a timely report of all incidents related to clubs and organizations to the Department of Student Life. It is the duty of all students involved in clubs and organizations to participate honestly and conscientiously. Students have a duty to cooperate and discuss relevant information with a conduct officer over the telephone or in person, adhere to stated deadlines, attend scheduled meetings, participate in all proceedings, and complete all sanctions as assigned.

Knowingly providing false or misleading information during an inquiry or investigation is a violation of the Code. This provision does not apply to reports made or information provided in good faith, even if the facts alleged are not later substantiated.

Failure to meet these duties and expectations may result in a decision being made without the benefit of the club or organization members' participation, or it may result in individual students being charged with failing to comply with the student conduct process.

## **Student Club and Organization Conduct Process:**

### **1. Complaint Received by Department of Student Life**

- Upon receipt of an allegation or report, the Student Life Director (or designee) will review the information to decide whether the allegations fall within the jurisdiction of this process, and render the following preliminary disposition:
  - Information is insufficient, and personal interviews are completed with other individuals, including members of the club or organization, who might have pertinent information relating to the alleged misconduct.
  - Information is sufficient, but resolution through an informal process is most appropriate based on information available.
  - Information is sufficient, and a Resolution Meeting should occur.
  - Information is sufficient and behavior does not constitute a policy violation.
- If the allegation does not fall within in the jurisdiction of this process, appropriate referrals will be made.

### **2. Organizational Notification**

If it is determined that allegation(s) fall within the jurisdiction of this process and there is sufficient information, the club or organization will be notified in the following manner:

- An email notice shall be sent to the registered officers of the student club or organization that is the subject of the report or complaint.
  - If the officers fail to respond by the date specified in the email, other student club or organization members may be contacted to resolve the matter.
- The email notice to the club or organization will include:
  - A description of the alleged misconduct;
  - The law, University policy, processes, and procedures, or Standard for National Fraternities and Sororities that are alleged to have been violated;
  - The deadline for scheduling the meeting and the staff member that should be contacted.
- If a club or organization representative does not schedule a conference by the date specified in the email notice, or if the club or organization representative does not attend the scheduled meeting, the outcome of the case will be decided in the representative's absence based on the information available.

### **3. Resolution Meeting**

The purpose of the resolution meeting is for organizational representatives to exchange information about the alleged violation and give the club or organization an opportunity to respond.

- No more than two (2) student representatives may attend the Resolution Meeting without prior authorization.
- The student club or organization may be accompanied to the Resolution Meeting by an advisor. The student organization must provide the name of the advisor to the Director (or designee), at least twenty-four (24) hours before the Resolution Meeting. At no time may the advisor advocate on behalf of the club or organization or participate directly in the proceedings. They may only consult with the students representing the club or organization. Non-students accused of misconduct may not serve as advisors during the conduct process, regardless of their affiliation with the organization.

#### 4. Decision

- After the Resolution Meeting and considering all relevant information and any mitigating circumstances, the Director (or designee) will take one of the following actions using the preponderance of the evidence standard, meaning that based on the information available it is more likely than not that the conduct occurred:
  - It is determined the club or organization did not commit or is not responsible for the alleged violation, the complaint will be dismissed.
  - It is determined the club or organization committed the alleged violation, sanctions shall be imposed. Sanctions shall be imposed by the Office of the Dean of Students, in consultation with the Director (or designee) determining the finding.
- The outcome will be emailed to the registered officers of the student organization and advisor (if applicable). Other members may be copied as appropriate.
- The notification will include the alleged violation, the findings and conclusions, any sanctions the club or organization must complete, and the timeline in which sanctions must be completed.

#### 5. Sanctions

Sanctions may include, but are not limited to:

- Letter of Notice – Informal resolution option notifying the club or organization that the behavior may be considered inappropriate and informing members of University policies, processes, or procedures. May be used to document an educational conversation.
- Written Warning - A written statement to the club organization leadership that the behavior was inappropriate and more serious conduct action will be taken should similar infractions occur in the future.
- Formal Reprimand – A letter of notification placed in the club or organization’s file and sent to its national organization (if applicable) warning any future violations will result in more severe sanctions.
- Club or Organizational Probation – Further prohibited conduct is likely to result in club or organizational suspension or withdrawal of recognition. Student clubs and organizations on disciplinary probation are not in good standing with the University. The club or organization’s ability to represent the University through official events, serve on University committees or councils, access resources and services, or travel outside of the local area may be impacted.
- Restitution – A club or organization, whose actions cause damage to public or private property or injury to another person, may be required to provide monetary reimbursement for restoration of or replacement of property or for medical bills related to injuries. Each member of the club or organization may be held financially responsible through group billing.
- Service Requirement – May require members of the club or organization to participate in University or community service activities.
- Event Restrictions – May limit time, place, and manor in which club or organizational events can occur in order to promote sound risk management policies and practices.
- Resource Restrictions- May limit access to resources offered to the club and organization in order to support responsible resource use.

- Educational Requirement – May require educational programming hosted and/or attended by a percentage of the club or organization membership.
- Suspension of Registration/Recognition – Suspension of recognition as a student club or organization and the privileges inherent in that recognition indefinitely or for a specific period of time.
  - Suspension in Abeyance – The club or organization’s recognition is suspended, but due to mitigating circumstances, the suspension is deferred allowing the club or organization to continue activities, thus providing the club or organization one final opportunity to prove it can operate responsibly within the community. If the club or organization has any further violations during this period, the suspension is immediately enacted and additional sanctions may be placed.
- Withdrawal of Registration/Recognition – Withdrawal of University recognition as a student club or organization.

## **6. Appeal**

- Appeals are heard in accordance with the Student Code of Conduct, Section X. “Appeals,” and must comply with those guidelines. An appeal does not provide a second hearing of the case.
- A responding student club or organization may only appeal the outcome of the Resolution Meeting if the sanctions are Organizational Probation, Suspension of Registration/Recognition, or Withdrawal of Registration/Recognition. The appeal is the final step in the conduct process.
- If a case is appealed, and unless the welfare of a person or the community is threatened, all of the sanctions imposed in the case will not go into effect until either the deadline for filing an appeal passes and no appeal is filed or, if a timely appeal is filed, the appeal is decided, whichever comes first.
- An appeal must be filed by the date specified in the decision letter. It is the club or organization’s obligation to provide all materials that the club or organization wishes to have considered at the time of appeal submission. Subsequent information and/or revisions to the appeal will not be accepted. The Conduct Appeals Board will make the decision as to whether these conditions have been met. A student may file an appeal by delivering the appeal in person to the Office of the Vice Chancellor for Student Success.

## **7. Expedited Administrative Review and Temporary Suspensions**

- Temporary Suspension. If it is determined that there is substantial concern for the health, safety, or welfare of the members of the University community, a temporary suspension may be issued. Notice to cease all activities will be provided to the club or organization’s president. During this time, the club or organization may not operate or conduct any organizational activities, unless expressly permitted in writing by the Executive Director of Student Life. Operation under Temporary Suspension will result in loss of recognition.
- Expedited Administrative Review. If it is determined that a prompt review is essential (e.g. end of the semester, there is substantial concern for the health, safety, or welfare of the members of the University community), the club or organization’s leadership to meet within 48 hours. In these cases, notice may be given by telephone or email. If the organizational leadership fails to attend the conference in the time specified, the outcome will be decided in the club or organization’s absence.