# TABLE OF CONTENTS

**GENERAL** ............................................................................................................. 1

- EXPLANATION ........................................................................................................ 1
- GUIDING PRINCIPLES .............................................................................................. 1
- RIGHTS OF PARTICIPANTS ...................................................................................... 2

**INITIATION OF A COMPLAINT** ........................................................................ 3

- ORIGIN .................................................................................................................... 3
- SSO-Specific Complaints ........................................................................................... 3
- NSO-Specific Complaints .......................................................................................... 3

**INTAKE AND RETENTION** ................................................................................ 4

- OFFICIAL POINT OF ENTRY .................................................................................... 4
- INTAKE .................................................................................................................... 4
- COMPLAINT ............................................................................................................. 4
- RECEIPT .................................................................................................................. 5
- NOTIFICATION OF ORGANIZATION ..................................................................... 5
- RESPONSE .............................................................................................................. 5
- REFERRAL OF COMPLAINT .................................................................................... 6
- RECORD KEEPING .................................................................................................. 6

**INVESTIGATION** .................................................................................................. 8

- STUDENT GOVERNING BODY .............................................................................. 8
- OTHER UNIVERSITY UNIT ....................................................................................... 8

**INFORMAL RESOLUTION PROCESS** ................................................................ 9

- OVERVIEW ............................................................................................................. 9
- CCI OR UNIT RESOLUTION .................................................................................... 9
- CCI OR UNIT ALTERNATIVE DISPUTE RESOLUTION ............................................ 10
- SUSPENSION AND DISSOLUTION OF SPONSORSHIP ........................................... 12

**FORMAL RESOLUTION PROCESS** ..................................................................... 13

- OVERVIEW ............................................................................................................. 13
- STUDENT GOVERNING BODY HEARING PANEL PROCEDURES ...................... 13

**ROLE OF THE DEAN OF STUDENTS** ................................................................. 17

- CONTINUITY AND FAIRNESS .............................................................................. 17
- OFFICIAL UNIVERSITY DECISION ....................................................................... 17

**APPEALS PROCESS** ............................................................................................. 19

- OVERVIEW ............................................................................................................. 19
- INITIATION OF THE APPEALS PROCESS ............................................................. 19
- VALID ISSUES FOR APPEAL .................................................................................. 19
- COMPOSITION OF THE PANEL .......................................................................... 19
- APPELLATE HEARING ............................................................................................ 19

**APPENDIX** .......................................................................................................... 21

- PRIMARY STUDENT GOVERNING BODIES ......................................................... 21
GENERAL

EXPLANATION
The University will follow the procedures outlined here to respond to student organizations that violate the Standards of Conduct for Recognized Student Organizations. These procedures reflect the University’s commitment to behavior modification through education, student self-governance, alternative dispute resolution, and accountability. The accountability and appeals procedures are administrative functions and are not subject to the same rules of civil or criminal proceedings.

The Student Organization Advancement & Recognition (SOAR) Accountability Process is in place to allow members, the community, and the University of Michigan to hold student organizations accountable to their constitution and University policies. Student organizations will also hold the University of Michigan accountable to the use of this process.

The SOAR Accountability Process allows members of the University community (enrolled students, faculty members and staff members) to bring complaints against student organizations or University entities. When the circumstances warrant, the process also allows the University to bring complaints against student organizations for violations of the Standards of Conduct for Recognized Student Organizations.

GUIDING PRINCIPLES

• Student organizations contribute significantly to the education of the whole student and, therefore, are valuable to this University.
• Individuals are to be treated with respect, civility, and dignity.
• This is not a legal process; rather it is an educational process for all those involved. It is not equivalent to criminal or civil law processes of federal or state courts. The adversarial nature of those proceedings is inappropriate in this setting.
• Policies and student organization constitutions are imperfect. Those overseeing resolutions should view policies and constitutions within the “spirit of the policy” as to not exclude unique circumstances and to avoid harsh outcomes where unwarranted.
• The focus of the process should be on determining whether the evidence presented establishes by a preponderance of the evidence that a violation of the Standards of Conduct for Recognized Student Organizations occurred. Peripheral and unrelated issues should not be addressed. The decision of whether a violation has occurred must not be a gut instinct and must be supported by evidence.
• The purpose of the accountability process is to resolve a dispute; it is not to make the parties get along, like each other, or socially bond.
• It is important to follow the established process. Should the need or desire to deviate from the process arise from any party, the CCI Director may amend the process. Upon doing so, the CCI Director will inform the parties of the decision, and the parties will sign an acknowledgement of the change(s).
• parties should consult with the CCI Director, inform the parties of the change(s), and have the parties sign an acknowledgement of the change(s).
• Notice and the opportunity to be heard are the essential elements in a fair process.

Rights of Participants
Participants in the SOAR Accountability process are guaranteed the following rights.

All students or student organizations have the right to the following (as applicable in the process):

• The assistance of an advisor who may accompany the student during meetings and may attend but not participate in hearings, except to confer with the student or student organization.
• Reasonable time to prepare for a resolution proceeding. However, resolutions will not be unduly delayed.
• Challenge the participation of an individual responsible for determining an outcome as a facilitator or a mediator due to potential bias or other issue.
• Present information, including oral and written information.
• Present witnesses for support of their assertions.
• The information provided during the SOAR Accountability Process will be treated as personal and sensitive but is not confidential. This means that CCI will adhere to privacy laws and will generally only provide information gathered through the complaint process in response to appropriate requests from law enforcement or other University of Michigan investigative bodies. Information may be shared on a need to know basis with other offices.
• The names of the witnesses or individual that shared a story or the person that share the information with the complainant/complainee.
• Advance access to the information that will be considered. However, this information may be edited to protect the privacy of individuals not directly involved in the process.
• Decline to attend. However, the process may proceed and the student will be bound by any determinations made.
• Hear/read all information presented.
• Decline to answer questions. Silence will not be used as evidence of responsibility for any action or allegation.
• A finding of responsibility only when there is proof that it meets the preponderance of the evidence standard.
INITIATION OF A COMPLAINT

Origin

Official complaint forms may be obtained from the Center for Campus Involvement (CCI).

Any enrolled student, faculty member, or staff member of the University may submit a complaint. Each complaint must allege with specificity that a student organization has violated the Standards of Conduct for Recognized Student Organizations. The complaint may be based on the individual’s personal knowledge or based on information reported to him or her.

Complaints must be filed at the Center for Campus Involvement within six months of the incident(s) from which the complaint arises. The CCI Director may use his or her discretion to extend this deadline up to another six months if the circumstances warrant. The decision by the Director to extend the deadline is not reviewable.

SSO-Specific Complaints

- Any complaint against Sponsored Student Organizations (SSOs) will be handled in its entirety by this Accountability Process except for any issues directly pertaining to the Sponsorship Agreement or sponsored relationship. Sponsorship considerations are to be handled by the SSO and the Sponsoring Unit (see p. 12).
- Any complaint against an SSO that does not arise under the Standards of Conduct for Recognized Student Organizations may be resolved by the sponsoring unit, if the unit has appropriate processes for resolution.
- In the case that an alleged complaint issue also violates written policy for a sponsoring unit, the sponsoring unit may also pursue a separate and concurrent resolution. A sponsoring unit’s resolution process is independent of the SOAR Accountability process but the decision of the Dean of Students (DOS) is binding on the SSO. Therefore, a sponsoring unit can add sanctions or conditions but may not alter, disregard, nor undermine the sanctions and conditions conferred by the DOS.
- In the case of a complaint against an SSO created by the University of Michigan Board of Regents (i.e., University Activities Center, Black Student Union), the DOS will decide the best course of action to find an equitable resolution, will oversee that course of action, and issue the official ruling.

NSO-Specific Complaints

An official complaint against a Non-Affiliated Student Organization (NSO) may arise out of allegations that the NSO violated the basic SOAR registration requirements (10 UM students or approved exception, 51% Student – Non-student ratio, etc.).
INTAKE AND RETENTION

OFFICIAL POINT OF ENTRY

The Center for Campus Involvement will be the official point of entry for all complaints under the Standards of Conduct for Recognized Student Organizations. If any academic/operational unit or student organization receives a complaint that falls under the Standards of Conduct for Recognized Student Organizations, it is the responsibility of that organization to send the complaint to CCI for official referral.

INTAKE

Each individual bringing a potential complaint to the Center for Campus Involvement will meet with a CCI staff member for an Intake Meeting. The staff member will outline the options for resolution available within and outside of the SOAR Accountability Process including Adaptable Conflict Resolution (ACR) through the Office of Student Conflict Resolution (OSCR). OSCR offers many options within the realm of ACR to the University community. All ACR options require that all parties participate voluntarily and each party reserves the right to withdraw at any time. Some ACR options may only be available to a party who accepts responsibility for the harm done.

At the conclusion of the Intake Meeting the staff member will assist the individual to seek out and make contact with the appropriate venue for resolution of the complaint- either through the SOAR Accountability Process or another process.

If the individual chooses to pursue an option outside of the SOAR Accountability Process and that option is not successful, s/he may still file a complaint in the SOAR Accountability Process if it is not otherwise precluded.

COMPLAINT

Parties that are interested in submitting a complaint to be processed through the SOAR Accountability Procedures must understand and fulfill the following requirements.

- Information provided in a complaint will be treated as personal and sensitive but is not confidential. CCI will not volunteer or deny any information shared with law enforcement or other University of Michigan investigative bodies. It may be shared on a need to know basis with other offices or as required by law.
- The complaint may be based on the individual’s personal knowledge or based on information presented to him or her.
- All complaints must be typed and include the following information:
  - Name and contact information (phone number and email) of person filing the complaint.
  - Name, contact information (phone and email), and position title of contact/leader of the organization against whom the complaint is being filed.
  - Specific statement of the alleged Standards of Conduct for Recognized Student Organizations that have been violated.
Description of the complaint. This portion should be a narrative of the details related to the incident(s) upon which the complaint is based. This can also include supplemental evidence and information to be considered.

Details and description of requested resolution. This portion should describe in detail what the individual filing the complaint hopes will be the outcomes of the Accountability Process (see Standards of Conduct for Recognized Student Organizations for possible sanctions and restorative measures).

Identification of whether or not the individual filing the complaint would like to pursue an Informal or Formal process through the SOAR Accountability Process.

**RECEIPT**

Every complaint that enters CCI must be reviewed by a staff member to ensure that it is complete and includes all components listed above. If it is determined that the complaint is not complete, it will be returned with written instruction on how to complete it and re-submit. Once the complaint is complete, a CCI staff member will issue a receipt form detailing the date and time it was received by the staff member.

CCI will also assign a complaint number that will serve as a reference for all parties. Numbering will be in the format of XX-XXX. The first two digits will be the current fiscal year, the following three digits will start with “101” and proceed to “102, 103, 104, etc.” for that fiscal year.

**NOTIFICATION OF ORGANIZATION**

Within three business days of receiving a complaint, CCI will notify the organization against whom the complaint was filed and advise them that they have five business days to meet with a CCI staff member. In that meeting, the organization’s representative will be provided with a copy of the complaint and will review the Accountability procedures. The organization will then have seven business days to file a written response. If the party fails to respond to the initial email or does not submit a response by the deadlines given, the resolution process may go forward and the party will be bound by any determinations. The official response from the party will be recorded as “No Response”.

**RESPONSE**

The written response provides organization representatives to provide their narrative as it relates to the incident(s) addressed in the complaint.

- The response should be typed and include the following information:
  - Name and contact information (phone number and email) of person issuing the response.
  - Specific responses to each of the alleged Standards of Conduct for Recognized Student Organizations violations listed in the complaint.
  - Response to the complaint. This portion should be a narrative of the details related to the incident(s) upon which the complaint is based. This can also include supplemental evidence and information to be considered.
  - Identification of whether or not the organization would like to pursue an Informal or Formal process through the SOAR Accountability Process.
Referral of Complaint

Within three business days of receiving the response, the CCI Director will refer the complaint to the appropriate body.

If either party has selected to utilize the Formal process, the complaint will automatically proceed to that process.

Many offices and organizations may receive the complaint as it moves through the Accountability Process. Each time the complaint is referred; the receiving body must notify CCI of its receipt within one business day and, issue a receipt to a party, upon request.

Receipts are an administrative convenience, not a procedural necessity. Failure to receive a receipt is not grounds to challenge the outcome of the process.

Once all documents are received by CCI and compiled, both parties will be given all documents within two business days to review and add additional information. Responses will be requested within 24 hours. Both parties can present additional information and evidence during pre-trial motions if necessary. Witness lists need to be submitted 24 hours prior to the hearing.

Record Keeping

Records will be maintained by CCI with regard to all actions taken under the Standards of Conduct for Recognized Student Organizations. Accordingly, records of complaints, resolution, hearings, findings, and sanctions will be maintained by CCI. For each case in which a complaint is issued, the record will recite the facts of all conduct found or admitted to be in violation of the Standards of Conduct for Recognized Student Organizations with sufficient specificity to indicate that a violation of the Standards of Conduct for Recognized Student Organizations occurred. Confidentiality of records will be maintained to the extent permitted by law and the University of Michigan’s Student Rights and Student Records policy.

Records with Personal/Organizational Information

CCI will maintain records with personal/organizational information for a period of seven years, after which they will be destroyed to protect the identities of all parties involved. The records will include a:

- Copy of Complaint Form
- Copy of Response
- Copy of Receipt/Referral
- Copy of Resolution agreement (if applicable)
- Copy of Student Governing Body’s recommendation (if applicable)
- Copy of Official University Decision (if applicable)
- Copy of all Appellate documents (if applicable)
- Copy of all other relevant procedural documents

It is the responsibility of all bodies involved in the accountability process to supply the above documents to CCI in a timely manner.
Records without Personal/Organizational Information

Statistical information that is without personally identifiable data will be kept in a detailed spreadsheet on a secure University server for historical purposes. CCI will maintain records without personal/organizational information for statistical analysis and reporting as federal and state law require. Additionally, these records will assist the student governing bodies and the University in identifying and responding to complaint trends.
INVESTIGATION

The CCI Director may find that a complaint needs further investigation to proceed. The CCI Director will confer with the Office of General Counsel. The CCI Director may refer the complaint to the following investigative bodies for an investigation lasting up to 15 business days. The CCI Director may grant one extension up to five business days for the investigation when classes are in session.

**STUDENT GOVERNING BODY**

The CCI Director may refer the complaint to the student governing body that has jurisdiction over it for investigation if that body has a written procedure for conducting investigations. This procedure must be accessible for review by all parties. A complaint also may be referred to a unit for investigation either in its entirety, or for assistance in the investigation of any aspect of the complaint.

**OTHER UNIVERSITY UNIT**

The CCI Director may refer the complaint to another University unit with investigative protocol. A complaint may also be referred to a unit for investigation either in its entirety or for assistance in the investigation of any aspect of the complaint.
INFORMAL RESOLUTION PROCESS

OVERVIEW
The CCI Director may refer the complaint to the Informal Resolution Process if there is reason to believe that a specific University unit can successfully facilitate a resolution. The Informal Resolution Process is facilitated by faculty or staff of the University. Any agreement reached through this process is binding. If the Informal Resolution Process fails to reach a resolution, the complaint reverts to the CCI Director for referral to another option for resolution.

CCI OR UNIT RESOLUTION
1) The CCI Director will refer the complaint to a CCI staff member(s), unless a specific unit is better equipped to handle the complaint. The CCI Director will weigh the particular knowledge of the unit or CCI staff member(s) that may aid in reaching a resolution as well as capacity to handle such a resolution.
2) The unit or CCI will handle the complaint according to internal policy based upon best practices as determined by the unit or CCI.
3) Upon successful resolution of the complaint, the office handling the complaint will provide CCI with a written resolution agreement detailing the steps to be taken for a successful resolution and a timetable for the completion of those steps. The unit is responsible for seeing that the process is completed according to the timetable and should provide an update to CCI if there are any noted delays and upon completion of the resolution.
4) If no resolution has been reached after a reasonable period of time the unit, or any party, must notify the CCI Director who will review the resolution process. As a result of this review, the CCI Director may issue recommendations for further resolution attempts within the unit or CCI, or may refer the complaint to a Formal resolution process.

CCI Resolution Process
If the complaint is referred to Unit Resolution in CCI the following process will be followed.
1) The CCI Director will assign the complaint to the appropriate CCI staff member(s) to be responsible for handling the complaint.
2) The CCI staff member(s) will then talk with each party separately and establish the rules for communication in the joint resolution meetings. Resolution will consist of a minimum of one joint session and no more than three. If no resolution has been reached by at the end of the third meeting the CCI Director will be notified and will refer the complaint to the Formal resolution process.
3) Upon successful resolution, the parties will create a written resolution agreement consisting of a set of steps to complete the resolution and a timetable for completion. Each party will receive a copy of the written steps and timetable. The CCI staff member(s) will follow-up with each party in a reasonable time or as defined in the written timetable.
4) If, upon follow-up, the steps taken by either party are not satisfactory to CCI or either party, an additional joint resolution meeting will be convened or the complaint will be referred back to the CCI Director for referral to the appropriate body; a Formal resolution process is usually needed.
CCI or Unit Alternative Dispute Resolution

Upon review of the complaint, the CCI Director may decide that an alleged violation amounts to a conflict between a member of the University community and the student organization or a dispute between two student organizations or a dispute between members of the same student organization. In these cases, the CCI Director may decide to facilitate the Alternative Dispute Resolution process within CCI or refer the matter to another appropriate unit for handling through its Alternative Dispute Resolution process. The Alternative Dispute Resolution process must be initiated within 10 business days of the referral from the CCI Director. If the matter is not resolved through Alternative Dispute Resolution, the matter will revert to the CCI Director for referral to the appropriate body; a Formal resolution process is usually needed.

CCI Alternative Dispute Resolution Procedures

If the complaint is referred to Alternative Dispute Resolution in CCI, the following process will be followed.

Process Overview

The hearing process must be initiated within 10 business days of the referral from the CCI Director. Minutes of the hearing must be taken and provided to all parties upon request. The ADR Panel must submit its report to the CCI Director and DOS within five business days after the conclusion of the hearing. If either party indicates a desire to present witnesses, the matter will revert back to the CCI Director in order to pursue a Formal resolution process.

Each ADR Panel must:

- Consist of one or three University faculty or staff members at the discretion of the CCI Director.
- Receive the official complaint and notify CCI of their receipt.
- Give all parties equal access to be heard and reasonable time to participate equitably in the process.
- Provide its recommendation in writing, including rationale for all findings. All recommendations need to be reviewed by the CCI Director and DOS.
  - The ADR Panel recommendation will consist of:
    1. a summary of the allegations;
    2. a summary of the student organization’s response;
    3. the findings of the ADR Panel;
    4. recommended sanctions or restorative measures; and,
    5. a rationale for the sanctions.

Failure to comply with any of the above may result in the CCI Director and DOS disregarding the recommendations of the ADR Panel. Students waive their right to appeal in this informal resolution process.

The ADR Panel’s recommendations may not be released at any time until the final University Decision by the Dean of Students and CCI Director have been released.
Hearing Procedures

The process for a hearing will be as follows:

- CCI will notify the parties that the complaint has been referred to CCI for ADR no less than two days before the hearing.
- CCI will provide the ADR panel with a copy of the complaint, response, and supporting documentation.
- CCI will coordinate a time and date for the hearing.
- The burden of proof at this hearing is with the party bringing the complaint.
- The party bringing the complaint must convince the ADR Panel through a preponderance of the evidence that the student organization or individual member acting on behalf of the organization has violated the Standards of Conduct for Recognized Student Organizations. Preponderance of the evidence requires that the party bringing the complaint must convince the ADR Panel that it is more likely (51%) that a violation of the Standards of Conduct for Recognized Student Organizations has occurred.
- Each party will have no less than ten minutes to present information and to address the panel. The Panel may decide to extend the time limit. Parties must have equal time with the Panel.
- The ADR panel will hear all information presented and may ask questions of all parties.
- All hearings of the ADR Panel will be closed to the public.
- Upon hearing all evidence and giving all parties the right to speak and present information, the ADR Panel will go into closed session.
- During deliberation, the ADR Panel may consider information presented during the hearing.
- After deliberation, a vote will be taken concerning whether the organization is or is not in violation of the Standards of Conduct for Recognized Student Organizations as specified in the complaint; this vote is to be recorded and the tally will be announced when all parties are invited back into the hearing and in the ADR Panel's recommendation to the DOS; a majority of members present is required for a vote to pass.
- If it is determined that the organization is in violation, the ADR Panel will continue deliberation on sanctions or restorative measures (see Standards of Conduct for Recognized Student Organizations) to be taken; the board may consider the harm (i.e., physical, emotional, social) of the violation when considering sanctions or restorative measures and may consider past behavior of the organization or its individual members acting as agents of the organization.
- The ADR Panel may apply sanctions or restorative measures in the same way as a Student Governing Body in Formal Resolution as defined by Standards of Conduct for Recognized Student Organizations.
- The ADR Panel will send a report of recommendations to the DOS within five days.
- The ADR Panel will notify CCI that its recommendation has been sent to DOS.
- The ADR Panel is dissolved upon issuing its recommendation, although the DOS may contact the members for clarification.
**Suspension and Dissolution of Sponsorship**

The agreement between a student organization and a sponsoring unit to establish and maintain a sponsored relationship should not be entered into lightly. Sponsorship agreements renew each year establishing a continuing affiliation between the student organization and the University. If there is a more immediate need to discontinue the sponsored relationship, there are two options available, suspension and dissolution of the sponsorship agreement.

**Process**

If an occasion arises such that one party of the sponsorship agreement wishes to dissolve the sponsored relationship, that party may suspend the agreement. To suspend the agreement, either party must provide written notification to CCI and their sponsor or sponsored student organization. The suspension is effective upon receipt of the notification by CCI. CCI will then contact both parties and try to establish whether there is a consensus to dissolve the sponsorship relationship. If both parties agree to dissolve the agreement, there are no further steps to be taken, and the agreement is dissolved. At this time, the student organization will become a VSO. If either party contests the dissolution of the sponsored relationship, the CCI Director will facilitate a meeting with both parties. The meeting will be held within ten business days of CCI’s notification of the suspension of sponsorship and will aim to establish a mutual agreement between the parties. If no agreement is met, the sponsored relationship is considered dissolved.

The dissolution of a sponsorship agreement does not prohibit the same organization from entering into Event Sponsorship Agreements or new sponsorship agreements. During the time that the sponsorship agreement is in a state of suspension, the student organization may not conduct any business as a SSO without approval from CCI (any business that would ordinarily be conducted by a VSO requires no approval).
**Overview**

Conflict resolution by a Student Governing Body (SGB) is the fundamental concept of the formal resolution process. This process is centered upon and directed by students. The entire process is governed by students and is based on complaints brought by and against student organizations. Student Governing Bodies will adjudicate the complaint according to *SGB Hearing Panel Procedures*. The Formal Resolution Process connects to the University administration in two ways. First, members of the student governing bodies will undergo training conducted by University staff. The DOS provides the second link to student governing bodies by reviewing their recommendations and ensuring, through the official University decision, that the recommended findings and sanctions are consistently applied and enforced across campus.

**Student Governing Body Hearing Panel Procedures**

**Introduction**

SOAR was enacted to allow for student governance of student organizations. The SOAR Accountability Process allows the CCI Director to refer the complaint to a Student Governing Body to accomplish the goal of student governance. When a SOAR complaint is referred to an SGB, the process outlined here will be followed and supersedes any and all other procedures that the SGB may otherwise follow.

**Process Overview**

The hearing process must be initiated within 10 business days of the referral from the CCI Director. Minutes of the hearing must be taken and provided to all parties upon request. The SGB must submit its report to the Dean of Students (DOS) within three business days after the conclusion of the hearing. Each SGB Hearing Panel must:

- Consist of three or five trained SGB members, all of whom must be enrolled U-M students and not have any conflicts of commitment or interest with the case.
- Receive the official complaint and notify CCI of their receipt.
- Receive documentation and a list of witnesses at least four business days prior to the hearing date and notify CCI of their receipt (see following *Documentation and Written Witness Statements* section)
- Give all parties equal access to be heard.
- Give parties reasonable time to equitably participate in the process.
- Provide its recommendation to the DOS in writing, including rationale for all findings.
- The SGB Hearing Panel recommendation will consist of:
  1. a summary of the allegations;
  2. a summary of the student organization’s response;
  3. the findings of the SGB Hearing Panel;
  4. recommended sanctions or restorative measures; and
  5. rationale for the sanctions.
Documentation and Written Witness Statements

- CCI will establish a deadline for when all supporting documentation must be submitted (generally 4 days before the hearing). These documents should include a list of witnesses to be called at the hearing and all documents that support the parties’ positions.
- In the event that a witness cannot attend the hearing, they may submit a written statement at the time the supporting documentation and witness lists are due.
- Witness lists and documentation will be shared with SGB and all parties. The parties will be able to address the witness statement during the witness portion of the hearing.
- If supporting documents become available after the deadline established, the parties may request a Pre-Trial motion (at the close of preliminary matters at the time of hearing) from the SGB to grant the permission of the materials. It is at the sole discretion of the SGB, if they allow the documents (if they feel it adds value to their case). They may also confer with the other party as to their wishes for admittance.
- CCI uses the date of the incident and date in which the complaint was filed as official dates for documentation purposes.

The failure to comply with any of the above may result in the DOS disregarding the recommendations of the SGB Hearing Panel and may be issues for appeal.

Hearing Process

The process for a hearing will be as follows:

- CCI will notify the parties that the complaint has been referred to an SGB for a hearing.
- CCI will provide the SGB with a copy of the complaint, response, and supporting documentation.
- The SGB will coordinate a time and date for the hearing with the parties.
- The burden of proof at this hearing is with the party bringing the complaint.
- The party bringing the complaint must convince the SGB Hearing Panel through a preponderance of the evidence that the student organization or individual member acting on behalf of the organization has violated the Standards of Conduct for Recognized Student Organizations.
  - Preponderance of the evidence requires that the party bringing the complaint must convince the SGB Hearing Panel that it is more likely (51%) that a violation of the Standards of Conduct for Recognized Student Organizations has occurred.
- Each party will have no less than 10 minutes to present relevant information, produce witnesses, and to address the panel. The Panel will establish the amount of time allowed and will notify the parties no less than two days prior to the hearing. The Panel may decide to extend the time limit at any time. Parties must have equal opportunity to address the Panel.
- If parties produce witnesses, the party producing the witness will have the first opportunity to ask questions of the witness. After the party producing the witness has completed its questions, the other party will have an opportunity to pose questions to the witness. Once the other party has completed its
questions, the SGB Hearing Panel will have an opportunity. At the discretion of the SGB Hearing Panel, all questions may be required to be posed to the chair of the SGB Hearing Panel, who will then relay the question at the chair’s discretion. For more information on witnesses please see the Participants Rights section.

• The SGB Hearing Panel will hear all information presented and may ask questions of all parties and witnesses.
• All hearings of the SGB Hearing Panel will be open to the public. No video recording will be allowed during the hearing except by University officials.
• Upon hearing all evidence and giving all parties the right to speak and present information, the SGB Hearing Panel members will go into closed session for deliberation.

Deliberations and Recommendation

• During deliberation, the SGB Hearing Panel may only consider information presented during the hearing.
• After deliberation, a vote will be taken concerning whether the organization is or is not in violation of the Standards of Conduct for Recognized Student Organizations as specified in the complaint; this vote is to be recorded and the tally will be published in the minutes and in the SGB Hearing Panel's recommendation to the DOS; a majority of members present is required for a vote to pass.
• If it is determined that the organization is in violation, the SGB Hearing Panel will continue deliberation on sanctions or restorative measures (see Standards of Conduct for Recognized Student Organizations) to be taken; the board may consider the harm (physical, emotional, social, or otherwise) of the violation when considering sanctions or restorative measures and may consider past behavior of the organization or its individual members acting as representatives of the organization.
• The SGB Hearing Panel may apply sanctions or restorative measures in the same way as defined by Standards of Conduct for Recognized Student Organizations.
• The SGB Hearing Panel will publish its recommendation to the DOS within three business days.
• The SGB Hearing Panel will notify CCI that its recommendation has been sent to DOS.
• The SGB Hearing Panel is dissolved upon issuing its recommendation, although the DOS may contact the members for clarification.

Issuance of Official University Decision

Within one business day, the Dean of Students will notify the SGB and CCI of his or her receipt of the SGB’s recommendations. The DOS has ten business days to issue the Official University Decision. The decision will be sent to CCI and a staff member will be responsible for sending it to all parties. See following “Role of the Dean of Students” section for more details.

Post Decision

Within five business days of receiving the Official University Decision, the parties will meet separately with a member of the CCI staff to review the decision. This meeting will provide an opportunity to discuss the decision and its implications for the parties as well as provide an opportunity to ask clarifying questions. If sanctions have been determined, this meeting will help to implement a plan of action to complete sanctions.
This plan will include setting benchmarks and identifying to whom the responsible party will report and work with to complete the established benchmarks.

During this meeting, the parties will also need to sign the Receipt of the Official University Decision and will learn more about the Appeals Process. When the parties sign the Receipt of the Official University Decision, they will receive an Appellate Request Form. The party has five days from the time they sign the Receipt of the Official University Decision to file the form in the Office of the Vice President for Student Life. For the appeals process please see the Appellate Panel section (p. 19)

Any parties that do not sign the Receipt of the Official University Decision in the allotted time forfeit their chance to appeal the Official University Decision.
ROLE OF THE DEAN OF STUDENTS

The Dean of Students serves a two-fold purpose in the SOAR Accountability Process.

1. The DOS receives and reviews the recommendations issued by SGB Hearing Panels in the Formal Resolution Process and after review will issue the University of Michigan’s official decision. The DOS conducts the same review and issues the University’s official decision for any recommendations it may receive through the Informal Resolution Process.

2. Through the ability to uphold, overturn, or modify the recommendations/sanctions of the student governing bodies, the DOS regulates the continuity of University decisions and application of sanctions.

CONTINUITY AND FAIRNESS

Over the years, different student and administrative judiciary committees issue many decisions. Some complaints in front of these panels were similar to one another. However, the Dean of Students must be cognizant of the uniqueness of each complaint, similar complaints may yield different results. In these cases, it is essential that the university have one voice. It is the responsibility of the DOS to ensure that the accountability process is equitable and fair.

- The DOS must review records to ensure just application of University policies and sanctions.
- The DOS is able to sanction governing bodies for misuse, non-use, or inconsistent use of authority.

OFFICIAL UNIVERSITY DECISION

Complaints against Voluntary Student Organizations

Intake and Receipt

The Dean of Students will receive the recommendations from the approved student governing body and will acknowledge receipt of the recommendations within one business day. The DOS will issue the formal University response to the complaint and impose appropriate sanctions based on the recommendations of the Student Governing Body. The DOS may deviate from the recommended sanctions where established procedures are not followed, where the sanctions are significantly inconsistent with similar infractions, where the recommended sanctions are not supported by the findings of fact, or in other cases as circumstances warrant.

Review and Resolution

The Dean of Students will review the recommendation and may confer with any member of the recommending authority to clarify the recommendation. Within ten business days of receiving the recommendation, the DOS will issue the official University Decision in writing. The DOS may choose to uphold, modify, or overturn the recommendation from the student governing body in the decision. The written decision needs to include the areas outlined below.

1) Statement of authority’s recommendation
   • This section includes the recommendation(s) from the approved student governing body.
2) Statement of University Decision
   • This section is the statement of the University’s Official Decision by the DOS, which may incorporate language or information from the recommendation from the student governing body or from University policies.

3) Rationale for changes
   • If the DOS chooses to modify or overturn the student governing body’s recommendation, a rationale for any changes must be given. The DOS may incorporate language or information from the recommendation from student governing bodies or from University policies in this rationale.

4) Statement of Sanctions
   • If the DOS finds that the circumstances warrant the conferring of sanctions, a detailed statement of the sanctions must be included. Accompanying the statement of sanctions must be a rationale for the sanctions; the DOS may incorporate language or information from the recommendation from student governing bodies or from University policies in this rationale.

When the DOS issues the official University decision, all parties must sign a receipt within 5 days of the publication of the decision.

Follow Up

The DOS will follow up the official University decision as circumstances warrant. DOS may assign an office or unit within the University to be responsible for the overview of the sanctions. This would include any and all follow up of the sanctions and communicating to CCI/Dean of Students on the completion of the sanctions. This may also include handling complaints if the organization is violating assessed sanctions. By the authority of the Office of the DOS, the DOS will enforce all decisions and sanctions.

Complaints against Sponsored Student Organizations created by the Regents

The Dean of Students will decide the best course of action to find an equitable resolution, will oversee that course of action, and issue the official ruling for complaints against Sponsored Student Organizations (i.e., University Activities Center, Black Student Union) created by the University of Michigan Board of Regents (refer to pg. 3).
APPEALS PROCESS

OVERVIEW
The appeals process may uphold or modify the official University decision. The Appellate Panel has the final say on all complaints arising under the Standards of Conduct for Recognized Student Organizations.

INITIATION OF THE APPEALS PROCESS
1) The appealing party must turn in the Appellate Request form to the Office of the Vice President for Student Life (VPSL) within 5 business days of receiving the official University Decision. The VPSL will issue a receipt of the Appellate Request form to all parties within 1 day.
2) The VPSL or his/her designee has three days to determine if the Appellate Request has merit to warrant convening an Appellate Panel (see following Valid Issues for Appeal section). Upon that determination, all parties must be notified.
3) If the VPSL finds that the Appellate Request has merit, the panel must be convened within 10 days.

VALID ISSUES FOR APPEAL
• Proper procedures were not followed;
• The evidence does not clearly support the findings;
• The sanctions are insufficient or excessive relative to the violation;
• There is new evidence that was not available to the parties at the time of the formal hearing that should be considered. No factual issues may be raised on appeal, unless new information arises that was not reasonably available at the time of the hearing.

COMPOSITION OF THE PANEL
1) The Appellate Panel will be made up of representatives from the three aspects of the campus community: faculty, staff, and students. The panel will consist of one faculty member, one staff member, and three students. One student, selected at random, will serve as the chair of the Appellate Panel. Each member of the Appellate Panel will have one vote on the decision of the Panel.
2) Members of the Appellate Panel will be drawn from a pool of campus community members that have been trained by OSCR. Student members of the Appellate Panel may not be members of the student governing body that heard the complaint (e.g. if the complaint came through Central Student Judiciary, no Central Student Judiciary justice would be eligible to sit on the panel).

APPELLATE HEARING

Hearing

Pre-Hearing
1) The Appellate Panel will review all the relevant documents related to the complaint including the investigative report, the student governing body’s recommendation, the decision of the DOS, and any other documents they deem relevant.
2) The Chair of the Appellate Panel will coordinate with the Office of the VPSL to schedule a time and location for the hearing. The Chair will notify all parties as to the time and location of the hearing within 5 days of the Panel being convened.

**Hearing**

1) The Chair of the Appellate Panel will convene the hearing at the determined time and location.
2) Each party is given an equal opportunity to address the Panel.
   a) The party bringing the appeal shall address the Panel first. If both parties have brought an appeal the party who first initiated the complaint will address the Panel first.
   b) The Panel holds the authority to set the time limit for the party's address.
3) After the party addresses the Panel, the members of the Panel will have the opportunity to ask the party questions.
4) The Chair of the Appellate Panel will close the hearing for deliberation when the members of the panel are satisfied with the questions asked.

**Decision**

1) After the hearing is closed, the Panel will deliberate and issue a decision within 5 days from the hearing.
2) The Appellate Panel may uphold or modify the decision of the DOS.
3) The Appellate Panel’s decision must be in writing and provide rationale for the conclusion(s) reached.
4) The written decision must be signed by all members in agreement or disagreement.
5) The decision must be published to all parties and the DOS.
6) The Appellate Panel will notify CCI that the complaint has been resolved

**Final Resolution**

The Appellate Panel’s decision is the final University decision. The complaint is considered to be settled and the sanctions and conditions of the final University decision are to be enforced. Upon resolution of the complaint, the Appellate Panel is dissolved.
APPENDIX

**Primary Student Governing Bodies**

Each of these has primary jurisdiction over the groups beneath it.

- **Central Student Government (CSG)**
  - CSG has original jurisdiction over all RSOs except where another SSO has original jurisdiction.
  - CSG does not have original jurisdiction over Sponsored Student Organizations sponsored by the Regents (i.e., University Activities Center, Black Student Union).
  - CSG’s approved student governing body is the Central Student Judiciary (CSJ)

- **Club Sports Council**
  - All claims against student organizations that are members of Club Sports are heard through the Club Sports process.

- **Interfraternity Council, Multicultural Greek Council, National Pan-Hellenic Council, and Panhellenic Council**
  - The Greek Community’s approved student governing body is the Greek Activities Review Panel (GARP)

- **University Activities Center (UAC)**
  - All claims against student organizations that are members of UAC, sponsored by CCI, are heard through the UAC process.