

University of Wisconsin – Eau Claire Student Organization Code of Conduct Committee Procedures

All registered student organizations (herein referred to as “RSO(s)”) have considerable freedom to accomplish their goals. However, student organizations must comply with the federal, state, and local laws/ordinances, as well as University rules, policies and procedures. In addition, individual members (students and non-students) representing a student organization and the University are expected to abide by all federal, state, and local laws/ordinances, as well as the policies, procedures and guidelines of any off-campus facilities or localities which the organization may be using.

Any organization in violation of these standards is subject to disciplinary action by the University. Some possible violations of law and regulations include, **but are not limited to:**

- Violations of state statutes pertaining to the legal drinking age and the provision of alcoholic beverages to minors.
- Violations of the [University of Wisconsin – Eau Claire Hazing Policy](#) and [state statutes pertaining to hazing](#).
- Violations of the [Student Organization Alcohol Policies](#).
- Illegal drug use or sales at organization events or in organization facilities.
- Conduct that obstructs or impairs the ability of students or community members to participate in university-sponsored or authorized events, or that substantially and unreasonably interfere with others’ participation in lawful activities.
- Creation of an unsafe or dangerous environment at an organization event or facilities, which may include:
 - Dangerous or excessive use of alcohol or drinking games
 - Fighting by members or guests
 - Physical or sexual assault
 - Branding or tattooing members or guests
- Incidents of theft, vandalism, disorderly conduct, inappropriate social media usage.
- Violations of University Equal Opportunity policy or Student Organization Non-Discrimination Policy.
- Non-Compliance with University Purchasing and Accounting/SUFAC Funding Procedures.
- Any other violations of University policies, procedures, or regulations.

Any organization violating these or other standards may be subject to disciplinary action, as outlined in this document. Individual students involved in acts violating University policy or state or federal law may face charges under [UW-System Chapter 17](#).

I. PROCEDURES FOR COMPLAINTS

Any UWEC student, UWEC faculty/staff, or community member may file a written complaint of an alleged violation by an RSO with designated Dean of Students personnel and/or the Senior Engagement Coordinator in the Activities, Involvement and Leadership office. Complaints must include the following information:

- A. Detailed description of the alleged violation,
- B. Date, time, and place of the alleged violation,
- C. Name(s) of the student organization(s) involved in the alleged violation,
- D. Name(s), if possible, of the individual(s) involved in the alleged violation,
- E. Name(s), if possible, of witnesses,
- F. Name(s) of the complainant(s),
- G. Any complaint of sexual harassment or sexual violence shall be directed to the University of Wisconsin-Eau Claire Title IX Coordinator and/or other appropriate University office or official by the Student Organization Code of Conduct Committee (SOCCC) in consultation with the designated Dean of Students personnel and/or the Senior Coordinator of Engagement.

The Dean of Students reserves the right to determine the immediate status of the RSO based on the alleged violations (being investigated) until the MEETING WITH THE STUDENT ORGANIZATION can occur.

All recognized student organizations shall be afforded due process. The following guidelines will be followed upon receipt of a written complaint.

II. NOTIFICATION

- A. Within fourteen (14) calendar days (excluding breaks) of receiving the complaint(s) the registered student organization (RSO) will receive written notification outlining the allegations via university email from the Dean of Students office.
- B. The RSO, upon receipt of this notification, must schedule a meeting with the designated Dean of Students personnel to occur within fourteen (14) calendar days (excluding breaks.)

III. MEETING WITH STUDENT ORGANIZATION

- A. The current president and advisor of the RSO are required to attend a meeting with the designated Dean of Students personnel. RSO may also invite up to two additional members, excluding any individuals named in the complaint.
- B. The purpose of this meeting is to:
 - (1) review the alleged violations/complaint(s),
 - (2) to provide the RSO with the opportunity to speak and participate in a question-and-answer discussion,
 - (3) to determine if RSO is potentially responsible or not responsible for the alleged violation(s)

a. If RSO is ***potentially responsible for one or more violations***. The Organizational Enhancement Partnership Process and the SOCCC Hearing Process will be explained, and the appropriate process will be determined.

Please Note: *The Dean of Students reserves the right to determine which of the two processes the RSO will enter into:*
(1) Organizational Enhancement Partnership Process (Section IV)
(2) SOCCC Hearing Process (Section V.)

b. If it is determined at this meeting that the RSO is ***not responsible***. The alleged violation(s) will be immediately dismissed. This does not preclude action against individual members.

IV. ORGANIZATIONAL ENHANCEMENT PARTNERSHIP PROCESS PROCEDURES

- A. RSOs determined to be eligible to participate in the Organizational Enhancement Partnership Process by the designated Dean of Students personnel will be afforded the opportunity to undergo investigation by the Dean of Students representative and draft an Organizational Enhancement Partnership Plan. An investigation by the Dean of Students will be conducted within fourteen (14) calendar days (excluding breaks) after the Meeting with Student Organization outlined in section III.
- B. After the designated Dean of Students personnel has concluded their investigation, RSOs will have a Post-Investigation Meeting within seven (7) calendar days (excluding breaks) to discuss the findings of the investigation. Based on the findings of the investigation, RSOs will draft an Organizational Enhancement Plan.
- C. Within seven (7) calendar days (excluding breaks) of the Post-Investigation Meeting, the RSO must provide a written Organization Enhancement Plan, outlining all corrective action and self-imposed sanctions the RSO will complete (by specified deadlines) in order to remedy the situation. The Organization Enhancement Plan must be approved by the designated Dean of Students personnel, the Senior Engagement Coordinator and/or the SOCCC.
- D. Upon approval of the Organization Enhancement Plan, the RSO leadership must obtain proof of consent by ALL MEMBERS of the RSO within ten (10) calendar days (excluding breaks) and submit a Commitment Contract, indicating full responsibility for completing all outlined conditions/corrective actions outlined within the Organization Enhancement Plan.
- E. If applicable, the designated Dean of Students personnel will issue a letter of reprimand to the RSO, outlining all deadlines for Organization Enhancement Plan completion. For record keeping purposes a copy of the letter of reprimand will also be placed in the RSO's file, in the Activities, Involvement and Leadership office.
- F. If the RSO misses any deadlines or violates any other condition of the Organization's Enhancement Plan, as determined by the designated Dean of Students personnel, the Senior Engagement Coordinator and/or the SOCCC, it will be moved to the SOCCC Hearing Process.

- G. If at any time it is determined by the designated Dean of Students personnel, the Senior Engagement Coordinator and/or the SOCCC that the allegations are pertinent to individual conduct and not RSO conduct, the Organizational Enhancement Partnership Process will end, and individuals may face charges under UWS Chapter 17.

V. SOCCC HEARING PROCESS

- A. Should the Dean of Students determine that an RSO must participate in the SOCCC Hearing Process, the designated Dean of Students personnel and the Senior Engagement Coordinator will work with the SOCCC chairperson to schedule a formal hearing. The hearing must be scheduled within thirty (30) calendar days (excluding breaks) of the Meeting with the Student Organization. Once the hearing is scheduled, the accused RSO and individual(s) filing the complaint shall receive the following information:
- Written notification of the time and location of the hearing;
 - A statement of allegations against the RSO;
 - A copy of the procedures for student organization conduct hearings;
 - Number of witnesses and time allotment RSO will be allowed during hearing
- B. Once the hearing is scheduled, the RSO shall receive written notification of the time and location of the hearing via university email.
- C. The SOCCC will determine how many witnesses the organization will be allowed and the timeframe for witness questioning.
- D. The accused RSO must provide the names of witnesses to the chair of the SOCCC, designated Dean of Student personnel and the Senior Engagement Coordinator three (3) calendar days (excluding breaks) prior to the hearing.
- E. The accused RSO, if unable to attend the hearing, must give a forty-eight (48) hour notice to the SOCCC chairperson, the designated Dean of Students personnel and the Senior Engagement Coordinator. They must also, if unable to attend, submit a written statement addressing the allegations to the SOCCC chairperson, the designated Dean of Students personnel and Senior Engagement Coordinator at least twenty-four (24) hours prior to the hearing.
- F. Should the RSO decide not to attend the hearing or to otherwise non-cooperate with the process, the SOCCC reserves the right to issue a recommendation and report in the matter based on all pertinent information available to the SOCCC.

VI. HEARING PROCEDURES

- A. The Student Organization Code of Conduct Committee (SOCCC) shall conduct all hearings, which shall be properly noticed under the state open meetings law and held in closed session.
- B. The SOCCC quorum shall be made up of **four members and a Chairperson**. In the event there is a tie, the Chairperson will act as the tiebreaker.
- C. All hearings shall be recorded.
- D. At the outset of the hearing the SOCCC Chairperson shall:
 1. Call the meeting to order,
 2. Establish the attendance,
 3. Ask those present to state their name and association with the case,
 4. Explain the format of the hearing to all assembled,
 5. Have the designated Dean of Students personnel review the allegations against the student organization,
 6. Additional information from other campus department representatives will be presented,
 7. Answer any questions about the complaint or the format of the hearing.
- D. The RSO may have a representative to assist at the hearing. This representative could be the RSO advisor, an attorney, or someone else of the RSO's choosing.
- E. The Chairperson will ask the RSO to claim or deny responsibility of the allegations.
 1. If the RSO claims **RESPONSIBLE**:
 - a. The individual(s) filing the complaint and the RSO will each be provided 5 minutes to make an opening statement.
 - b. The individual(s) filing the complaint and others in attendance may be asked to leave the hearing.
 - c. The SOCCC will have the opportunity to question the RSO.
 - d. The RSO and others in attendance will be asked to leave the room after the RSO has answered any questions pertaining to the matter in question.
 - e. The SOCCC will discuss the case and recommend and report on a suitable sanction for the RSO. Previous cases and findings concerning the RSO will be considered in this process.
 2. If the RSO claims **NOT RESPONSIBLE**:
 - a. All witnesses will be required to leave the hearing during the 5-minute opening statements, however, will remain in the area to be called for questioning.
 - b. The individual(s) filing the complaint, or their designee, will be provided 5 minutes to make an opening statement.
 - c. The RSO will be provided 5 minutes to make an opening statement.
 - d. The individual(s) filing the complaint will be permitted to call a pre-determined number of witnesses and/or present information according to the SOCCC's pre-

- established timeframe for questioning. Upon conclusion, the RSO may ask questions. Following any questions by the RSO, the SOCCC may ask questions.
- e. The RSO will be permitted to call a pre-determined number of witnesses and/or present information according to the SOCCC's pre-established timeframe for questioning. Upon conclusion, the individual(s) filing the complaint may ask questions. Following any questions by the individual(s) filing the complaint, the SOCCC may ask questions. Questions must be relevant to the incident being reviewed.
 - f. The individual(s) filing the complaint will be permitted 5 minutes to make a closing statement.
 - g. The RSO will be permitted 5 minutes to make a closing statement.
 - h. Once all information and witness accounts have been heard, all persons other than the SOCCC will be asked to leave the room. The SOCCC will discuss the case and decide whether to recommend that the RSO is to be found in violation or not in violation based on the preponderance of evidence standard (UWS 17.02 (13)), and if necessary, to recommend a sanction. A majority vote of the members present is needed to recommend finding an RSO in violation, with the SOCCC Chairperson casting the deciding vote in case of a tie.
3. The designated Dean of Students personnel, in conjunction with the Senior Engagement Coordinator shall provide the determination and sanctions in writing to the RSO. For record keeping purposes, a copy of the findings and recommendations will also be placed in the RSO's file, in the Activities, Involvement and Leadership office.

VII. POSSIBLE SANCTIONS

Possible sanctions which SOCCC may recommend imposing include, but are not limited to:

Community Service. The RSO may be required to organize and/or participate in specified community service activities or events.

Education/Training Programs. The RSO may be required to attend or participate in an educational program(s) or the planning of an educational program(s) for the RSO members and/or the campus community on a specified topic. Programs *may not* be presented by member(s) or advisor(s) of the RSO.

Fines. RSOs may be required to pay a sum of money, the amount of which shall be determined through the conduct process.

Loss of University Privileges/Services. Including but not limited to access to university funds, accounting services, posting, room reservations, printing services, etc.

Probation. Probation means that a RSO will remain recognized providing that it abides by all applicable laws and policies. Probation may also have several conditions attached. RSOs currently on probation that are found responsible of further misconduct will be subject to a minimum of one semester of suspension of University recognition.

Referral of Individuals from the RSO to the Dean of Students Office. If from the RSO conduct hearing it becomes apparent that the policy violations were conducted by an individual(s) of a RSO, without the knowledge of the RSO, the individual(s) will be referred to the Dean of Students office for individual conduct hearings.

Restitution. RSOs may be required to pay for damages.

Revocation of University Recognition. Permanent removal of university recognition at the University's discretion for the RSO.

Specific Conditions Related to Organization Functions and Activities. Limitations or parameters may be placed on the activities and functioning of the RSO.

Suspension of University Recognition/Registration. Includes loss of all University privileges and services. The suspension of University recognition/registration would be for a specified period.

Warning. A written warning that the conduct of the RSO was not appropriate and should not be repeated.

It is the discretion of the University to provide appropriate sanctions for RSO and/or individual RSO members.

VIII. APPEAL PROCESS

- A. RSO can appeal the decision made by the SOCCC within seven (7) calendar days (excluding breaks) after the initial hearing. Appeal requests must be written and include the following information:
 1. Name of RSO
 2. The decision of the SOCCC from the hearing
 3. A detailed description of why you feel the decision should be appealed
- B. The Dean of Students shall review the SOCCC's findings and recommendations based solely on the hearing record created before the SOCCC and provide its recommendation to the Dean of Students.
- C. The Dean of Students shall review the hearing record, the SOCCC's findings and recommendation, and make the final institutional decision, or if the hearing record is determined to be inadequate, return the matter to the SOCCC for further hearing. For record keeping purposes, a copy of the final decision and the SOCCC's recommendation will also be placed in the RSO's file in the Activities, Involvement, and Leadership office.

IX. STUDENT ORGANIZATION CODE OF CONDUCT COMMITTEE

A. Mission Statement

The purpose of the Student Organization Code of Conduct Committee shall be to establish and enforce the policies and regulations governing RSOs on the UW-Eau Claire campus.

B. Membership

The membership of SOCCC shall be comprised of a designated representative from the Dean of Students office, the Senior Engagement Coordinator as co-advisors, four student senators and four student non-senators appointed to committee and the SOCCC Chairperson. The student senators and student non-senators appointed to the committee will act as voting members. A majority vote is required for the SOCCC decision to pass.

C. Executive Positions

1. CHAIRPERSON - The Chairperson shall be a designated representative from the Dean of Students office. In the event that the Chairperson is unable to perform their duties, a designee will be chosen by the acting Dean of Students within a reasonable timeframe.

Duties:

1. Chair the Student Organization Code of Conduct Committee meetings.
2. Be present at all conduct related student organization meetings and hearings.
3. Disseminate the policies, procedures and laws governing RSOs and the Student Organization and Leadership Center in Davies Center.
4. Enforce all policies, procedures, rules, and laws governing RSOs.

2. ADVISOR(S) – A designated Dean of Students representative and the Senior Engagement Coordinator shall serve as co-advisor(s) to the SOCCC and will assist the Student Organization Code of Conduct Committee in its role.

D. Meetings and Hearings

The SOCCC shall meet as needed to discuss issues related to RSOs and to hold conduct hearings for RSOs.

E. Responsibilities and obligations of the SOCCC members:

- To participate and complete a mandatory training session at the start of the fall and/or spring semester (depending on appointment date) to ensure knowledge of University policies and procedures, SOCCC member behavioral standards, viewpoint neutrality, as well as standards for RSO's,
- To be objective and attend all meetings and hearings,
- To read complaints and familiarize themselves with the cases *prior* to the hearings,
- To remove themselves in particular cases, if they have a bias or direct involvement in the case, or are members of the RSO under investigation,
- To keep confidential all proceedings, discussions, and votes,

X. CRITERIA USED IN DETERMINING STUDENT ORGANIZATION SPONSORED ACTIVITIES

The following questions are used to help determine whether or not an activity should be considered as an "organization activity", as opposed to the actions of some individual members:

1. Purpose of Activity

What is the purpose of the activity?

Is the activity held to promote group development and bonding?

2. Attendance

Who is attending the activity?

Why are they attending?

Will a significant number of the members of the RSO attend the activity?

Do members perceive this to be an activity that mainly other members will attend?

3. Resources

What resources will be used to fund the activity?

Were RSO funds used to support the activity?

4. Publicity/Advertising/Communication

How was the event publicized or communicated?

Was the RSO's name, initials, or logo used on publicity material?

Was the RSO's listserv, email account, or social media account used to promote the activity?

Was the activity posted/promoted on the RSO's website or social media sites?

Was the RSO's name associated with the activity through word of mouth or electronic means?

Was the activity discussed at formal meetings?

5. Location

Where was the activity held?

If the RSO owns or rents a house or common living area (or if most members of the residence belong to the RSO), was the event held at this dwelling?

6. Reasonable Person

Would a reasonable person think that the activity is associated with the RSO in question?

7. Organization Responsibility

As a leader in your RSO, do you believe that you are in any way responsible for this particular activity?

If not, who would be held responsible in the event of an accident or mishap?

Each activity will likely have a unique set of circumstances and should be evaluated separately. These are samples of the types of questions that decision makers (university officials, courts) will use when determining whether or not your student organization is responsible for a specific activity. Please ask yourself these questions as you plan safe and effective activities. If you have questions or would like to talk about these issues, please contact the Senior Engagement Coordinator (Activities, Involvement, & Leadership office) or the Dean of Students office.

Student Organization Code of Conduct Process Flowchart

