



STANDARDS OF CONDUCT



STUDENT ORGANIZATION POLICIES AND PROCEDURES

2017-2018

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INTRODUCTION/STANDARDS OF CONDUCT

INTRODUCTION

Rutgers, The State University of New Jersey, referred to hereinafter as "the University", is committed to supporting student organizations which permit and foster students' ability to freely associate and express themselves. This support is formalized through the University recognition system, which has been put in place to serve the interest of both the University and student organizations. **Student organizations that choose to be recognized by the University, accept the rights and responsibilities outlined in this policy and in their organization's governing department.** The Standards of Conduct for Registered/Recognized Student Organizations does not replace the policies and sanctions implemented by an organization's governing department or by any applicable federal, state, or local laws.

STANDARDS OF CONDUCT

All recognized student organizations are expected to act consistently with the values of the University community. Student organizations are collectively responsible for any action committed by their members on behalf of the organization that violates University policy. Disciplinary action against student organizations is separate from action taken against individuals. Facts of an incident may necessitate action against both a student organization and the individual members of that organization who may be found to have violated University policy.

CRITERIA USED TO DETERMINE WHETHER AN ALLEGATION IS AN ORGANIZATIONAL VIOLATION

1. Generally, a recognized student organization may be held responsible for violations of University Policy when:
 - a. One or more officers, acting within the scope of their stated or written duties, commit a violation;
 - b. One or more members commit a violation as part of an activity or assignment voted on by the organization and/or approved by the local, regional, or national leadership;
 - c. The violation is committed at an activity funded by the organization or by an individual in the name of the organization;
 - d. The violation is committed by members attending a function as a representative of the University, including, but not limited to, competitions, conferences, and conventions;
 - e. Members or officers permit, encourage, aid, or assist, in committing a violation;
 - f. Members or officers fail to report knowledge or information about a violation to appropriate University authorities'
 - g. Members or alumni commit a violation in the name of the organization

DEFINITIONS

Administrative Hearing Officer (AH): This resolution opportunity provides the organization and the complaint party with the ability to present their case to a trained University Administrator for case resolution. The Administrator will determine the outcome of the matter.

Anonymous Witness (AW): An individual who has provided information regarding an alleged violation but remains unknown to University Officials.

Confidential Witness (CW): An individual who has provided information regarding an alleged violation. This person is known to University Officials but wishes to remain unknown to the respondent.

Evidence: Factual information presented which directly supports or disputes the complaint party's allegations.

RD: Recreation Department. The department that oversees Club Sports.

DOS: Dean of Students.

Hearing Panel: A group of community members trained in the conduct process to hear the matters of violations of the Student Code of Conduct and Standards of Conduct for Student Organizations.

Off Campus (OC): Any activities that happen off-campus, including, but not limited to dwellings (indoor/outdoor public spaces, hotels, banquet facilities, etc.), unaffiliated with Rutgers University but connected to an affiliated student/organization.

On Campus (SC): Any activities that happen on-campus, including, but not limited to dwellings affiliated with Rutgers University.

OFA: The Office of Fraternity and Sorority Affairs. The office that oversees recognized fraternities, sororities and other fraternal organizations.

OSC: Office of Student Conduct. The department that oversees the Code of Student Conduct.

Preliminary Review: This is a meeting to discuss an organization's rights in the conduct process and to provide the organization with the factual information being used to charge the organization with a violation. This meeting also provides the organization an opportunity to respond to the charges and bring in evidence.

Preponderance of Evidence: The threshold used to determine if a group is responsible or not for a violation. "Preponderance" means that it is more likely than not that the information presented is factual.

Recognized Student Organization: A student organization officially recognized after the completion of the required registration/recognition process.

Respondent: The organization accused of allegedly violating a University policy(ies).

SI: Student Involvement. The office that oversees the University's recognized student organizations.
*Organizations under University departments may be held to these standards.

Special Investigator: A select group of volunteer University administrators trained to conduct Preliminary Reviews for Level 1 Investigations and serve as Co-Investigators for Level 2 Investigations.

Witness: An individual that was present for an incident and can speak to what occurred.

JURISDICTION, AUTHORITY, INVESTIGATION PROCESS

JURISDICTION AND AUTHORITY:

1. The Office of Student Conduct will oversee the process for addressing cases of Recognized Student Organization misconduct that involve violations of written University policies.
2. The Office of Student Conduct reserves the right to permit an organization's sponsoring University department to address the matter.
3. Once sanctions have been imposed and the appeal deadline has passed, the University department that advises the organization, will oversee the completion of all sanctions in conjunction with the Office of Student Conduct. Both departments will communicate continuously to support the organization in completing their sanctions. A list of sanctions can be found on pages **18-19**.
4. Students whose actions in the alleged incident may violate University policy or federal, state, local or municipal laws may also be subject to individual disciplinary action under procedures set forth in the *University Code of Student Conduct* and/or consequences through the criminal court process.

INVESTIGATION PROCESS:

An organization may be accused of violating the Standards of Conduct for Student Organizations through two methods: information obtained through an individual's preliminary review or a report submitted/referred to the Office of Student Conduct. The following procedures set forth the applicable process for investigating an organization's alleged violation(s) of the Standards of Conduct.

Level 1 Investigation: In some cases, the Office of Student Conduct becomes aware of possible organizational violations while conducting a preliminary review in an individual student's disciplinary case. These matters typically involve: alcohol, financial misconduct, physical misconduct, and other health and safety matters, to name a few. When this occurs, the Office of Student Conduct assigns a Special Investigator to determine organizational involvement in the matter. *These investigations may be conducted by the Assistant Director of Student Conduct or by a Special Investigator.*

The Assistant Director or Special Investigator will gather as many details as possible pertaining to the incident. They will also inform the individual student that they may be needed in the future regarding this matter.

- Once the Assistant Director/Special Investigator concludes the Investigation they will determine whether the preponderance of the evidence supports charging the organization with a violation.

- If the preponderance of the evidence supports charging the organization a charge letter, which provides a brief synopsis of the incident, will be sent to the organization's president and advisor(s) of record.
- The organization will receive a deadline to meet with the Assistant Director of Student Conduct or their designee to review and receive a copy of the investigation report. The organization will have the opportunity to ask any questions they may have pertaining to the matter.
- Upon conclusion of this meeting, the organization will be given another deadline to respond to the charges and provide any information, witnesses, etc. that may refute the charges.

Level 2 Investigation: Level 2 investigations are initiated when a University department receives a report alleging serious matters such as, but not limited to, hazing. *These Investigations will be led by the Assistant Director of Student Conduct and a Special Investigator.*

- The organization representative (typically the President) will receive written communication from the Office of Student Conduct with directives informing the organization of any limitations the OSC has placed on the organization during the investigation process. The limitations will be based on the nature of the complaint.
- The investigation will occur on the same day as the notification, if practical.
- Members of the organization will be called individually to a private location to meet with the Investigators.
- Members will be notified of the time and location of the meeting via email. **ONLY Class schedules will be taken into consideration when scheduling meetings.** *Any individual who refuses to cooperate with the investigation process may be charged with Code of Student Conduct violation: Failure to Comply.*
- Once the student's meeting with the Investigators has concluded they will be dismissed. They will not be permitted to re-renter the waiting room.

At the conclusion of the investigation, Investigators will have 72 business hours to prepare the investigation report. The Assistant Director of Student Conduct or their designee will provide a copy of the report to both the organization's corresponding department representative and the organization's leadership.

If the findings of the investigation do not meet the preponderance of the evidence standard, the matter will be considered closed. The organization will be provided with written notification of the closure, which will also include the removal of any interim restrictions that were placed on the organization.

If the findings do meet the preponderance of evidence standard, the Assistant Director of Student Conduct or their designee will meet with the organization's leadership to provide them with a physical copy of the investigation report and discuss the findings and next steps. The Assistant Director of Student Conduct or their designee will inform the organization which Standards of Conduct violations they are being charge with and why. The following procedures will be followed:

- The organization's leadership will be provided adequate time to meet and discuss the matter.
- Organizations **may** be given the opportunity to make recommendations regarding disciplinary sanctions. The Assistant Director will provide the organization a deadline with which to speak with advisors, membership, and leadership before providing recommendations. If the violation(s) are egregious in nature, the Assistant Director of Student Conduct, with input from the organization's sponsoring department, will recommend sanction(s).
- The organization will be given a deadline to either accept responsibility and the sanctions, or have an Administrative Hearing.
- If the organization is non-responsive by the deadline provided, an automatic plea of not responsible will be entered on the organization's behalf and the organization will go through an Administrative Hearing (see page **8-12**).

COMPLAINTS AND OPERATING PROCEDURES

Allegations of misconduct against a Recognized Student Organization should be made in writing to the Office of Student Conduct. Complaints can be made online using the Rutgers University online reporting form found on the Office of Student Conduct website:

<http://studentconduct.rutgers.edu>

1. A personal interview with the person(s) making the allegation of misconduct will occur as soon as possible to answer any questions about the report and to gather information about possible witnesses. This interview will be conducted by a staff member in the Office of Student Conduct and will occur at the willingness of the reporter. These individuals will be listed in the report as a Confidential Witness(es). If the reporter chooses to be known, the Office of Student Conduct will disclose their name, with the understanding that the accused is not to make contact with the individual(s).
2. If the person(s) making the allegation chooses to remain anonymous, the Office of Student Conduct will gather as much evidence as possible from that person(s). The veracity of evidence provided by anonymous sources will be carefully weighed to assess if the evidence can be verified (police report, text message, photographs, etc.)

At the conclusion of the interview/verification of information, a representative from the corresponding department and the Office of Student Conduct will meet to determine the validity of the allegation(s). The purpose of this meeting is to determine if there is enough information to charge the organization, if a formal investigation needs to take place, or if the matter should be handled informally.

1. If there is enough information in the complaint to substantiate charges, an investigation does not need to take place. The Office of Student Conduct will send an official charge letter to the organization by the, listing the charges being filed against the organization and the recommendations for sanctions should the organization accept responsibility for the violation(s). The letter will give the organization a deadline to either accept responsibility or set a meeting with the Office of Student Conduct to discuss the matter. At this meeting the organization will be provided with all pertinent information regarding the matter and discuss the conduct process. It is strongly recommended that the organization meet with its corresponding department to discuss the incident, charges, and conduct process prior to meeting with the Office of Student Conduct and/or taking responsibility. The organization **may** be permitted to recommend their own sanctions.

If the organization accepts responsibility for the violation(s), sanctions will be imposed and the matter will close once all sanctions are completed. If the organization does not accept responsibility for the violation(s), the Office of Student Conduct will send the case to either an *Administrative Hearing* or a hearing before the *Student Conduct Board* (details regarding each hearing type on pages **8-12**). If the organization fails to respond to the charge letter by the deadline provided, a response of Not Responsible will be automatically entered and the organization will be scheduled for an Administrative Hearing.

2. If there is not enough information in the complaint to substantiate charges but the allegations are of great concern, the case will be sent for an investigation (*investigation information on page 5-7*). A member of the corresponding department will be interviewed to gather background information at the start of the investigation.
3. If there is not enough information to support either an investigation or charges, the organization will be notified in writing of the allegation and of the range of potential consequences should they be found responsible for the allegation(s) in the future. Information regarding the incident will be kept on file in case additional information about the alleged incident is uncovered at a later time. Organizations should keep in mind that the Office of Student Conduct reserves the right to re-open any investigation if new information is discovered.
4. If, at the conclusion of an investigation, there is not enough evidence to charge the organization but it is discovered that there are irregularities within the organization's processes, the Office of Student Conduct may work with the corresponding office and the organization to develop a plan of action to assist the organization in resolving these issues.

An organization has two options for resolution of charges if it does not believe it violated University policy: a Student Organization Conduct Board Hearing or an Administrative Hearing. Cases that may include removal of official University recognition must be addressed in an Administrative Hearing. Cases in which the potential sanction(s) do not include removal of official University recognition can be addressed in either an Administrative Hearing or a hearing before the Student Organization Conduct Board. The organization may choose how they want their case addressed.

HEARING TYPES

Student Organization Conduct Board: This board is comprised of student leaders trained to hear lower level policy violations. There will be at least one board member that belongs to an organization within the University community (Greek Life, Recreation Department, and Student Involvement). The format of this hearing will run as outlined below.

When an organization denies responsibility for a violation(s) of the Standards of Conduct, the organization may request a Student Conduct Board hearing, provided that the possible sanction outcome does not include suspension, removal of recognition. The alleged offense must also have occurred within the last three years for the organization.

The hearing is a meeting of the complaint party and the accused organization before the Student Conduct Board and a Hearing Officer. The purpose of the Hearing Officer is to ensure that the correct procedures are followed and that both parties receive a fair hearing.

The format for the Student Organization Conduct Board is as follows:

1. Thirty minutes prior to the hearing, the Hearing Officer briefs the Conduct Board on the case.

2. After the briefing, all the participants assemble and the Hearing Officer explains the hearing procedures.
3. The Hearing Officer reads the charge(s) and asks the accused organization to answer each charge with "responsible" or "not responsible."
4. The Representative for the Office of Student Conduct will present their report, which summarizes the Preliminary Review and provides a brief summary of the facts they plan to present to the board.
5. The accused organization provides an opening statement.
6. The Representative for the Office of Student Conduct will then present any physical evidence along with a narrative per item presented.
7. The Student Conduct Board, Hearing Officer, and accused organization question the Representative for the Office of Student Conduct.
8. The accused organization presents their physical evidence along with a narrative.
9. The Student Conduct Board, Hearing Officer, and Representative for the Office of Student Conduct question the accused organization.
10. The Representative for the Office of Student Conduct calls their factual witnesses, if any. Each witness gives a narrative, describing their knowledge of the event in question. If a witness cannot appear at the hearing, he or she may submit a notarized written statement. However, this statement can be used only to supplement or explain other information; it cannot support a finding by itself.
11. The Representative for the Office of Student Conduct questions their witness, followed by the Student Conduct Board, Hearing Officer, and the accused organization.
12. The accused organization calls their factual witnesses, if any. Each witness gives a narrative, describing their knowledge of the event in question. If a witness cannot appear at the hearing, he or she may submit a notarized written statement. Written witness statements can only be used to supplement or explain other information; it cannot support a finding by itself.
13. The accused organization questions their witness(es), followed by the Student Organization Conduct Board, Hearing Officer, and Representative for the Office of Student Conduct.
14. The accused organization makes a closing statement, summarizing their position.
15. The Representative for the Office of Student Conduct makes a closing statement.

16. The Hearing Officer explains the burden of proof, which in non-academic conduct cases, is "by a preponderance of evidence."
17. The Hearing Officer explains the deliberation procedures. The Student Organization Conduct Board deliberates privately.
18. When the board comes to a decision, the Hearing Officer reviews the finding.
19. All participants reconvene and the Student Organization Conduct Board announces its decision.
20. If the organization is found not responsible, the hearing ends. If the organization is found responsible, sanctions are considered.
 - a. The Board will take sanction recommendations from both the accused organization and complaint party and then dismiss all parties. At that point the Hearing is considered concluded.
 - b. If the organization has a prior disciplinary record, the OSC Representative will provide this information to the board.
21. The Student Organization Conduct Board deliberates privately to determine sanctions.
22. When the Board comes to a decision regarding the sanction(s), the organization will receive the Board's decision via email.
23. The accused organization has the right to appeal the outcome of the hearing.

Administrative Hearing: This hearing is led by a trained University Official, known as the Administrative Hearing Officer. Organizations charged with hazing, or other violations of the Code of Conduct, especially those that may lead to suspension or removal of University recognition, will be required to use this process.

An Administrative Hearing is a formal administrative meeting between an accused organization, the Assistant Director for Student Conduct or their designee, and Administrative Hearing Officer. The Administrative Hearing Officer will consider information from both parties and determine whether the organization is responsible for the charges. The Administrative Hearing Officer will also determine sanction(s) if the organization is found to be responsible.

The format for the Administrative Hearing is as follows:

1. All participants are assembled and the Administrative Hearing Officer explains the procedures to be followed.
2. The Administrative Hearing Officer reads the charges and asks the accused organization to answer each charge with "responsible" or "not responsible."
3. The Assistant Director of Student Conduct or their designee presents their report summarizing the preliminary review and introduces any physical evidence.
4. The accused student organization introduces their narrative and any physical evidence

5. The Administrative Hearing Officer questions both parties, then allows the Assistant Director of Student Conduct or their designee and the accused student organization to ask questions of one another.
6. If there are any factual witnesses, they are called one at a time. Each witness gives a narrative, describing their knowledge of the event in question. The Administrative Hearing Officer questions the witnesses, then the accused organization and finally the Assistant Director of Student Conduct. *If a witness cannot appear at the conference, they may submit a notarized written statement. However, this statement can be used only to supplement or explain other information; it cannot support a finding by itself.*
7. In the event the accused organization is found responsible, the Administrative Hearing Officer will ask the Assistant Director of Student Conduct and the accused organization for recommended sanctions.
8. The Administrative Hearing Officer notifies the parties of the outcome of the Administrative Hearing in writing. The organization will be notified within 48 business hours.
9. Accused organizations have the right to appeal the outcome of an Administrative Hearing.

Other Resolution Options:

In some cases, the organization's violation may be settled outside of the conduct process. The use of this resolution option will be at the discretion of the Office of Student Conduct. These violations are minor infractions, such as those listed below, which are specific to the organization's area and can be addressed through the use of one of the following:

Fraternities and Sororities:

Council Hearing: IFC, Panhellenic, MGC, and Professional Fraternity Association can only be authorized to address recruitment and membership violations. Those organizations found to be in breach of the recruitment and/or membership policy will go before its council board.

Student Involvement:

Student Involvement Activities Council (SIAC): SIAC is authorized to address issues surrounding:

- Compliance with Department of Student Involvement policies
- Appropriate use of space
- Financial Misconduct
- Constitution violations

Recreation Department:

Sport Club Council (SCC): SCC is authorized to address issues surrounding sportsmanship, peer management, travel issues, fiscal policies, Constitution violations, some violations of Department policies, and injury management issues only.

TYPES OF VIOLATIONS (INCLUSIVE BUT NOT LIMITED TO)

FRATERNITIES AND SORORITIES:

- A. Violation of the following provisions contradicts the values of the University community and is subject to corrective action under the Standards of Conduct:
- a. **Abuse/Endangerment/Hazing:** Hazing is strictly prohibited. All Recognized Student Organizations are to adhere to the University policy on hazing. (<https://slwordpress.rutgers.edu/studentconduct/wp-content/uploads/sites/46/2017/05/UCSC2016.pdf>)
 - b. **Compliance with the Law:** Failing to adhere to all federal, state, and local laws.
 - c. **Compliance with Other University Policies:** Failing to adhere, knowingly or unknowingly, to University Policies, including those set forth by the organization's governing department (i.e. University Department, Student Government, and/or other published policies.)
 - d. **Compliance with the Standards of Conduct:** Filing a false complaint, using this policy to harass or intimidate a student organization, or failing to cooperate or participate in the accountability process.
 - e. **Disruptive or Disorderly Conduct:** Conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the university community.
 - f. **Distribution/Possession of Alcohol and Other Drugs:** Organizations may not supply alcohol to individuals outside of the guidelines of the social policy. Any variation of drugs, inclusive of edibles, shall be considered a violation of the Standards of Conduct and University Policy.
 - g. **Failure to Comply with University or Civil Authority:** Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.
 - h. **Financial Misconduct:** The use of or accounting of student organization funds in violation of university financial and accounting procedures. Violations include but are not limited to:
 - i. Breaching contractual obligations.
 - ii. Using chapter funds and/or members gathering funds for an activity which violates the Standards of Conduct.
 - iii. Failing to provide accounting of all contribution and reporting said contribution to the proper University unit. (i.e. Membership Dues, Fundraising, etc.)
 - iv. Misuse of Student Fees. This is inclusive of failing to follow Rutgers University governing board's policies on allocation and student fee usage.

- i. **Health and Safety:** Fostering, promoting, or participating in activities that unreasonably threaten the safety or well-being of their members, other people, or animals.
- j. **Guest Responsibility:** Organizations are responsible for the actions of their guests (i.e. performers, non-RU attendees, alum).
- k. **Inappropriate Use of Space (SC):** Not using University – controlled spaces in accordance with the standards of the particular space.
- l. **Inappropriate Use of Space (OC):** Not utilizing Off Campus space, University controlled or not, in accordance with the standards of the particular space.
- m. **Theft or Damage to Property:** The unauthorized taking, misappropriation or possession of any real, personal, or intellectual property owned or maintained by the University or any person both on and off campus.
- n. **Violation of the Student Organization's Constitution and/or governing documents:** the disregard for, knowingly or unknowingly, the written documentation which governs the organization. These documents can be local, regional, or national.

STUDENT INVOLVEMENT and RECREATION DEPARTMENT:

- A. Violation of the following contradicts the values of the University community and are subject to corrective action under the Standards of Conduct
 - a. **Abuse/Endangerment/Hazing:** Hazing is strictly prohibited. All Recognized Student Organizations are to adhere to the University policy on hazing.
 - b. **Compliance with Department Travel Policies:** Failing to adhere, knowingly or unknowingly, to Departmental Travel Policies, including but not limited to: violating limits on distance and/or time of travel, as well as unapproved travel.
 - c. **Compliance with the Law:** Failing to adhere to all federal, state, and local laws.
 - d. **Compliance with Other University Policies:** Failing to adhere, knowingly or unknowingly, to University Policies, including those set forth by the organization's governing department (i.e. University Department, Student Government, and/or other published policies.)
 - e. **Compliance with the Standards of Conduct:** Filing a false complaint, using this policy to harass or intimidate a student organization, or failing to cooperate or participate in the accountability process.
 - f. **Disruptive or Disorderly Conduct:** Conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the university community.
 - g. **Distribution/Possession of Alcohol and Other Drugs:** Organizations may not supply alcohol and/or any variation of drugs, inclusive of edibles, to any individual. This is inclusive of guests.

- h. **Failure to Comply with University or Civil Authority:** Failure to comply with legitimate directives of authorized university officials, law enforcement or emergency personnel, identified as such, in the performance of their duties, including failure to identify oneself when so requested; or violation of the terms of a disciplinary sanction.
- i. **Financial Misconduct:** The use of or accounting of student organization funds in violation of university financial and accounting procedures. Violations include but are not limited to:
 - i. Breaching contractual obligations.
 - ii. Using student organization funds for purposes not authorized by the student organization and/or not in accordance with these Standards of Conduct and University Policy.
 - iii. Failing to provide accounting of all contributions and reporting said contribution to the proper University unit.
 - iv. Failing to follow Rutgers University governing board's policies on allocations and student fee usage.
 - v. Monies must be maintained in an account at the Rutgers University Student Activities Business Office.
 - vi. Misuse of Student Fees.
- j. **Guest Responsibility:** Recognized Student Organizations are responsible for the actions of their guests (i.e. performers, non-RU attendees, alum).
- k. **Health and Safety:** Fostering, promoting, or participating in activities that unreasonably threaten the safety or well-being of their members, other people, or animals.
- l. **Inappropriate Use of Space (SC):** Not using University – controlled spaces in accordance with the standards of the particular space.
- m. **Inappropriate Use of Space (OC):** Not utilizing Off Campus space, University controlled or not, in accordance with the standards of the particular space.
- n. **Theft or Damage to Property:** The unauthorized taking, misappropriation or possession of any real, personal, or intellectual property owned or maintained by the University or any person both on and off campus.
- o. **Violation of the Student Organization's Constitution and/or governing documents:** the disregard for, knowingly or unknowingly, the written documentation which governs the organization. These documents can be local, regional, or national.

RIGHTS IN THE CONDUCT PROCESS

Recognized student organizations have a right to expect that all disciplinary proceedings will be handled fairly. Rutgers University grants recognized student organizations the following rights in the conduct process:

1. Organizations have the right to have their complaint heard by unbiased individuals. Organizations may object to a conduct case manager, hearing officer or hearing board member with cause. The Director of Student Conduct or his/her designee will determine the validity of the objection.
2. Organizations have the right to have an advisor present at all disciplinary meetings or hearings. The advisor may not actively participate in any proceedings. It is the responsibility of the organization to insure attendance of the advisor at any proceeding, as meetings and hearings will not be rescheduled to accommodate advisers.
3. Organizations have the right to written notice of the charges against them and the time and place of any meeting or hearing. Proper notification is defined as delivery of mail to the organization's address or mailbox. Notice will also be sent through email to the organization president's university email account.
4. Organizations have the right to receive a copy of all information to be presented against them at hearings. This information will be provided to the organization at least five business days prior to a hearing.
5. Organizations have the right to hear and respond to all information presented against them. This includes the right to question witnesses at the hearing.
6. Organizations have the right to present information and witnesses on their behalf. Character statements and witness statements should be submitted in writing before the hearing. Character statements will not be considered when determining a violation but may be taken into account when determining sanctioning.
7. Organizations have the right to written notification of the results of the hearing no later than five business days after the hearing.
8. Organizations have the right to appeal the outcome of the hearing no later than ten business days after notification of the decision. Holidays and University breaks will be the only exception.

INTERIM DISCIPLINARY ACTION FOR RECOGNIZED STUDENT ORGANIZATIONS:

In certain circumstances, it may become necessary to impose interim action(s) against an organization while a conduct matter is being addressed. Interim action will be imposed: 1) to ensure the preservation of the University or 2) if the organization's continued presence poses a threat to the safety and well-being of members of the University community.

THE TYPES OF INTERIM ACTIONS ARE AS FOLLOWS:

1. ***Suspension of Organization Activity:*** the organization is prohibited from participating in any University activity and promoting University programs without express permission from the Vice Chancellor of Student Affairs or their designee.

2. **Suspension of the New Member Program:** All meetings and activities of the New Member program must cease. Organization officers and all members are restricted from communicating with the New Members.

** Please Note: Any violation of these directives will lead to further/harsher sanctioning. This is inclusive of violations from the organization's leadership outside of the University community (i.e. local and national offices). **

INTERIM ACTION PROCEDURES:

1. The Director of the Office of Student Conduct sends a letter to the organization's president. The letter details the type of interim action imposed and the process for appeal.
2. An organization may petition to the Vice Chancellor of Student Affairs or their designee within 48 hours of receipt of the official interim action letter to appeal the imposition of the interim action. The Vice Chancellor of Student Affairs or their designee will meet with an official representative of the organization and will examine information provided by the Office of Student Conduct in order to make a decision.
 - a. If the Vice Chancellor of Student Affairs or their designee determines that there is no potential threat or danger to community members by the activity or organization, the interim action is lifted. Conduct charges will still need to be addressed by the organization.
 - b. If the Vice Chancellor of Student Affairs or their designee determines that there is a real or potential risk to the health, safety, or property of Rutgers University community members, the interim action is upheld. The Office of Student Conduct is then asked to proceed with the conduct process.

SANCTIONS, EDUCATION, AND RESTORATIVE MEASURES

When an organization violates University policies, sanctions are put in place to inform the organization that the behavior(s) exhibited are unacceptable and are not aligned with the values of the University. Where possible (and necessary), sanctions put in place can be a combination of punitive, educational, and/or restorative.

Conduct Conversation: Used only for limited circumstances in very minor level cases. This conversation will be documented and places the organization on notice, that any future violations related to the conversation shall result in further disciplinary action.

Conduct Reprimand: A formal notice that the Standards of Conduct have been violated and a warning that future violations will be dealt with more severely.

Plan of Action: A plan, which outlines various actions the organization must take in order to enhance itself and be a benefit to the University community.

Fines: Payment of a monetary fine.

Restitution: Required compensation for loss, damage, or injury to the appropriate party in the form of service, money, or material replacement.

Class/Workshop Attendance: Attendance and completion of a class or workshop that will assist the student organization to avoid future non-compliance with the Standards of Conduct.

Service: Performance of a task, or tasks, designed to benefit the community and that also assists the student organization to avoid future non-compliance with the Standards of Conduct.

Inability to access University Funds: Rendering an organization's University account inactive so as to prevent access to funds or services being granted or disbursed. This includes both generated revenue and student fees allocated to the organization. This sanction is typically imposed when there are concerns regarding the appropriate use of funds by the organization.

Restricted Activities: Restricting the student organization's ability to access University controlled benefits and resources. Example: temporary loss of access to University funds, University space, etc.

Conduct Probation: A period of time, typically no less than one semester, which is intended to foster reflection, responsibility, and improved decision making. During this period, the organization is not prohibited from functioning fully but they are put on notice that any further violations of the Standards of Conduct will result in harsher sanctions. This formal written notice indicates that the organization is not in good standing with the University and its actions will be monitored during the specified period.

Conduct Restrictive Probation: A formal written notice that the organization is not in good standing with the University and has now lost certain privileges for a period no less than one semester. During this period, any further violations of the Standards of Conduct will result in

Conduct Suspension. During this period members of the organization may be restricted from holding leadership roles within their respective governing organizations (i.e. Interfraternity Council, Panhellenic Council, and Sports' Club Council).

Conduct Suspension: Separation of the organization from the University for a period no less than one semester. The length of time is at the discretion of the Office of Student Conduct. During this period the organization loses all privileges associated with being a recognized organization and may not operate in any fashion.

Removal: Temporary separation of a student organization from the University for a designated period of time. These organizations will be permitted to re-apply for university recognition at a time designated by the Director of Student Conduct.

Permanent Removal: Permanent separation of a student organization from the University. Organizations that are permanently removed are not eligible to apply for recognition. Any change to this must be approved by the Vice Chancellor of Student Affairs or his/her designee.

RECORD KEEPING AND APPEAL PROCESS

RECORD KEEPING:

The Office of Student Conduct will maintain records regarding all actions taken under the Standards of Conduct for Recognized Student Organizations for a period of seven years, after which they will be destroyed to protect the identities of all parties involved.

The records will include, but not limited to:

- Copy of the Complaint
- Copy of Response
- Copy of Resolution agreement (if applicable)
- Copy of Resolution agreement response (if applicable)
- Copy of Student Conduct Board recommendation (if applicable)
- Copy of Official University Decision (if applicable)
- Administrative Hearing results (if applicable)
- Copy of all Appeals material (if applicable)
- Copy of Investigation Report (if applicable)
- Copy of all other relevant procedural documents

APPEAL PROCESS:

An accused organization has the right to appeal all disciplinary findings and/or sanctions. Organizations whose case was heard through the Administrative Hearing process must submit their letter of appeal to the Office of the Vice Chancellor of Student Affairs. The Vice Chancellor or their designee will review and respond to the appeal.

Any organization whose matter was resolved through the Student Organization Conduct Board process must submit a letter of appeal and any supporting documentation to the Campus Appeals Committee (CAC) within ten (10) business days of the sanction recommendation. The complaint party, Conduct Officer, and Hearing Officer (if applicable) have the right to submit a response to the appeal. Once the appeal is filed the following actions will take place:

- The CAC will meet to consider the organization's appeal. If the sanction is removal of registration/recognition the appeal will be considered by the Vice Chancellor of Student Affairs or their designee.
- If the organization accepts the findings and appeals only the sanction, the CAC may:
 - Uphold the original sanction; or
 - Modify the sanction
- If the organization appeals both the finding and the sanction, the CAC may:
 - Uphold both finding and sanction;
 - Uphold the finding and modify the sanction; or
 - Dismiss the finding and send the case to a new Administrative Hearing/Student Conduct Board.
 - Please Note: a new Hearing is only granted if

- The finding of responsibility is not supported by the facts of the case
 - There is significant new evidence that was not available at the time of the original proceeding; or
 - There was a procedural error so significant that it deprived the organization of a fair disciplinary process.
- The CAC will modify a sanction only if it is found to be severely disproportionate to the offense.
 - The organization is notified in writing of the committee's decision no less than 30 days.

FORMS AND LETTERS

CEASE AND DESIST LETTER EXAMPLE:

Date:

(Insert Organization Name)

ATTN: (Insert President's Name)

Dear (Insert Name of Organization)

The purpose of this letter is to issue an immediate cease and desist order for all organization activities and events associated with being a recognized organization at Rutgers University. The Office of Student Conduct is in receipt of information regarding possible violations of the Standards of Conduct for Student Organizations. Due to the nature of the allegation(s), it is standard procedure to suspend the organization's activities and begin an investigation.

The allegations fall under the following Standards of Conduct for Student Organizations policy violations:

(INSERT ALL POSSIBLE CHARGES)

Once the investigation is complete, a decision will be made regarding the status of the organization. This suspension includes all privileges associated with being a registered student organization on campus, including space reservations. All organization-sponsored events should be cancelled until further notice.

Current or former members (alumni) of the organization should have absolutely no contact with any of the Rutgers University students currently seeking affiliation with/ initiation into the organization; specifically: (INSERT NAMES).

The Office of Student Conduct will be in touch regarding the next steps of the investigation.

I appreciate your cooperation while we work to resolve this matter.

Failure to comply with these expectations will result in further disciplinary action.

Please contact **Ms. Stephanie M. Wright; Assistant Director for Student Conduct at:**

Stephanie.Wright@echo.rutgers.edu directly if you have any questions regarding this matter.

Sincerely,

CHARGE LETTER EXAMPLE:

Date:

(Insert Organization Name)

ATTN: (Insert President's Name)

Dear (Insert Name of Organization)

A complaint has been filed against your chapter/organization. Based on the information alleged in the complaint/investigation report, your chapter/organization has been charged with the violation(s) listed below:

Alleged Violation(s):

Date and Location of Alleged Violation(s):

Summary of Alleged Violation(s):

Source of Report:

The organization is directed to review the attached report, discuss an appropriate response with your advisor and respond to the charges in the following manner: Responsible or Not-Responsible. If the chapter/organization chooses to accept responsibility for one or all of the charges, the chapter/organization will have the opportunity to discuss sanctioning with the Office of Student Conduct. For the charges the chapter/organization chooses not to take responsibility the chapter/organization will be scheduled for an Administrative Hearing/Student Conduct Board meeting.

Please respond to these charges no later than (insert date) Should you have any questions, please contact me via email at _____.

Sincerely,

HEARING NOTIFICATION EXAMPLE:

Date:

(Insert Organization Name)

ATTN: (Insert President's Name)

Dear (Insert Name of Organization)

This letter is to formally notify (Insert Organization Name) that the organization has been scheduled for a(n) Administrative Hearing/Student Conduct Board Hearing.

On (insert date), (Insert Organization Name), responded to the charge letter sent on (insert date) as Not Responsible regarding the following allegation(s):

(Insert Allegations)

The charges were in reference to the following alleged violation(s): (insert synopsis of allegation/report).

The **(Insert Hearing Type)** hearing is scheduled for **(insert date)** at **(insert time)** in **(insert location)**. The purpose of the hearing is to determine if (insert organization name) is responsible for the above allegation(s). Your attendance at this hearing is crucial. We want to ensure that your organization exercises its rights in the conduct process. At this hearing you will have the opportunity to present factual evidence and witness(s) that will support your case. If you intend to present evidence and/or witness(s) you must provide this information to the Office of Student Conduct no later than **(insert date)**.

It is your responsibility to ensure that all evidence is printed/viewable. For witness(s) you must provide their name, purpose of their appearance, and it is your responsibility to confirm their appearance.

Should you have any questions, please contact me via email at _____.

Sincerely,

STUDENT CONDUCT BOARD MINUTES FORM:

STUDENT CONDUCT BOARD MINUTES

DATE:

ACCUSED ORGANIZATION:

HEARING OFFICERS: _____, _____, _____

PARTIES PRESENT: _____
_____, _____, _____

CHARGE(S)/ORGANIZATION RESPONSE:

_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)

BOARD FINDING:

_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)
_____ (RESPONSIBLE/NOT RESPONSIBLE)

SANCTION(S), if applicable:

RATIONALE:

HEARING OUTCOME LETTER EXAMPLE

Date:

(Insert Organization Name)

ATTN: (Insert President's Name)

Dear (Insert Name of Organization)

On (insert date) at (insert time), (Insert Organization Name) attended a(n) (insert hearing type) located in (insert location) in order to respond to the following charges:

(Insert Charges)

The hearing was presided over by (insert name(s) of hearing officer(s)). This letter is to notify (Insert Organization Name) of the outcome of the hearing.

During the hearing the organization responded (insert response) to the above charges. After reviewing all of the information presented, the hearing officer(s) made the following findings regarding responsibility:

(insert charge and response)

Based on the organization's conduct history and severity of the allegations the following sanctions are being recommended:

(Insert Sanctions)

The rationale for the finding(s) and sanction recommendations are (insert rationale)

(Insert Organization Name) has the right to appeal the above sanction(s). The appeal process is listed below. You will have until (insert date – 10 business days) to appeal. If there is no appeal, the sanctions will go into effect.

Should you have any questions, please contact me via email at _____.

Sincerely,

Organization Signature Page

ORGANIZATION NAME: _____

DATE: _____

On (Insert date), (Insert Organization Name) attended a (Insert Hearing Type) to address alleged violation(s) of (insert violations). At the (Insert Hearing Type) the organization was found responsible for (insert charges).

To address the behavior, and to place the organization on a different path, the organization has been sanctioned to the following (insert sanctions).

By evidence of our signatures below, the leadership agrees to share this information with the entire organization to ensure that all members.

Organization President Name

Organization President Signature

Organization Vice President Name

Organization Vice President Signature

Organization Treasurer Name

Organization Treasurer Signature

Organization Advisor Name

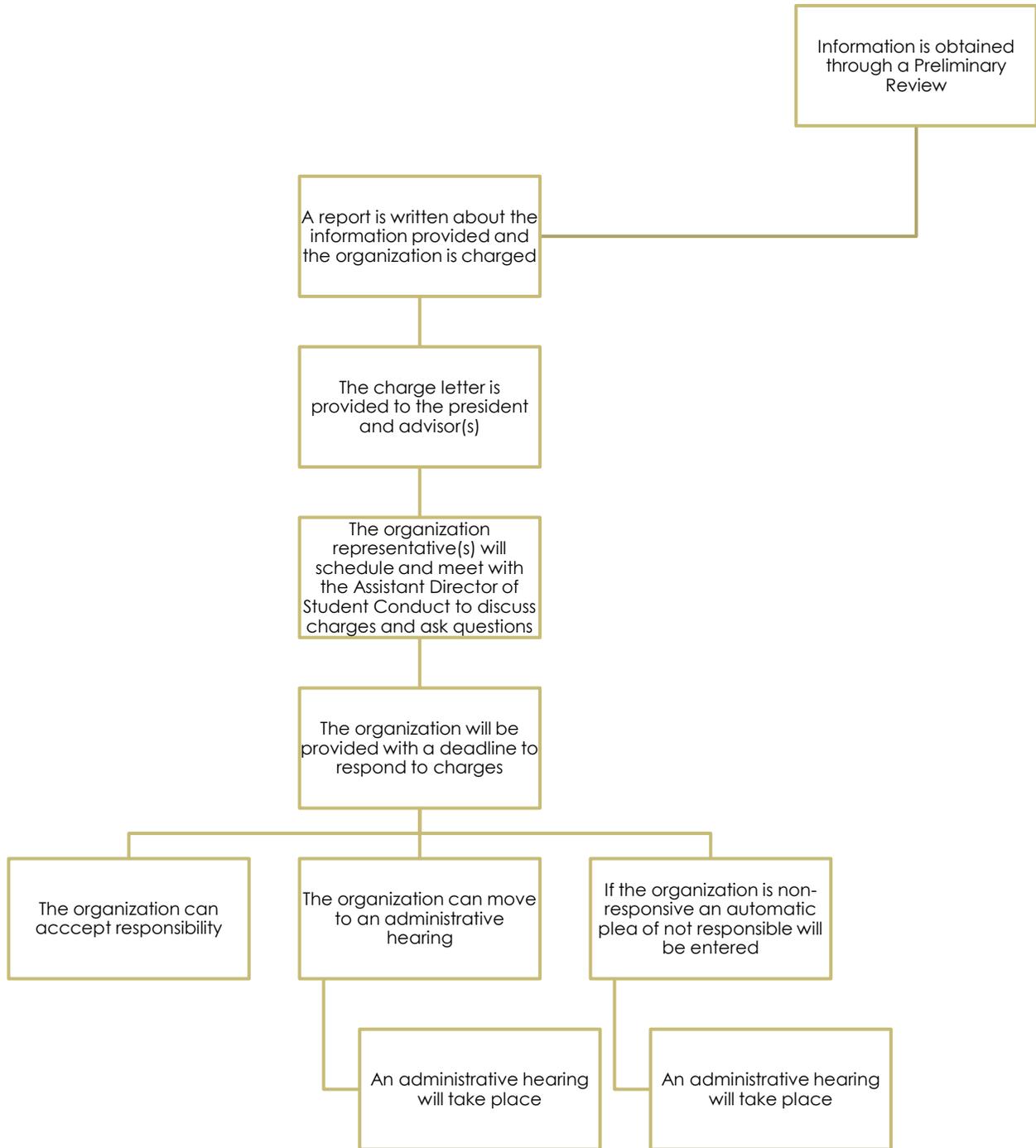
Organization Advisor Signature

Organization Advisor Name

Organization Advisor Signature

APPENDIX

Level One Investigation



Level Two Investigation

