

## Student Organization Due Process :

As a student organization, you must uphold the university's Code of Conduct. This code is a guideline of how the university expects you to act; consisting mainly of basic common sense and respect for people and property. For a comprehensive description of sanctionable circumstances, below we have attached relevant information about "Student Organization Due Process".

Purpose: Student Organizations are recognized through a process established in the division of Student Affairs. In granting recognition to organizations, the university reserves the right to review this recognition and the privilege associated with it. It is important that the rights and privileges of organizations and their members be protected by a policy that provides a process for review of inappropriate behavior. It is important that the organizations recognized by the university are meeting established policies and laws. This policy will be in effect in situations on or off campus at the discretion of the university.

### I. Organization Conduct

- a. University societies, fraternities, sororities, clubs, and organizations are subject to the same standards of conduct, both on and off campus, as the student in the academic community.
- b. Failure to follow the university Code of Conduct, or the failure to abide by federal, state, or local laws, or any other pertaining policies will constitute inappropriate behavior on the part of the organization.
- c. The failure of any organization to act in a manner that prevents their members from abiding by the university Code of Conduct, federal, state or local laws, or other applicable policies will constitute inappropriate behavior on the part of the organization.
- d. Applicable sanctions may result from inappropriate behavior on the part of the organization; see below.

### II. Due Process for Organizations:

- a. A report of inappropriate behavior on the part of any student organization may be brought to the attention of the administration. Any student, faculty or staff member, administrator, or aggrieved person, or organization on campus or in the community may report inappropriate behavior.
- b. A student organization may be referred to the Student Organization Due Process by submitting a statement, in writing, to the Director of Student Activities within 15 days after the the organization in question has been identified.

### III. Structure for Process:

- a. The Director of Student Activities or his/her designee shall serve as the chair of a panel composed of at least one faculty, one staff, and one student member. In the case of a tie vote, the chair will then become a voting member of the panel. The Vice Chancellor for Academic Affairs will choose the faculty representative, the Vice Chancellor for Student Affairs will choose the staff representative, and the Director of Student Activities will choose the student representative that will serve on the panel. This panel may call a meeting with the organization through its president or appropriate officers.

The panel will:

1. Provide notice of the meeting to the organization,
2. conduct the meeting,

3. make recommendations, when necessary, regarding the organizations failure to abide by appropriate policy or laws, to the Vice Chancellor of Student Affairs, and
  4. recommend sanctions against the organization.
- b. If the panel determines that individuals, rather than the organization, should be held responsible, those individuals will be sent through the Student Conduct System.

#### IV. Determining Responsibility for Actions:

- a. Any one of the following criteria may be used to determine that the organization is responsible for an inappropriate action. Criteria include, but are not limited to, the following:
- Is sanctioned or condoned by one or more of the organization's officers wither implicitly or explicitly,
  - occurs during the course of an activity financed, planned, advertised, assisted, or sponsored by the organization,
  - is perceived by any of those involved, that the inappropriate behavior is a condition for membership in the organization,
  - was discussed and supported during a meeting of the organization,
  - occurs on property owned or leased by the organization,
  - the action is carried out using the name of the organization,
  - the action occurs in an area reserved for the organization at a public event,
  - the action is carried out by any member of the organization who is aware of the potential of inappropriate behavior and does not take appropriate action to prevent inappropriate behavior and/or inform the appropriate University officials.

Note: for the purpose of this policy, a pledge, associate, candidate, neophyte or any other affiliate of the organization is considered to be a member of the organization.

#### V. Organization Rights: Student organizations at the University of North Carolina Asheville are guaranteed the following rights:

- a. to be afforded due process in a fair and timely meeting, including the right to challenge
  1. any of the panel members,
  2. the composition of the panel prior to the beginning of the meeting,
- b. to have a full knowledge of the report in writing in advance of the meeting,
- c. to obtain all documentation and ask questions of the person(s) who made the report,
- d. to be afforded adequate time to prepare for the meeting. A minimum five-day-academic-day notice shall be given before the meeting. An organization may waive this five-day minimum,
- e. to offer information and to allow others to offer information, to question persons or information presented, as well as talk with those who saw the behavior in question,
- f. to have the advice of the student council or their national adviser in preparing for a meeting (only student council will be allowed in the meeting),
- g. to receive, in writing, the decision of the panel,
- h. to appeal any sanction to the Vice Chancellor for Student Affairs based on claims that improper procedures were followed,

- i. to waive any of these rights. A statement that you accept responsibility for the behavior represents a waiver of the hearing rights of those individuals involved in the inappropriate action,
- j. to a closed meeting,
- k. to have the organizational (faculty/staff) adviser present when the panel is discussing the behavior in question.

VI. Organization Sanctions: If the organization is found responsible, one or more of the following sanctions may be imposed:

1. *Reprimand:* is an official notice of censure. If, within two years, an organization with a reprimand is held responsible for any additional behavior that goes against the Code of Conduct, the sanction imposed shall be nothing less than probation.
2. *Social Probation:* if imposed for a specific period, but not less than four weeks during a regular academic term. The sanction prohibits the organization from sponsoring any organized activity, party, or function on or off campus. The organization can have meetings; however, they will not be allowed to use other university resources in any other way.
3. *Probation:* is for a period of time and carries the immediate threat of charter revocation or restriction for any inappropriate actions committed during the term of the sanctions. The organization may seek and add members, but may not enjoy any of the privileges removed under social probation.
4. *Organization Suspension:* is the temporary removal of the university recognition, usually not for more than one semester in addition to the one in which the behavior occurred. While under restriction, the organization may not continue to occupy property on campus, may not seek or add members, hold or sponsor events in the university community on or off campus, or enjoy any of the privileges removed under social probation.
5. *Organization Expulsion:* is the permanent removal of university recognition for an organization. Charter revocation may be recommended by the panel but can be imposed only by the Chancellor.
6. *In addition* to the above, any of the following sanctions can be added to the total sanctions at the discretion of the hearing panel:
  - a. exclusion from intramural competition,
  - b. restitution of loss to university or person,
  - c. denial of use of university facilities for meetings or activities,
  - d. rushing or recruiting suspension,
  - e. special educational assignments,
  - f. loss of student fee funding opportunity, including but not limited to campus commission,
  - g. community service assignments, and
  - h. special sanctions when appropriate.

VII University Rights and Obligations:

The University of North Carolina Asheville has the right and responsibility to respond to situations involving student organizations and its members in a timely and responsible manner. The university reserves the right to suspend recognition of any student organization for an interim period prior to the review panel convening to discuss the problem. This will be done only when the nature of the allegations justifies a reasonable

belief by the chancellor that such an action is appropriate to protect the interest of one or more individuals, or the university community as a whole.

Student organizations and their leaders play an important role in meeting the needs of members and providing valuable learning experiences. This policy will hold these values to be true, and the organizations and university policies accountable to each other. The university has a responsibility to the community as a whole, and therefore will take action on such matter whether they occur on or off campus, depending on the severity of the behavior.