**Discipline of Registered Student Organizations**

The University of Iowa’s Student Organization Discipline Procedure is designed to provide a process to investigate and resolve alleged violations of University policies by student organizations. The Discipline Procedure is not a substitute for the civil or criminal court system. Rather, the Discipline Procedure provides a mechanism for the University to determine if University policies have been violated and act in accordance with the findings.

All communication(s) related to any student organization discipline procedure will be placed in the student organization’s file in the Office of the Dean of Students.

Greek-letter chapters affiliated with the Interfraternity Council (IFC), Panhellenic Council (PHC), National Pan-Hellenic Council (NPHC), or Multicultural Greek Council (MGC) must also abide by the judicial policies established by their respective governing body.

Unless otherwise denoted, the use of the term “student organization” shall include all student organizations associated with the University of Iowa. This includes all student organizations registered by the Center for Student Involvement & Leadership, Recreational Services, student governance organizations (UISG, GPSG, IFC, PHC, MGC, NPHC, ARH), or an academic college/department/unit.

I. General Information Regarding Student Organization Discipline

A. Jurisdiction: This Student Organization Discipline Procedure generally governs complaints that allege student organization violations of University policies or organizational policies, including but not limited to rules promulgated by the respective student governance organization.

B. As stated in the University of Iowa Operations Manual, “formal complaints about sexual misconduct by University students, faculty, or staff should be made to the Office of the Sexual Misconduct Response Coordinator (335-6200). An academic or administrative officer, as defined in the University’s Sexual Harassment policy (see II-4.1b(3)) must report any known sexual misconduct report to the Office of the Sexual Misconduct Response Coordinator. No employee is authorized to investigate or resolve student complaints without the involvement of the Office of the Sexual Misconduct Response Coordinator.”

C. Standard of Proof: The standard of proof will be a preponderance of evidence. In other words, decisions will be based on a “more likely than not” standard. If it is determined that it is more likely than not that no policy violation occurred, the complaint will be dismissed. If it is determined that it is more likely than not that one or more University policies were violated, a sanction(s) will be assigned.

D. Group vs. Individual Responsibility: The determination regarding whether an alleged policy violation was committed by a student organization or by an individual(s) will be made on a case-by-case basis. The following factors will be considered when making this determination:
   a. How many of the members of the student organization were involved in the incident?
   b. Did the incident occur at a sponsored event of the organization (as described in Section III of the Administration of Student Organizations)?
c. Did a member(s) of the organization violate University regulations at an event sponsored by the organization or in the course of the organization’s affairs, and the organization failed to exercise reasonable preventive measures?

d. Did the organization’s leadership have knowledge/notice that the event was going to occur?

e. What was the nature of the incident?

E. An individual(s) acting on behalf of an organization may be referred to the Office of the Dean of Students for an individual student disciplinary investigation.

F. Organization Disciplinary Records: Student Organization Disciplinary Records will be managed by the Office of the Dean of Students. All records related to student organization conduct will be kept in the student organization’s official file. Records from disciplinary hearings, individual testimony, and lists of witnesses will not be released. There may be times when it is appropriate or necessary to release the outcome of a particular disciplinary hearing to those both within and outside of the University that have a legitimate educational interest. Those kinds of decisions will be made on a case-by-case basis. FERPA requires the confidentiality of individual student records.

II. Complaint

The Center for Student Involvement & Leadership (CSIL), Recreational Services, Office of the Dean of Students, or other University office can be informed of a student organization policy violation or incident through a Complaint Form (Appendix A), a police report, or other method. Policy violations or complaints can be referred for behavior that occurs both on and off campus. Any office, department, student organization, or individual (faculty, staff, student, or individual not affiliated with the University) can submit a Complaint Form.

A. The CSIL Associate Director for Student Organizations & Leadership or the Associate Director for Recreational Services will review and investigate the complaint to determine how a case should proceed.

III. Investigation

A. The Associate Director or their designee will investigate alleged violations of University policies committed by student organizations.

B. During the investigation, a representative(s) of the student organization will be notified of the allegations in writing and given an opportunity to meet with the investigator to explain the organization’s side of the incident prior to the issuance of the final investigative decision. The student organization representative(s) also has the opportunity to submit documents and other relevant evidence to the investigator and identify witnesses who may have relevant information. Investigations should be completed as promptly as possible under the circumstances.

C. If a case is to proceed, a file will be created that will remain a part of the student organization’s permanent file in the Office of the Dean of Students.

a. Following investigation, a case may be either referred to the Director of the Center for Student Involvement & Leadership or Director of Recreational Services.
b. Interim suspension of student organization activities or interim sanctions may be placed on the student organization.
   i. Interim sanctions may be made by either the Director of the Center for Student Involvement & Leadership or the Director of Recreational Services.
   ii. Interim sanction decisions will be based on evidence available at that time.

D. Notification: The student organization will be notified within five (5) business days of how an incident is being referred and if interim sanctions are being placed on the student organization. The student organization will have five (5) business days after receipt of the notice of an interim sanction to request a review and reconsideration of the interim sanctions to the issuer of the interim sanctions.

E. Criminal Charges: University disciplinary proceedings may be instituted against a student organization or student organization representative(s) charged with conduct that potentially violates both criminal laws and University policy, not withstanding the fact that an investigation or court proceeding might be pending. University proceedings may occur before, during, or after the criminal court process. The Director of either CSIL or Recreational Services may elect to delay the resolution of a complaint if criminal charges are pending. In sexual misconduct complaints, the administrative complaint investigation will not be delayed except in extraordinary circumstances. A student organization or student organization representative(s) charged with criminal misconduct will be considered guilty of violating University conduct regulations and therefore subject to disciplinary sanctions if convicted in criminal court of conduct prohibited under the sexual misconduct rules and/or the Code of Student Life. For purposes of these procedures, a conviction includes a guilty plea, jury verdict, judicial decision, or deferred judgment. Due to the less stringent standard of proof under these judicial procedures, a student organization or student organization representative(s) charged but not convicted of a crime is still subject to University disciplinary action if found guilty of violating University policy. Findings or sanctions imposed under this policy shall not be subject to change even though criminal charges arising out of the same facts were dismissed, reduced, or resolved in favor of the accused student organization or student organization representative(s).

IV. Resolution

A. If the investigator (i.e., CSIL Associate Director or Recreational Services Associate Director) determines there has been a policy violation, then the case will be referred to the Director of the Center for Student Involvement & Leadership (CSIL) or the Director of Recreational Services for resolution.

B. The Director of CSIL or Recreational Services will schedule a time to meet and discuss the case with the student organization representative(s) following the investigation by the respective Associate Director.

C. The student organization representative(s) will be given five (5) business days to schedule this meeting. If a meeting is not scheduled within five (5) business days, then the Director of CSIL or Recreational Services may issue a decision in the case.

D. Either Director has the authority to impose sanctions.

E. The student organization representative(s) will have ten (10) business days after receipt of the notice of a decision by either Director to request an appeal to the Office of the Dean of Students.
V. Sanctions

When it has been determined after investigation that one or more University policies have been violated, one or more final sanctions may be imposed.

Student organizations that fail to comply with a sanction in a timely manner are subject to additional disciplinary action, which may include loss of registration until compliance is achieved.

The following is a non-exhaustive list of potential sanctions that may be utilized individually or in combination:

A. Disciplinary Reprimand: A written notice to the student organization or explaining that the violation of institutional policy warrants an official record be kept in the Office of the Dean of Students.

B. Educational Sanction. A student organization may be required to provide an identified service or participate in a particular program, receive specific instruction, or complete a designated assignment. The student organization is responsible for any related expenses, including expenses for education, counseling, and/or services.

C. Attainment of Standards. A student organization or student organization representative(s) may be required to attain a specific standard(s) over the course of a designated period of time. Examples of these standards include, but are not limited to, the following: organizational grade point average, organizational arrest and citation rate, organizational member retention, organizational member certifications/trainings.

D. Disciplinary Probation: A written admonishment for a violation of specified regulations. With respect to the non-academic disciplinary system, a student organization on disciplinary probation is not considered to be in good standing for a designated period of time. If the student organization or its representative(s) are found to violate any institutional regulation(s) during the probationary period, more severe disciplinary sanctions may be imposed. Once the designated period of time has elapsed, the student organization will be considered in good standing; however, a record of the sanction will be kept in the Office of the Dean of Students.

E. Restitution: A student organization may be assessed reasonable expenses related to the misconduct. This may include, but is not limited to, the following: the repair/replacement cost for any damage to property or any related expenses incurred by the victim/complainant.

F. Denial of Privileges: A student organization may be denied access to certain University privileges for a definite or indefinite period of time. Such sanctions may include, but are not limited to, the following: prohibitions on University space usage, bar from receiving and/or expending funds, suspension to participate in certain student organization and/or University sponsored activities.
G. Loss of Registration: A student organization may be involuntarily separated from the University for a specified period of time or permanently. Conditions for a return may be specified.

Sanctions will vary based upon the facts and circumstances of any specific offense. Sanctions are usually progressive in nature and include the probability of more severe disciplinary sanctions if the student organization or student organization representative(s) are found to violate the same or any other University policies. In some circumstances, the Director of either the Center for Student Involvement & Leadership or Director of Recreational Services may elect to defer a sanction. A deferred suspension, for example, means that the sanction does not go into effect as long as the student organization complies with all requirements during the interim period. In those cases where the student organization completes all expectations during the interim period, the student organization’s record will show that the sanction was never imposed.

In the event that a student organization or student organization representative(s) fail to comply with a sanction and the Director of the Center for Student Involvement & Leadership or the Director of Recreational Services has decided to impose a suspension, the student organization will be notified of the apparent failure to comply and of the Directors’ intent to suspend, and provided an opportunity to meet personally with the Director and explain the circumstances prior to a final decision.

VI. Appeals

The complaining party, or the accused student organization may appeal the decision by filing a written notice of appeal within ten (10) University business days following the receipt of the decision. The notice of appeal shall be filed with the Office of the Dean of Students.

A. Grounds for appeal:
   i. The decision was unsupported by substantial evidence when viewed as a whole.
   ii. The decision was arbitrary, capricious, unreasonable, or constituted an abuse of discretion.
   iii. The sanction was unreasonably harsh or lenient in light of the circumstances.
   iv. The procedures were not properly followed, resulting in prejudice to the appealing party.
   v. New evidence, not reasonably available at the time of hearing, warrants reconsideration.

B. On appeal, the decision may be affirmed, reversed, remanded back with instructions for further investigation, or modified as deemed appropriate by the Dean of Students. The written decision on appeal shall be transmitted by the Dean of Students to the accused student organization, and the complaining party within ten (10) University business days of the receipt of the notice of appeal. The Dean of Students may forward the decision on appeal to appropriate University offices. In cases involving allegations of sexual misconduct, dating violence, or stalking, the Dean of Students will forward the appeal decision to the Office of the Sexual Misconduct Response Coordinator.