Center for Student Activities, Leadership and Service  
Student Conduct Process

This document outlines the procedures for The Center for Student Activities, Leadership and Service (CSALS) official process and procedure for addressing any alleged violations of the following:

1. Club and/or organization constitution
2. Student Activities Board and/or All Square Student Budget Allocation Committee policies and procedures
3. CSALS Policies and Procedures for student organizations and student programs
4. Fraternity and Sorority Life policies related to the Four Pillars, FIPG, or any other applicable policy

Individuals or organizations involved in organizational misconduct that violates policies associated with the University Student Conduct process, Residence Life Process, Global Student Conduct process, or Portal Site Student Conduct Process may be subject to student conduct action in accordance to the respective applicable process.

PRINCIPLES OF ORGANIZATIONAL RESPONSIBILITY:\1:
Any student organization can be held responsible for its actions of one or more of its members (active or inactive). There is no minimum number of group members who must be involved in an incident before disciplinary action may be taken against the organization. In some instances, the conduct of a single member may provide sufficient grounds for action against the entire organization. Misconduct on the part of the organization may be addressed when:

1. Members of the organization act together to violate University standards of conduct;
2. One or more members, alumni, or guests allegedly violate an Organizational Rule of Conduct at an organization-sponsored, financed, or otherwise supported activity;
3. One or more members of an organization or its officers has knowledge of the incident, behavior, etc. and fails to take corrective or prohibitive action before such incident, behavior, etc. occurs or fails to stop such incident, behavior, etc. while it is occurring;
4. A violation occurs on premises and/or transportation owned, operated, or rented exclusively by the student organization;
5. A pattern of individual violations that negatively reflects upon, and compromises the status of, the University student organization community has occurred and/or continues to occur without adequate control, response, or sanction on the part of the student organization, or its leaders;
6. The violative acts occurred within the context of a student organization related activity.
7. The student organization knowingly suborns the actions of, and/or chooses to protect, one or more individual offenders who are members, alumni, former members, or guests of the student organization from official actions.
8. FIPG policy designates the behavior as being on behalf of an organization.

REPORTING: Reports and complaints should be filed with a CSALS administrator or Office of Community Standards administrator. Reports shall be addressed by the Office of Community Standards after consultation with CSALS administrators to determine the appropriate disposition of the matter.

PRELIMINARY DISPOSITION:

1. Upon receipt of an allegation of misconduct by a registered student organization, Community Standards will render a preliminary disposition as to the following:

   a. Whether the report/complaint provides a reasonable basis for addressing the allegation of misconduct and referral to the applicable process.
   b. Whether a temporary suspension is warranted. If an organization is temporarily suspended, it may not operate or conduct organizational activities unless expressly permitted by the Office of Community Standards. Temporary suspensions may be rescinded upon resolution of the matter, or sooner, at the discretion of the Office of Community Standards.

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1 Principles of Organizational Responsibility adopted with permission from the University of Central Florida
i. A temporary suspension will be issued generally if the alleged misconduct poses a risk to the health or safety of any individual in the University community or there is an inherent risk management concern present

2. The following steps may be taken to facilitate the preliminary disposition process, as deemed appropriate, necessary, and feasible:
   a. A notice of the Complaint/Report may be sent to the organization’s president. All notifications and letters to the student organization will be sent in writing to the organization’s president on file with CSALS via NYU email.
   b. A personal interview may be conducted with the person or persons making the allegation of misconduct
   c. A personal interview may be conducted with officers of the student organization deemed relevant to the inquiry by CSALS.
   d. A personal interview may be conducted with other individuals, including members of the organization who might have pertinent information relating to the alleged misconduct.

NOTICE OF DISPOSITION: Within ten (10) working days of the receipt of the Report/Complaint, a notice of the result of the Preliminary Disposition (and/or notice of the report/complaint if the organization has not already been so appraised) shall be sent to the organization’s president. NOTE: All notifications and letters will be sent in writing to the organization’s president on file with CSALS via NYU email. One of the three following courses of action are the probable Disposition:

   a. Dismissal: The matter may be dismissed if the facts alleged in the complaint, even if they are true, do not constitute a violation of CSALS and/or SCC committee policies and procedures
   b. Referral: The matter may be referred to an appropriate non-CSALS disciplinary venue
   c. Formal Investigation: The matter may be formally investigated and adjudicated in accordance with the CSALS process and procedures.

INVESTIGATION PROCESS AND PROCEDURES. If the preliminary disposition determines that there is reasonable cause to believe that an investigation of the allegation of misconduct on the part of a student organization is warranted, a formal investigation shall be commenced in accordance with the procedures set forth below.

1) The Notice of Disposition: A letter shall be sent to the official NYU email account of the organization’s president, setting forth the allegations and related charges and a time, date and place for a preliminary meeting with the Office of Community Standards and Compliance, to be held no sooner than three (3) business days from the date of the letter. The purpose of the meeting is to advise the organization of the nature of the allegations/charges, provide information about the CSALS process and procedures, and afford the organization an opportunity to provide a statement on the allegations as well as the names of individuals who are believed to have information about the matter.

2) The Investigation: The investigation of the matter shall be led by the Office of Community Standards and Compliance in partnership with administrator(s) from CSALS or other designee(s).

   a. The organization may provide a list of relevant witnesses related to the alleged misconduct. Relevancy will be determined by the investigator.
   b. The investigator(s) may interview any other parties who may have relevant information regarding the alleged misconduct.
   c. The investigator(s) may collect relevant documentation or other forms of evidence related to the alleged misconduct.
   d. The investigator(s) shall act in good faith to collect comprehensive, relevant statements from involved parties, witnesses, and documents relevant to the case.
   e. The investigator(s) shall examine all case information for credibility.
   f. The investigator(s) shall make all reasonable efforts to complete a final investigation report within forty-five (45) business days after the Notice of Investigation. University breaks, holidays, and final examination periods may require an extension of the investigation period.
3) **Cooperation:** Organization members, whether active, inactive, or in recruitment, are expected to participate fully. Full participation is in the best interest of the organization as it affords an opportunity to have their voice heard in the investigation process.

- **RESOLUTION MEETING:**

  1) Upon completion of the investigation, the organization shall be afforded an opportunity to engage in a Resolution Meeting with a representative from the Office of Community Standards to discuss and determine how the alleged violations by the organization are to be resolved. The organization must be represented at this meeting by one or more of its officers. However, one of the officers must be designated as the spokesperson for the organization. If the organization is a fraternity or sorority, the organization’s alumni advisor, national leadership, and/or other advisors may attend the resolution meeting an advisory capacity only. The manner in which the allegation may be resolved depends upon three primary factors:

   a. The nature of the alleged violation.

   - Allegations considered to be egregious are those including but not limited to, hazing, sexual harassment, sexual misconduct, misuse of alcohol, reckless endangerment, or other behaviors as determined by the Office of Community Standards to represent a hazard to the safety and well-being of members of the University community or a significant disruption of University academic or administrative processes.

   b. Whether the organization accepts responsibility for the alleged violation

   c. Whether another University Office has been designated as having primary authority over the policy in question. Certain allegations may concern policies over which a particular University unit has designated enforcement authority. Examples of such matters may include but are not limited to sexual misconduct, academic misconduct, etc.

  2) Forms of Resolutions include:

   a. **Partnership Resolution: Resolution by Agreement:** Organizations that accept responsibility for violating one or more policies that are not considered egregious are eligible to participate in the partnership resolution process. If the organization does not successfully complete the steps below, or is found to obstruct the process in any way, the organization will be automatically referred to the accountability resolution process.

      i. Should any additional investigation need to occur, the organization will assist in gathering any necessary information.

      ii. The organization shall meet with an administrator from the Office of Community Standards to discuss the nature of the violations and surrounding circumstances.

      iii. The organization shall accept a disciplinary status of warning, probation, limited recognition, loss of privileges, or other appropriate status as determined by the Office of Community Standards.

      iv. The organization shall create an Organization Enhancement Plan (OEP) by a deadline set by the Office of Community Standards. The plan shall include action steps for education, risk management, and alignment with policies, as well as a timeline for evaluation of such action steps.

      v. The Office of Community Standards will review the plan and request that the organization make iterative changes as necessary.

      vi. A final version of the OEP shall be on file with both CSALS and Community Standards.

      vii. The organization shall deliver all requirements to the appropriate administrator(s) as designated in the OEP. Failure to complete the OEP may result in an extended disciplinary
status or referral to the accountability resolution process at the discretion of the Office of Community Standards.

b. **Referral to Alternate Venue:** If the allegations are not of an egregious nature (as defined above) but not otherwise eligible for Partnership resolution, the student conduct case involving the accused student organization will be heard by a single administrator in the Office of Community Standards. If the matter concerns an alleged violation of a policy over which a particular University office has primary authority, the matter may be referred to that unit for adjudication in accordance with the associated process. In these latter cases, after the University office with primary authority to enforce the policy in question has rendered its decision, should the organization or its members be found responsible for a violation, the matter may be reviewed through the CSALS process in accordance with section 5 of the above Principles of Organizational Responsibility. (e.g. If there is a “pattern of individual violations that negatively reflects upon, and compromises the status of, the University student organization community”…)

c. **Accountability Resolution:** Allegations that an organization has violated one or more policies that are considered egregious and do not otherwise fall under the authority of a specific University Office shall be resolved through the formal adjudication process consisting of a hearing before a single administrator.

**THE ACCOUNTABILITY RESOLUTION PROCESS:** The Accountability Resolution Process is as follows:

1. **The Administrator:** The administrative accountability resolution meeting shall be conducted by the Director of Community Standards or a designee.

2. **Notice:** The organization will be notified of the date, time and location at least five (5) business days in advance of an accountability resolution meeting. Notification will be sent in writing to the organization’s president on file with CSALS via NYU email.

3. **Accountability Resolution Meeting Process.** In general, the format of the accountability resolution meeting shall be at the discretion of the administrator reviewing the case. However, a typical accountability resolution meeting will include the following:

   a. Organization presidents must either serve as a representative on behalf of their organization at the meeting or designate/send another student leader from their organization to participate in the meeting.
   b. Organizations may be accompanied by an advisor of their choice, but the advisor may not speak for or on behalf of the organization at any time. Disruptive advisors may be dismissed at the discretion of the administrator conducting the meeting.
   c. Should the organization choose not to send a representative to the review of the case, a decision will be made in absentia by a single administrator in the Office of Community Standards.
   d. The administrator will review the results of the investigation with the organization.
   e. The organization shall be able to respond verbally to the results of the investigation and/or provide additional information.
   f. The organization may present additional information or provide a statement regarding the incident(s) in question to the administrator.
   g. The administrator may request additional information from either the investigator or the organization before rendering a final decision.

4. **Findings:**
   a. The Administrator will render a decision of Responsible or Not Responsible based upon a preponderance of the evidence.
   b. A written Notification of Findings letter will be provided to the organization, CSALS administrator(s) and the Office of Community Standards within seven (7) business days of the date of the hearing.
5. **Sanctions:**
Organizations found Responsible of one or more violations will be subject to sanctions. Sanction(s) may include but are not limited to:

   a. **Warning:** A notice to the organizations, orally or in writing, that continuation or repetition of the conduct found wrongful, or participation in similar conduct, within a period of time stated in the warning, shall be a cause for disciplinary action.

   b. **Removal from a leadership position:** One or more elected leaders may be removed from office. Those removed from office may not retain eligibility for other elected positions.

   c. **Probation (organizational, individual, activities associated with):** The organization is placed on a probationary recognition status as a notice that the organization’s actions are more closely monitored. Probationary status invalidates the organization’s ability to win awards or other accolades.

   d. **Suspension (of organization, individual(s), activities associated):** The organization loses recognition for a specified period of time and may not operate in any form. The organization may need to reapply for recognition upon completion of the suspension.

   e. **Revocation of All Square Club Status:** The organization loses recognition and all privileges associated with All Square Club Status.

   f. **Expulsion:** Permanent termination of organizational status.

   g. **Required educational activities as appropriate**

   h. **Restitution:** Reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damages.

   i. **Loss of privileges:** Loss of specific privileges may include, but is not limited to travel, space reservations, attendance at events, eligibility for awards or accolades, affinity housing, funding, or other privilege related to organizational status.

6. **Appeal Process:**

   a. Those found Responsible for violating CSALS/SCC committee policies and procedures through the accountability resolution, may be eligible to appeal the decision within three (3) business days of the date the accountability resolution decision letter was sent via email. The appeal must be submitted in writing to the Office of Community Standards.

   b. A student organization may appeal based on the following criteria:

      i. There was an egregious departure from the organizational student conduct process as outlined above, to the detriment of the organization;
      
      ii. The sanctions are thought to be of an excessive nature proportionate to the violation;
      
      iii. New information directly related to the allegations that were not available at the time of the hearing. Information withheld from the hearing will not be considered new.

   c. A panel of three (3) people, comprised of the following, shall consider the appeal:

      - Two (2) administrators appointed by the Senior Associate Vice President of Student Affairs
      - One (1) student member appointed by CSALS

      This body will not offer a rehearing of the case, but review the written record. The appeal panel shall be advised by an administrator in the Office of Community Standards not previously involved with the case. The appeal panel advisor may not vote. The body will render a decision to:

      - Uphold the sanction used by the hearing administrator or panel
      - Determine new sanction(s) based on appeal materials, which may increase or decrease in severity
• In the case of substantive new information only, remand the case to the administrator who rendered the original decision to consider the new information.

d. The Office of Community Standards will communicate the final decision to the responding student organization; this decision will be the final determination.
e. If an appeal is not requested, the issued decision and sanctions will stand.