



STUDENT LIFE

# CAMPUS INVOLVEMENT

## STUDENT ORGANIZATION ADVANCEMENT & RECOGNITION ACCOUNTABILITY PROCEDURE MANUAL

**UPDATED: JANUARY 2021**

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## 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 Associate Director or their designee may amend the process. Upon doing so, the CCI Associate Director or their designee will inform the parties of the decision, and the parties will 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/respondent
- 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.

**Please note that the SOAR Accountability process may be modified as needed due to public health concerns, including the convening of parties in virtual formats.**



## INITIATION OF A COMPLAINT

### ORIGIN

Official complaint forms may be submitted to the Center for Campus Involvement (CCI) utilizing the SOAR Intake Form available on the CCI website.

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 them.

Complaints must be filed at the Center for Campus Involvement within six months of the incident(s) from which the complaint arises. The CCI Associate Director or their designee may use their discretion to extend this deadline up to another six months if the circumstances warrant. The decision by the CCI Associate Director or their designee 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.



## 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.

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, they 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 them.
- 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 academic days (Monday-Friday when classes are in session except during final examination periods) of receiving a complaint, CCI will notify the organization against whom the complaint was filed, provide them with the official complaint, and advise them that they have three academic days to meet with a CCI staff member. In that meeting, the organization’s representative will review the Accountability procedures. The organization will then have five academic 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 academic days of receiving the response, the CCI Associate Director or their designee will refer the complaint to the appropriate body.

If either party has selected to utilize the Formal process and the CCI Associate Director or their delegate determines this to be the most appropriate path forward, 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 academic 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 and witness lists are received by CCI and compiled, both parties will be given all documents. Any final materials to be added must be submitted to the CCI within 24 hours of receipt of documents.

### **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 Appeal documents (if applicable)
- Copy of all other relevant procedural documents



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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.



## **INFORMAL RESOLUTION PROCESS**

### **OVERVIEW**

The CCI Associate Director or their designee 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 Associate Director or their designee for referral to another option for resolution.

### **CCI Resolution Process**

If the complaint is referred to Unit Resolution in CCI the following process will be followed.

- 1) The CCI Associate Director or their designee 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 Associate Director or their designee 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 Associate Director or their designee for referral to the appropriate body; a Formal resolution process is usually needed.

**ADAPTABLE CONFLICT RESOLUTION**

Upon review of the complaint, the CCI Associate Director or their designee 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, or in cases where all parties request an informal process for resolution, the CCI Associate Director or their designee may decide to refer the matter to the Office of Student Conflict Resolution (OSCR) and its Adaptable Conflict Resolution (ACR) process. If the matter is not resolved through ACR, the matter will revert to the CCI Associate Director or their designee for referral to the appropriate body; a Formal resolution process is usually needed.

**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 Associate Director or their designee will facilitate a meeting with both parties. The meeting will be held within ten academic 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).



## FORMAL RESOLUTION PROCESS

### 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 the *SOAR Hearing Guide*. There are several SGBs that are able to facilitate hearings based on the type of student organization that the allegations are being levied against. Those bodies are outlined in the Appendix. 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 Associate Director or their designee 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 academic days of the referral from the CCI Associate Director or their designee. 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 academic 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 academic 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
  5. rationale for the sanctions.

#### *Documentation and Written Witness Statements*

- CCI will establish a deadline for when all supporting documentation must be submitted. 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 signed and dated 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(es) and their statement(s) during the witness portion of the hearing.
- 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 CCI 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 an opportunity 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 will determine appropriate times. 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 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 academic 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 academic day, the Dean of Students or their designee will notify the SGB and CCI of their receipt of the SGB's recommendations. The DOS or their designee has ten academic 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 or their Designee" section for more details.

### **Post Decision**

Within five academic 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



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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 Appeal Request Form. The party has five academic days from the time they sign the Receipt of the Official University Decision to file with the CCI. For more information on the appeals process please see the Appeals section (p. 18)

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.





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### *ASSUMPTION OF RESPONSIBILITY*

Upon receipt of an official complaint, the respondent may determine that they wish to assume full responsibility for the allegations levied against them, as well as accept the requested resolutions set forth by the complainant. If this is the case, the student organization would be able to note their assumption of responsibility and acceptance of requested resolution via the Acceptance of Responsibility Form, upon which the Center for Campus Involvement would submit the decision to the Dean of Students for their official approval and signature. The agreed-upon resolution would serve as the Official University Decision, and the respondent will be held accountable to the sanctions/restorative measures outlined in said resolution.



## **ROLE OF THE DEAN OF STUDENTS OR THEIR DESIGNEE**

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

1. The DOS or their designee 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 or their designee 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 or their designee 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 or their designee 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 or their designee to ensure that the accountability process is equitable and fair.

- The DOS or their designee must review records to ensure just application of University policies and sanctions.
- The DOS or their designee 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 or their designee will receive the recommendations from the approved student governing body and will acknowledge receipt of the recommendations within one academic day. The DOS or their designee will issue the formal University response to the complaint and impose appropriate sanctions based on the recommendations of the Student Governing Body. The DOS or their designee 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 or their designee will review the recommendation and may confer with any member of the recommending authority to clarify the recommendation. Within ten academic days of receiving the recommendation, the DOS or their designee will issue the official University Decision in writing. The DOS or their designee 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 or their designee, 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 or their designee chooses to modify or overturn the student governing body's recommendation, a rationale for any changes must be given. The DOS or their designee 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 or their designee 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 or their designee may incorporate language or information from the recommendation from student governing bodies or from University policies in this rationale.

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

#### *Follow Up*

The DOS or their designee will follow up the official University decision as circumstances warrant. DOS or their designee 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 or their designee 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 or their designee will enforce all decisions and sanctions.



## APPEALS PROCESS

### OVERVIEW

In the event of an appeal, the CCI will refer the case to an Appeals Board process. The appeals process may uphold or modify the official University decision. The Appeals Board will make recommendations to the Vice President for Student Life, who will then accept or modify the recommendation(s).

### INITIATION OF THE APPEALS PROCESS

- 1) The appealing party must turn in the Appeal Request form to the CCI within 10 academic days of receiving the official University Decision. The CCI will issue a receipt of the Appeal Request form to all parties within 1 academic day.
- 2) The CCI Director or their designee will determine if the Appeal Request has merit to warrant convening an Appeals Board (see following *Valid Issues for Appeal* section). Upon that determination, all parties must be notified.

### 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 APPEAL BOARD

- 1) The Appeal Board will be composed of one student appointed by the Central Student Government (CSG), one faculty member appointed by the Faculty Senate, and one administrator appointed by the President.
- 2) Members of the Appeal Board will be trained by CCI and OSCR.

### APPEAL BOARD DECISION PROCESS

The Appeal Board will receive all materials related to the case, including documents, the original recommendations made by the SGB, the DOS Official University Decision, and all documents related to the appeal request, and will convene to review materials and make recommendations on the appeal request.

The Appeal Board will recommend one of the following actions to the VPSL:

- 1) Confirming the original Official University Decision
- 2) Altering any sanctions/interventions
- 3) Striking the initial finding of responsibility and/or sanctions/interventions.

The VPSL may accept or modify the recommendation(s).

**COVID-19 ACCOUNTABILITY PATHWAY****SCOPE**

This COVID-19 Accountability Pathway is the accountability process that applies to an alleged violation of III-B-1(a) of the [Standards of Conduct for Recognized Student Organizations](#). In the event of a conflict or ambiguity between the COVID-19 Accountability Pathway and the SOAR Procedure Manual, the COVID-19 Accountability Pathway will apply. In all other respects, the SOAR Procedure Manual, as amended, shall remain in full force and effect. This pathway will remain in effect for the 2020/21 academic year, and is subject to extension as necessary.

**COMPLAINTS**

Any enrolled student, faculty, or staff member of the University can submit a complaint against an organization for an alleged violation of III-B-1(a) using the [SOAR Intake Form](#) on the CCI Website. Complaints must include the following information:

- 1) Name and contact information of person filing the complaint
- 2) Name, contact information and position title of contact / leader of the organization against whom the complaint is being filed.
- 3) Description of the complaint. This portion should be a narrative of the details related to the incident(s) upon which the complaint is based. Please also include supplemental evidence and information, which may include but is not limited to:
  - a. Photos/Videos of a student organization clearly violating the [Public Health-Informed Safety Measures for Recognized Student Organizations](#)
  - b. Documentation and/or witness statements
  - c. Photos/Screenshots of an event invitation from a student org that would violate the Public Health-Informed Safety Measures for Recognized Student Organizations.

**PROCESS**

- 1) *Notice*: Upon one (1) academic day of receiving the complaint, the CCI will notify the organization of the alleged violation by sending them an electronic copy of the complaint. In that notification, the CCI will also provide the organization with a copy of the COVID-19 Accountability Pathway and inform them that they are invited to attend a virtual or in-person meeting with the CCI within 5 academic days of the organization's receipt of the notification if they would like the opportunity to be heard. The complainant will also be invited to participate in the meeting.
- 2) *Interim Measures*: Upon notification to the organization of the complaint, if there is a significant concern for the health and safety of the UM community, the CCI will immediately set the organization status to "Frozen" until a meeting is set to address the situation.
  - a. "Frozen" status will prevent student organizations from accessing funds on their Student Organization Account Services (SOAS) removal of their public Maize Pages account, as well as removal of room, storage, and vehicle reservation privileges, and also suspends any University sponsorships or official affiliations.



- b. Examples of allegations that may trigger the application of interim measures includes but are not limited to:
  - i. In-person gatherings that violate the size limitations set forth by the state, county, or student org COVID policies.
  - ii. Violations of face coverings and physical distancing guidelines set forth by the state, county, or student org COVID policies.
  - iii. Other violations of state, county, or student org COVID policies.
- 3) *Opportunity to be Heard*: During the meeting with the CCI, the organization and complainant will have the opportunity to address the allegation and present their evidence, including potential witnesses/statements, other information, and their perspective. Should CCI receive additional, relevant information concerning the complaint, it will provide such information to the student organization in advance of this meeting.
- 4) *Participation*: While organizations and complainants are not required to participate in the meeting, failure to participate will not prevent the process from proceeding in their absence. Organizations and complainants may have an advisor attend the meeting, but the advisor may not participate in the meeting, except to confer with the student or student organization.

### **RECOMMENDATIONS**

Within one (1) academic day of the meeting with the organization, the CCI Director or Associate Director will make written recommendations to the Dean of Students on whether the organization is responsible for the alleged violation as well as recommendations for appropriate interventions, if applicable.

In accordance with the “No-tolerance” approach adopted by the University in regards to COVID-19 violations, the following interventions will be applied against student organizations that are found responsible for violating the COVID-19 Policies for Recognized Student Organizations:

1. Suspension for the remainder of the Winter 2021 semester.
  - a. Suspension includes the removal of all public Maize Pages profiles, room reservation privileges, Fest participation privileges, the suspension of any applicable University affiliations or sponsorships, etc.
    - i. Restoration of “Good Standing” status will be contingent on the organization’s compliance with policies for the duration of their suspension, and approval from the CCI or appointed University designee. The organization will be placed on probationary status for the duration of the semester of their return.
      1. Probationary status mandates bi-weekly check-ins with a CCI staff member or other University designee and ineligibility for student organization funding sources.
  2. Immediate reporting of any individual student organization members responsible for violations to the Office of Student Conflict Resolution (OSCR) for violations of the Statement of Student Rights and Responsibilities
  3. Subsequent violations will result in a minimum 2-year removal of University recognition.

Other interventions may be applied as appropriate by the Dean of Students in addition to actions listed above.

**DEAN OF STUDENTS**

The Dean of Students, or its designee, will issue an Official University Decision within five (5) academic days of receipt of CCI's written recommendations.

- 1) For determining a finding of responsibility, the CCI's recommendations and the Official University Decision will follow the preponderance of evidence standard (that a violation is more likely to have occurred).
- 2) The Official University Decision will be in writing and sent to CCI. A CCI staff member will be responsible for sending it to all parties.

**APPEAL**

For Appeal Requests in cases for the COVID-19 Accountability Pathway, the Central Student Judiciary will determine if the Appeal Request has merit to warrant convening an Appeals Board (see "Valid Issues For Appeal" section on page 20), and will provide a written record to CCI indicating their recommendation. If the appeal request is granted, it will follow the same Appeal Board procedure outlined on page. Upon receipt of an appeal determination, CCI will notify all parties. All non-COVID-19 Accountability Pathway appeal requests will follow the procedure outlined on page 20.

**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.