



STUDENT ORGANIZATION POLICIES AND PROCEDURES

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INTRODUCTION AND 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 serves the interest of the University and student organizations.

Academic, honorary, fraternal, and other co-curricular organizations that choose to be recognized by the University, agree to abide by the rights and responsibilities outlined in this policy and any guidelines set by their organization and organization’s governing body. Organizations registered under an academic department will also be held accountable under this policy. The Standards of Conduct for Registered/Recognized Student Organizations does not replace policies and sanctions implemented by an organization’s governing body, other University policies, or any applicable federal, state, or local laws.

ADMINISTRATION AND JURISDICTION

1. All student organizations are expected to act consistently with the values of the University community. Student organizations may be held collectively responsible for actions committed by their members on behalf of the organization that violates University policy. Disciplinary action against a student organization 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 have violated University policy.
2. The Offices of the Dean of Students has primary authority and responsibility for the administration of Student Organization discipline. The Dean of Students works cooperatively with staff members, Conduct Officers, University departments related to the Organization, and students in the disposition of *policy* violations.
3. This policy applies to behaviors that take place on Rutgers University campus, at University or organization sponsored events on or off-campus and may also apply to other off-campus behaviors when the Dean of Students determines that the off-campus conduct affects a University interest. A University interest is defined to include:
 - a. Any situation where it appears that the Student Organization’s conduct may present a danger or threat to the health or safety of individuals;
 - b. Any situation that significantly impinges upon the rights, property or achievements of others or significantly breaches the peace and/or causes social disorder; or
 - c. Any situation detrimental to the educational mission and/or interests of the University.

- d. Any situation where the conduct of the involved parties is undertaken in the name of the University.
- 4. This policy may be applied to behavior conducted online, via email or another electronic medium. Student Organization members should also be aware that online postings such as blogs, web postings, chats and social networking sites are in the public sphere and are not private. These postings can subject a Student Organization to allegations of conduct violations if evidence of policy violations is posted online. The University does not regularly search for this information but may act when such information is brought to the attention of University officials.
- 5. Generally, a recognized student organization may be held responsible for violations of University policy when:
 - a. One or more organization's 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, hosted, or facilitated by the organization or in the name of the organization;
 - d. The violation is committed by members attending an event as representatives of the University. This includes, but is not limited to, competitions, conferences, and conventions;
 - e. Members or officers permit, encourage, aid, or assist others in committing a violation;
 - f. Members or officers fail to report knowledge or information about a violation to appropriate University authorities;
 - g. Members commit a violation in the name of the organization.
- 6. This policy applies to guests of the Student Organization, regardless of their student status. Student Organizations may be held accountable for the misconduct of their guests. Visitors to and guests of the University may seek resolution of violations of this policy committed against them by a Student Organization and/or members of a Student Organization.
- 7. There is no time limit on reporting violations of this policy; however, the longer someone waits to report an alleged violation, the more difficult it may become for University officials to obtain information and witness statements and to make determinations regarding alleged violations.
- 8. The policy applies to activities taking place during the academic sessions/semesters, holidays, breaks, and university closures.
- 9. Though anonymous complaints are permitted, doing so may limit the University's ability to investigate and respond to a complaint. Those who are aware of misconduct are encouraged to report it as quickly as possible to the Offices of the Dean of Students and/or to the Rutgers University Police Department.

10. University departments will be given the discretion to address Tier I policy violations. The Conduct Officer, RUPD and the sponsoring University department will jointly determine whether the department or the Office will address the case. The sponsoring University department will develop and follow an internal process to investigate complaints using the OSC process as a minimum standard. Outcomes of Tier I violations will be reported to OSC for record keeping and for consideration in case of future additional violations.
 11. A student organization facing an alleged violation of this policy is permitted to choose to dissolve recognition during the investigation/adjudication process. However, the University may continue the investigation/adjudication process even after the student organization has been dissolved.
 12. The University department that advises the organization will oversee the completion of all sanctions in conjunction with the Office. The department will communicate with the organization's primary officer and advisor to continuously support and monitor the organization in completing their sanctions. A list of sanctions can be found on pages 20-21.
 13. 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.
 14. University disciplinary action will be based upon the "Preponderance of Evidence" standard. This standard is satisfied if the action is deemed more likely to have occurred than not.
 15. Notification of conduct proceedings, including but not limited to notice of allegations, interim action, meeting requests, hearings, and resolution, shall be sent by the Office of Student Conduct to the Student Organization by letter or by e-mail to the organization's president, using the addresses that person has provided to the University. Correspondence will also be sent to the Organization's advisor and the Organization's National Headquarters (if applicable). The Student Organization's refusal to accept delivery of a letter, or failure to open an e-mail message will not constitute good cause for failure to comply with the meeting request.
 16. If the allegation against the organization falls under the Sexual Misconduct Policy, the Student Affairs Compliance & Title IX department will manage the matter.
 17. All hearings will be recorded and available for review at the OSC in case of an appeal.
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DEFINITIONS

Advisor: this individual is an alumni or faculty/staff advisor of record, or a volunteer appointed by the group's national organization.

Affiliated Office: University department responsible for advising the student organization.

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

Appellate Officer: the person designated to issue final decisions in a Student Organization conduct matters.

Athletics (Camden and Newark): Non-Division 1 Athletics that do not fall under the Recreation Department.

Campus Advisor (CA): a professional who volunteers with the university to assist those accused of violating the code or where appropriate.

Complainant or Complaint party: a person reported to be the victim of prohibited conduct.

Conduct Case Manager: person who assigns conduct cases to conduct officers.

Conduct Officer: an individual appointed by the Chief Conduct Officer to carry out the disciplinary process.

Chief Conduct Officer: is the person (or people) that enforces the University Code of Student Conduct, oversees the processes for handling misconduct, and may develop procedures for administration of the conduct process.

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.

Disciplinary Decision: a written decision determining if a Student Organization is responsible for a violation of university policy. The disciplinary decision includes the findings of fact in support of the decision along with the assessed sanction(s) if found responsible.

Evidence: Information presented which directly supports or disputes the Complaint Party's allegations.

Good Standing: an organization is considered in Good Standing if not on Disciplinary Probation or suspended/unrecognized.

Interim Action (IA): temporary measures imposed on an organization while their conduct matter is being investigated and/or adjudicated. Interim actions should be in place no longer than one (1) month unless there are extenuating circumstances delaying the process. If extenuating circumstances are occurring, the

Office of Student Conduct will notify the Student Organization President in writing and provide information on next steps in the process,

Investigation: The time when a a Conduct staff member is assigned to address an alleged violation and enters a fact-finding period to determine what happened in a particular incident.

Not Responsible: (a) the standard of preponderance of information was not reached to find that an organization violated policy. (b) When an organization attends a hearing, this is a response the representative can give if the organization believes they did not violate this part of the code.

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

On Campus (OC): Any activities that happen on-campus, including dwellings affiliated with Rutgers University.

OFSA: The Office of Fraternity and Sorority Affairs. The office that oversees recognized fraternities and sororities.

OSC: Offices of the Dean of Students - Student Conduct. The department that oversees the Code of Student Conduct at Rutgers University – New Brunswick.

OCSSD: Office of Community Standards and Student Development. The department that oversees the Code of Student Conduct at Rutgers University – Newark.

ORSE: Office of Reservations and Special Events. The department that oversees the event registration for organizations at Rutgers University-Newark.

Organization Administrative Conference (OAC): This is a meeting to discuss an organization's rights in the conduct process and to provide the organization with the information being used to charge the organization with a violation. Organizational Conferences can be resolved in one meeting or there can be two meetings, with the second meeting scheduled to give the Organization time to respond to each charge, offer evidence, and suggest sanctions.

Organization Hearing (OH): This resolution opportunity gives the organization and the Complaint Party the ability to present their case to a University Hearing Board or Hearing Officer for case resolution. The board is composed of two affiliated students and a faculty or staff member. University Hearing Boards cannot hear Tier III cases.

Presiding Officer (PO): A trained member of the University Hearing Board who guides the hearing process.

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

Recognized Student Organization: A student organization that meets the required registration/recognition process.

Respondent: The organization accused of allegedly violating University policy.

Responsible: (a) A preponderance of information exists to conclude that the organization violated policy.
(b) When an organization attends a hearing, this is a response the representative can give if the organization believes they violated a policy.

Restorative Justice: a set of principles and practices inspired by indigenous traditions used to build community, address harm, and aid in healing. Staff members on each campus are trained to provide restorative conferences and restorative circles. Organizations may be offered an opportunity to resolve their case informally, using restorative justice.

Senior Student Affairs Officer (SSAO): Refers to the administrator in the Division of Student Affairs, or their designee(s), who oversees the student conduct processes.

Student Affairs (SA): The division at the University that oversees recognized student organizations. Organizations under University departments are also held to these standards.

Student Centers and Activities-Student Involvement: office with oversight for co-curricular student organizations.

Student Organization: any identified group of students who have complied with the formal requirements for University recognition and affiliation and have registered for affiliation with the University; also includes organizations who are advised by a university department.

Virtual environment: An online space utilized to engage members and potential new members of the organization. (i.e., Zoom, Webex, Discord, GroupMe, social media platforms, etc.)

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

CAMPUS-SPECIFIC OFFICES

New Brunswick

- Office of Fraternity and Sorority Affairs
- Offices of the Dean of Students - Student Conduct
- Student Centers and Activities
- Recreation Department

Newark

- Office of Community Standards and Student Development
- Office of Student Life & Leadership

Camden

- Dean of Students
- Office of Student Involvement

*** The Office of Student Conduct/Dean of Students/Office of Community Standards and Student Development will be referred to as “The Office” moving forward***

ORGANIZATION RIGHTS IN THE DISCIPLINARY 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.
2. Organizations may object to an Investigator, a Conduct Officer, Hearing Officer or Hearing Board member with cause. The Chief Conduct Officer or their designee will determine the validity of the objection.
3. Organizations have the right to have an advisor present at all disciplinary meetings or hearings. This could be either a group’s advisor of record **or** someone designated by the national office to help the group through the process. The advisor may not actively participate in any proceedings. The organization is responsible for ensuring attendance of the advisor at any proceeding, as meetings and hearings will not be rescheduled to accommodate advisors.
4. Organizations have the right to timely written notice of the charges against them and the time and place of any meeting or hearing. Proper notification will be sent through email to

the organization president's university email account on record and copied to the Advisor and National Headquarters (if applicable).

5. Organizations have the right to receive a copy of their case file. The case file shall include all information to be presented at a Hearing or Disciplinary Conference by the Office. This is the same information provided to members of the Hearing Board or Hearing Officer.
 6. All information presented during the Hearing must be provided to the organization at least five working days prior to a hearing. Information that directly exposes the identity of a Confidential Witness who wishes to remain anonymous will be redacted.
 7. Organizations have the right to hear and respond to all information presented against them. This includes the right to question witnesses at the hearing if the witness has not been deemed a Confidential Witness.
 8. Organizations have the right to present an opening and closing statement at the Hearing.
 9. Organizations have the right to present information and witnesses on their behalf. Witness statements should be submitted as part of the case file. Character statements will not be considered when determining a violation but may be considered when determining sanction. Character witnesses are permitted to be heard during the sanctioning phase of a University Hearing at the Hearing Officer or Board's discretion.
 10. Organizations have the right to receive written notification of the results of the hearing no later than five working days after the hearing. This written notification will include the finding of fact for the decision and any sanction rationale (if the organization is found responsible).
 11. Organizations have the right to appeal the outcome of the hearing no later than ten working days after notification of the decision.
 12. Organizations have the right to have the response to their appeal no later than ten working days from the day the appeal was submitted.
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TYPES OF VIOLATIONS

Violations 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:** Inflicting bodily harm upon any person. Using or threatening to use force against a person. Creating an environment where individuals are physically or psychologically harmed.
- b **Hazing:** Engaging in any act that impacts the mental, emotional, or physical health or safety of a student for the purpose of initiation into, admission into, affiliation with, or continued membership in any organization or team whose members are Rutgers University students. Engaging in any activity that is inconsistent with regulations or policies of Rutgers University or laws in the State of New Jersey for the purpose of initiation into, admission into, affiliation with, or continued membership in any organization or team whose members are Rutgers University students.
- c **Non-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.

- d **Non-compliance with the Law:** Failing to adhere to all federal, state, and local laws.
- e **Non-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.)
- f **Non-compliance with the Standards of Conduct:** Filing a false complaint, using this policy to harass, intimidate, or disrupt a student organization, or failing to cooperate or participate in the accountability process. *DISCLAIMER: Violations in this section will result in harsh penalties for false use of university time and resources as well as harm to peer organizations and community members.*
- g **Disruptive or Disorderly Conduct:** Conduct that unreasonably interferes with university activities or with the legitimate activities of any member of the community at large, virtual environment(s) included. This violation is not intended to punish student organizations for peaceful, and orderly protests undertaken within reasonable time, place, and manner restrictions placed on the same by the University.
- h **Distribution/Possession of Alcohol and Other Drugs:** Organizations may not supply alcohol to individuals. This is inclusive of guests. Any variation of drugs, inclusive of edibles, shall be considered a violation of the Standards of Conduct and University Policy.
- i **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.
- j **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:
 - a. Breaching contractual obligations.
 - b. Using chapter funds and/or members gathering funds for an activity which violates the Standards of Conduct.
 - c. 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.
 - d. Failing to provide accounting of all contributions and reporting said contribution to the proper University unit. (i.e. Membership Dues, Fundraising, etc.)
 - e. Failing to follow Rutgers University governing board's policies on allocations and student fee usage.
 - f. Monies must be maintained in an account at the Rutgers University Student Activities Business Office. Note: fraternities and sororities are not permitted to use the Student Activities Business Office, so this is not applicable to them.
 - g. Misuse of Student Fees. This is inclusive of failing to follow Rutgers University governing board's policies on allocation and student fee usage.
- k **Fraternization:** Engaging in events, virtual or in-person, with an organization(s) during their suspension/removal period from campus, and any organization not recognized by the university.
- l **Guest Responsibility:** Recognized Student Organizations are responsible for the actions of their guests (i.e. fans, performers, non-RU attendees, alum).
- m **Health and Safety:** Fostering, promoting, or participating in activities that unreasonably threaten the safety or well-being of their members, other people, or animals. This includes the health and safety measures outlined by the university, CDC and/or government officials.

- n **Inappropriate Use of Space:** Not using University – controlled spaces in accordance with the standards of the particular space.
- o **Inappropriate Use of Off-Campus Space:** Not utilizing Off Campus space, University controlled or not, in accordance with the standards of the particular space.
- p **Theft or Damage to Property:** The unauthorized taking, destruction, misappropriation or possession of any real, personal, or intellectual property owned or maintained by the University or any person or entity both on and off campus.
- q **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.

These violations also apply to Athletics at Rutgers (NWK) & Rutgers (CAM)

DISCIPLINARY PROCESS

TYPES OF CASES

Tier I Cases: Tier I cases involve low-level violations of University policy. These types of cases can be resolved by the affiliated office or informally if agreed upon by the Office and affiliated office. Low-level violations involve situations that would not involve the organization’s standing with the University and do not impact the health, welfare, or safety of students.

Tier II Cases: Tier II cases involve alleged violations of University policy in which the Office and the affiliated office determine that the case can be resolved without a formal University investigation.

Tier III Cases: Tier III cases involve allegations of serious violations of University policy that will require a formal investigation.

FILING A COMPLAINT

Allegations of misconduct against a Student Organization should be made in writing using the corresponding campus’ reporting tool.

(New Brunswick) Office of Student Conduct website: <http://studentconduct.rutgers.edu>

(Newark) Community Standards & Student Development website:

https://cm.maxient.com/reportingform.php?RutgersUniv&layout_id=

(Camden) Dean of Students website: <https://deanofstudents.camden.rutgers.edu/student-conduct>

When a complaint comes in:

1. The Office will review the complaint with the designated representative of the affiliated office. Staff members will determine which department will manage the complaint. If the case is being addressed by the affiliated office (Tier I), the Office will turn over all information and their involvement in the case is concluded.
2. If the Office will be addressing the case (Tier II or Tier III), a staff member will conduct an in-person interview with the person(s) making the allegation of misconduct within five business days to ask any questions about the report and to gather information about possible witnesses.
 - a. The Office will gather as much evidence as possible from the person filing the complaint. All steps will be taken to secure that individual's privacy while providing the organization with as much detail as possible to respond to the complaint.
 - b. If the complainant is anonymous, they will be listed as such in the report. If the report submitted is from an anonymous source, the veracity of evidence provided by the anonymous source(s) will be carefully weighed to assess if the evidence can be verified (police report, text message, photographs, etc.).
 - c. A student who reveals their name in the report but would prefer to stay Anonymous to the accused but not to the university department will be known as a Confidential Witness.
 - d. If the reporter chooses to be known, The Office may disclose their name during the investigation, with the understanding that the accused is not to contact the individual(s).
3. If the reporter is unwilling to meet with a staff member, the case proceeds with whatever information is provided in the report.
4. The Office will also collect any additional information pertaining to the case, including but not limited to social media posts, text message printouts, photos, sign in sheets, etc.
5. In some cases, The Office becomes aware of possible organizational violations while investigating or conducting an individual student's disciplinary case. In this scenario, the Conduct Officer will gather as many details as possible pertaining to the incident and complete a report regarding the organization.
6. At the conclusion of the initial collection of information, a representative from the affiliated office and the Office will meet to determine the validity of the allegation(s) and discuss recommendations of possible sanctions. This meeting should be scheduled within 3 business days of the information collection's conclusion. This meeting determines if there is enough information to do one of the following: 1) pursue the matter with the organization, or 2) close the case. When there is a difference of opinion on how to resolve the case, the Director of Student Conduct is the final arbiter of how the case will be resolved.
7. If an allegation is being pursued, a meeting will take place to discuss the next steps to occur (Interim Action notice, charge letter, etc.). Notification to the organization should be made

within 2 business days of this decision. This information is copied to Affiliated Office representative and a national organization representative, if one exists.

8. Regardless of how the case is resolved, the Office will document their actions, copy it to president/ organization advisors and upload the documents into Maxient within five working days of the decision.

ADDRESSING TIER I CASES

The Affiliated Office shall contact the organization's president via phone or electronic communication within five business days of receiving the case for resolution to schedule an initial meeting to discuss the incident.

The representative from the Affiliated Office will:

- Review all information with the organization president;
- Allow the president to respond to the information and ask questions;
- Meet with the complaint party (if applicable) and gather information from witnesses.

After reviewing all information collected, the affiliated office representative will schedule an additional meeting with the organization president to share the outcome of the case. This meeting shall take place no later than 10 business days after the initial meeting.

- If the representative finds that no violation took place, they will close the case.
- If the representative finds that a violation took place, they will let the organization know and discuss appropriate sanctions with the president. The organization will be given the opportunity to appeal the case.

The affiliated office representative will follow up the meeting with a letter to the organization, copying their advisor and the national office (if applicable). The letter should include details about the decision (finding of fact), sanction information (if applicable), and information about appeals.

ADDRESSING TIER II CASES

- An initial meeting with the organization's president and advisor is conducted by the Conduct Officer. This meeting provides an opportunity for the Conduct Officer, the President, the Student Organization Advisor(s) and the Student Organization's inter/national governing body (if applicable) to discuss the nature of the allegations, the rights and responsibilities of the Student Organization, the resolution options available to the student organization, and the specific steps involved in the different resolution options. The Conduct Officer will also provide the President with case information and ask for their insight on the incident in question. If the President needs additional time to investigate the matter, the Administrative Conference is postponed and scheduled for another date.

- If the President can provide information that leads the Conduct Officer to determine charges should not be filed, the matter concludes with this meeting.
- If the President's information leads the Conduct Officer to conclude charges should be filed, the President is provided with information on the charges and possible sanctions for the situation. The President may also provide sanction recommendations if they accept responsibility for the charges.
- Within three business days of that meeting, the President will be sent a Charge Letter, listing charges and sanctions should they accept responsibility. The organization is given five business days to discuss the matter with the rest of the organization and to respond either by accepting responsibility or not accepting responsibility for some or all the charges.
 - In cases where the organization decides to accept responsibility for the charges presented and an agreement on sanctions is made, sanctions will be imposed, due dates determined, and the case is closed.
 - In cases where the organization decides to accept responsibility for the charges presented but contests the sanctions, they may appeal their sanctions to the Senior Student Affairs Officer's designee. In the appeal the organization should include their recommendations for sanctions. The organization should provide their rationale for any proposed sanctions and how they will make sure they are completed.
 - In cases where the organization does not respond or decides not to accept responsibility for all the charges presented, an Organizational Hearing will be scheduled.

ADDRESSING TIER III CASES

- If the Conduct Officer and Affiliated office representative review a complaint and conclude that there may be serious policy violation(s) and they believe more information is needed before charging an organization, an investigation into the incident shall be conducted. The Officer will meet with the Affiliated office representative to discuss the initial complaint, possible University violations, the scope of the investigation, the students who need to be contacted for further information and the questions that need to be asked.
- The organization representative (typically the President) will receive written communication with directives informing the organization of any limitations the Office has placed on the organization during the investigation process. This letter is known as an Interim Action (IA) letter. The limitations will be based on the complaint's nature and how much the allegations impact life, health, safety, or reputation. Further details regarding Interim Action can be found on page 18.

- The formal investigation will be conducted with the following guidelines:
 - Two investigators will be identified to conduct the interviews.
 - The investigation should take no longer than 10 business days to complete. If the investigation takes longer, the organization will be provided with an updated timeline for investigation completion.
 - Meetings will typically take place in person but may be held virtually. The Office expects that students will attend the virtual meeting alone (or with their advisor) and they will not record the conversation.
 - Students will be contacted by phone to come in for a scheduled interview. The Office will only take the student's class schedule into consideration when their interview is scheduled.
 - Individuals who refuse to answer questions, or who do not show up for their interview, with the investigation may be charged with Failure to Comply under the University Code of Student Conduct.
 - Interviews are to be of a fact-finding nature and not accusatory or combative.
 - At the interview's end, the Investigators will review their notes with the student to ensure accuracy of the information obtained.
- At the end of the investigation, the investigation team will prepare an investigation report. The team will then meet with the Office of Student Conduct and the Affiliated Office to discuss their findings. All of the information collected (including a full list of questions asked and the responses) will be uploaded in Maxient attached to the individual's case and also as part of a newly created case involving the organization in question.
- Once the investigators complete the Investigation Report, a Conduct Officer will determine whether preponderance of the evidence supports charging the organization with a violation. **The Conduct Officer selected will not be the person who conducted the Investigation.**
- The Investigation Report will be shared with the Affiliated office representative, organization's leadership, and advisor(s). **Please Note: the conclusion of interviews is not an indicator that the investigation process has concluded.**
 - If the findings from the investigation do not meet the evidence standard (preponderance), the matter will be considered closed and 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. The organization will also be informed that the Office reserves the right to re-open a case if new information arises.
 - If the preponderance of the evidence supports charging the organization, the Conduct Officer will schedule an Organization Administrative Conference with the organization's leadership and their advisor. This information is also shared with the Affiliated Office representative and a national organization if one exists.
- At the Organization Administrative Conference:

- The Conduct Officer will share a copy of the full Investigation report (personal information from witnesses and complaint parties redacted) and go over it with the organization.
- The Conduct Officer will let the organization know of the possible charges, along with sanctions if the organization accepts responsibility for the charges.
 - The organization can request the opportunity to end the meeting and reschedule once they have had an opportunity to meet with members and advisors. The Administrative Conference will be rescheduled within five business days.
- The Organization is given the opportunity to respond to the investigation report. Organizations will also be given the opportunity to make recommendations regarding disciplinary sanctions if they wish to accept responsibility for the charges.
- The Conduct Officer will take all information provided at the OAC into consideration and provide the organization's leadership with an outcome letter. This outcome letter must be sent to the President of the Organization no later than ten business days from the OAC.
 - If the Conduct Officer decides no charges need to be filed, the outcome letter will reflect this decision.
 - If the outcome of the matter warrants charges, the Conduct Officer will send a letter with the violations and recommended sanctions. The organization will be given five business days to respond.
 - If the organization does not accept the charges, they will be referred for an Organizational Hearing (OH).
 - If the organization accepts all or some of the charges, and or suggests sanctions that are not commensurate with the violations and the sanction does not involve suspension/expulsion, the organization can appeal to the Senior Student Affairs Officer's designee. In response, the organization is permitted the right to appeal the sanction. In the appeal the organization should include their recommendations for sanctions. The organization should provide their rationale for recommended sanctions and how they will make sure they are completed.
 - If the organization accepts the charges but not the sanction and the sanction involves a possible suspension or expulsion, the case is sent to an Organizational Hearing.

INTERIM ACTION

In certain circumstances, it may become necessary to impose interim action(s) against an organization while a conduct matter is being addressed. Here are the reasons the university would implement an Interim Action:

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.

TYPES OF INTERIM ACTIONS

1. ***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.
2. ***Suspension of Organization/Suspension of Activity:*** the organization is prohibited from participating in any University activity and promoting University programs without express permission from the Senior Student Affairs Officer or their designee.
3. Additional interim measures may be assessed based on the nature of the conduct. This could include suspension of the ability to host social events while the conduct matter is being addressed.

INTERIM ACTION PROCEDURES AND APPEAL PROCESS

1. The Chief Conduct Officer sends a letter to the organization's president. The letter details the complaint/circumstances that have led to the type of interim action imposed and the process for appeal.
2. An organization may petition to Senior Student Affairs Officer or their designee within two business days of receipt of the official interim action letter. The Senior Student Affairs Officer, or their designee, will meet with an official representative of the organization and will examine information provided by The Office to decide. This meeting may take place virtually.
3. The SSAO must determine if there is a potential threat to the health or well-being or danger to community members by the continued activity of the organization. A decision letter on the matter is sent to the student organization within 2 business days of the meeting with the SSAO. This gives the SSAO time to review all the information to decide.
 - 1) If the Senior Student Affairs Officer 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.
 - 2) If the Senior Student Affairs Officer 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 is then asked to proceed with the conduct process.

APPEAL PROCESS

An accused organization has the right to appeal all disciplinary findings and/or sanctions. Organizations who choose to appeal the outcome of their case must submit their letter of appeal to the Senior Student Affairs Officer's designee. The Senior Student Affairs Officer or their designee will review and respond to the appeal. The organization will have 10 working days to submit their appeal from the date on the notice. The burden of proof is on the organization to show one of the following exists:

- **Unsupported Conclusion:** The decision made by the Conduct Officer, Hearing Officer, or University Hearing Board is not supported by the facts of the case.
 - The organization must explain why there was not enough evidence sufficient to establish that a violation of the Standards of Conduct for Student Organizations occurred under the *more likely than not* standard.
 - **Procedural Error:** The Organizational disciplinary process was conducted unfairly and not in conformity with published procedures.
 - The error committed must have substantially impacted the fairness of the disciplinary process. A mere allegation of unfairness will not be sufficient to meet this ground for appeal. The organization must explain how the procedural error significantly impacted the outcome of the disciplinary process.
 - **New Information:** There is new information available that was not available at the time of the original Investigation, Organizational Conference or Organizational Hearing and this information is sufficient to alter the original decision. Withholding or not disclosing information will not be considered new information, unless the person did not come forward during the initial interview process or hearing due to fear or because they were not available at the initial hearing (study abroad, etc.). The organization must explain the circumstances as to when the new information was discovered and how this new information may impact the decision of this case.
 - **Disproportionate Sanction:** The sanction imposed was not appropriate for the offense committed.
 - The organization must explain any inconsistency with university procedures or precedent. Simple dissatisfaction with a sanction is not grounds for overturning a sanction under this provision.
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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 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 outlines various actions the organization must take to enhance itself and benefit 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 (in person or virtually) that will assist 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 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 about the organization's appropriate use of funds.

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.

Probation: Probation is a notice to a recognized student organization that their actions are so serious that they may jeopardize their status. Any additional incidents in which the student organization is found in violation of the Standards of Conduct may result in suspension with the possibility of additional sanctions. Probation stipulates the period of probation that includes specific restrictions or requirements to be met during the probationary period. The organization will receive a formal written notice stating they are not in good standing with the University and have lost certain privileges for at least one semester. During this period, any further violations of the Standards of Conduct may result in Suspension. When the term is complete and all conditions have been met, the student organization will regain good standing with the University.

Suspension: suspension stipulates the period when the organization loses all privileges associated with being a recognized organization and may not operate in any fashion. This loss of recognition includes losing the right to participate in activities as a student organization, participating in University activities as a student organization and renting space at the University as an organization. When the term is complete, the student organization's recognition will be reinstated, and they may return to the University community. A term suspension shall be no less than one year and no greater than five years. **Note: this sanction is not utilized for Greek-letter organizations.**

Withdrawal of Recognition: Long-term separation of a student organization from the University. Organizations must follow all reorganization procedures put in place by their respected affiliated office before they are eligible to return.

INFORMAL RESOLUTION OPTIONS

Each campus has a variety of resolution options. The decision to permit a student organization to resolve a conduct matter utilizing other methods will be at the discretion of the Conduct Officer assigned to the case.

Other Resolution Options may include, but are not limited to:

- **Restorative Justice:** Restorative Justice (RJ) is a set of principles and practices inspired by indigenous traditions used to build community, address harm, and aid in healing. Staff members on each campus are trained to provide restorative conferences and restorative circles. Students will be provided information regarding who to contact on each campus and a deadline with which to resolve the issue informally using RJ.
- Returning the matter to the organization's governing department to adjudicate as appropriate. The organization will be given a deadline to complete the process, and The Office will work with the Affiliated Office to ensure the incident is handled appropriately.

RECORDING KEEPING

The Office will maintain records regarding all actions taken under the Standards of Conduct for Recognized Student Organizations for 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 Resolution agreement (in cases of RJ if applicable)
- Copy of Resolution agreement response (in cases of RJ if applicable)
- Audio file/copy/transcript of the Hearing (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 including all investigation notes, status of those who declined to be interviewed or never showed, individual witness interviews, etc)
- Copy of Letter of Completion (sent to org pres, advisor, department once all sanctions are satisfactorily completed)
- A listing or report of any individual student officers/members who may have been referred to OSC for potential Code violations given their involvement in the organization. Individual files/outcomes would be retained at OSC with respect to privacy laws and any distinction in record keeping.
- Correspondence from the national office/headquarters/etc.
- Copy of all other relevant procedural documents

The policy you have just reviewed is an addition to the Code of Student Conduct. This policy can be updated as deemed necessary by University Officials.