

Oklahoma State University Student Organization Code of Conduct

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I. Introduction

Oklahoma State University is proud of the role recognized and registered student organizations play on our campus and in our community, and recognizes and respects the autonomy of student organizations. OSU is committed to supporting student organizations. Recognition is contingent upon accepting the rights and responsibilities outlined in this Code of Conduct. All student organizations are required to act consistently with this Code of Conduct, as well as applicable federal, state and local laws..

Definitions

Advisor: A person who has agreed to assist a complainant or respondent during the University conduct process. The Advisor may be a person of the organization's choosing, including an Oklahoma State University faculty or staff member, an Oklahoma State University student, a parent, a friend, or an attorney.

Complainant: An individual or student organization who files a disciplinary complaint; the University can file a complaint.

Day: University working day, not including Saturday, Sunday, or University holidays. Time deadlines may be extended during breaks and University holidays.

Organization: A number of OSU students who are associated with each other. This includes organizations that are registered and/or recognized by Oklahoma State University.

Respondent: Any student organization that is alleged to have violated the Student Organization Code of Conduct.

Sanction: A disciplinary correction or penalty which is imposed on student organizations that are found responsible for violating the Student Organization Code of Conduct. Sanctions are designed to be educational measures that hold organizations accountable for their behavior.

Title IX: A part of the 1972 Federal Education Act that states that no one shall be denied the benefits of any educational program or activity because of sex. Title IX is not just about sports. It also prohibits sexual harassment, gender-based discrimination, and sexual violence.

University premises: Any buildings or grounds owned, leased, operated, controlled or supervised by the University. Organizations are advised that this includes properties that are not a part of the main university campus. Examples of these areas include, but are not limited to, Camp Redlands and Lake Carl Blackwell.

University-sponsored activity: Any activity on University premises or at an off-campus location that is directly initiated or supervised by the University or a University recognized group or organization. This includes fraternity and sorority organizations, study abroad programs, and sporting events. In addition, University-operated transit, such as riding on THE BUS or THE BOB, is included in this activity even if the behavior occurs off of University premises.

II. Prohibited Conduct

1. **Health and Safety:** Student organizations shall not foster, promote, or participate in activities that unreasonably threaten the safety or well-being of their members, other people, or animals on or off campus including:
 - a. **Physical Violence:** Student organizations shall not engage in physical violence of any kind against any person(s). This includes fighting; assault; battery; use of a knife, gun, or other weapon; physical abuse; restraining and/or transporting someone against his/her will; or acting in a manner that threatens or endangers the physical health or safety of any person or causes reasonable apprehension of such harm.
 - b. **Fire Safety:** Student organizations shall not engage in misuse or unauthorized use of firefighting, fire sprinkling systems and other safety equipment or warning devices, or fail to evacuate when a fire alarm is activated.
 - c. **Harassment, Threats, and Bullying:** Student organizations shall not engage in subjectively and objectively offensive verbal abuse, threats, intimidation, harassment, coercion, bullying or other conduct that threatens or endangers the mental or physical health/safety of any person or that causes reasonable apprehension of such harm that is persistent, severe, or pervasive.
 - d. **Gender Discrimination:** Student organizations shall not violate, support or condone behavior prohibited by Title IX including:
 - sexual harassment
 - sexual misconduct
 - dating violence
 - domestic violence
 - stalkingDefinitions, examples and additional information may be found in the University Student Code of Conduct. Sexual misconduct is often associated with alcohol or other drug use and poorly supervised social gatherings involving underage students. OSU students are encouraged to intervene (sometimes referred to as bystander intervention) when a student(s) may be at risk. More information can be found at <http://1is2many.okstate.edu>.
 - e. **Weapons:** When it is not the purpose of the organization, or part of a nationally recognized ritual of a recognized fraternity or sorority approved in advance in writing by the OSU Office of Fraternity and Sorority Affairs or, unless utilizing a third party vendor (e.g., shooting range); no student organization shall possess or use firearms, explosives (including firecrackers), weapons or dangerous chemicals in the course of any student organization activity. This includes, but is not limited to, BB guns, knives, swords, handguns, shotguns and rifles. No student organization shall possess, use

or store any weapons on university property or university approved housing, including fraternity and sorority housing.

2. **Hazing:** Student organizations may not engage in any action or activity that causes or is likely to cause physical or mental discomfort or distress, that may demean, degrade, or disgrace any person, regardless of location, intent or consent of participants, for the purpose of initiation, admission into, affiliation with, or as a condition for continued membership in an organization. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this Code of Conduct. State law classifies hazing as a crime, Title 21 Oklahoma Statutes Section 1190.
3. **Financial Obligations:** Student organizations may not use University funds in ways that are inconsistent with university guidelines as defined by University Accounting or their respective governing council or committee. This includes the inappropriate use of University Purchase Cards (P-cards). Student organizations' faculty and staff Advisors must comply with University employee reimbursement regulations.
4. **Adherence to Governing Policies:** Student organizations must adhere to their constitutions as well as their respective governing bodies including registered and recognized student organization policies, fraternity and sorority constitutions and policies, FIPG risk management policies, and policies related to recognized student housing organizations. In the event of a conflict with University policy, University policy shall prevail.
5. **Interference with University Business:** Student organizations may not engage in intentional interference that impedes or disrupts the business of the University. This includes unauthorized entry into, or use of, any University building, facility, vehicle, equipment room, area or University approved housing. This also includes violations of policies related to information technology, which may be found at <http://it.okstate.edu/policies>.
6. **Interference with Conduct Process:** Student organizations may not interfere with conduct procedures or outcomes, including but not limited to: falsification, distortion or misrepresentation of information during any part of a hearing process; knowingly initiating a complaint without good cause; harassment or intimidation of any member of a hearing panel, witness(es), or University personnel before, during or after a proceeding; and failure to comply with the sanction(s) imposed on the student organization.
7. **Retaliation:** Student organizations may not retaliate against a person who, acting in good faith, brings a complaint forward or against an individual or organization who has participated in an investigation or conduct process. For more information, see Board of Regents for the Oklahoma Agricultural and Mechanical Colleges Policy Manual, 3.11 Non-Retaliation, <http://regents.okstate.edu/policy-manual/non-retaliation>.
8. **Alcohol:** Student organizations that serve or permit possession of alcoholic beverages at student organization functions, on or off campus, must comply with any and all applicable local, state, and federal laws. This includes serving or allowing minors access to alcohol or providing alcohol to an inebriated individual. Organizations that choose to host social events with alcohol must fully comply with the third party vendor guidelines or with Bring Your Own Beverage (BYOB) guidelines. Third party guidelines and Bring Your Own Beverage guidelines are provided elsewhere in this handbook.

9. **Drugs:** Student organizations must not possess, use, share, sell or otherwise distribute illegal drugs on or off campus.
10. **False Representation and Forgery:** Student organization officers or members of student organizations that knowingly give false representation(s) to the University in any form, written or verbal is prohibited. Forgery or unauthorized use of University documents or records is also prohibited.
11. **Property Damage and Theft:** Student organizations shall not engage in defacing, damaging or destroying property, theft, attempted theft or unauthorized possession of property belonging to the University, other individuals, or student organizations on University property, at University approved housing or facilities on or near campus.
12. **Disorderly Conduct:** Student organizations shall not behave in a disorderly, lewd or indecent manner, or breach the peace on University property or at University or organization-sponsored activities. Student organizations shall not participate in or host parties or gatherings that disturb the peace of campus residences or off-campus neighborhoods.
13. **Gambling:** Student organizations shall not engage in illegal gambling for money or other things of value on campus or at University-sponsored or student organization activities.
14. **Academic Misconduct:** Student organizations shall not engage in cheating or alteration of academic materials, records or other academic misconduct.
15. **Attempts and Complicity:** Student organizations shall not attempt to, or encourage organization members to, commit acts prohibited by this code. Apathy or acquiescence in the presence of prohibited conduct may constitute a violation of this policy.

III. Disciplinary Process

A recognized student organization and/or its members collectively or individually (when acting as part of the organization), may be held responsible for violations of the Student Code of Conduct and, when appropriate, be subjected to disciplinary action. When a student organization is accused of committing a violation of this Code of Conduct, University policy (including but not limited to any violation of published University policies and procedures) or local, state or federal laws, a complaint may be filed with the Office of Student Conduct Education and Administration. Upon receipt of such a complaint, the Office of Student Conduct Education and Administration shall conduct an investigation and meet with the organization to determine if a hearing will be held regarding the complaint. In cases where student health or safety is reasonably believed to be significantly jeopardized, the Vice President for Student Affairs, in consultation with the President of the University, may order an **interim suspension** of the activities and operations of a student organization for the period of time required to allow a thorough investigation and opportunity for hearing.

1. The Office of Student Conduct Education and Administration may, after completion of the investigation, choose to refer the case to the organization's appropriate governing body for adjudication. This option shall be applicable to violations determined by the Office of Student Conduct Education and Administration to be minor in nature.

2. If it is determined that the alleged violation(s) are by individual(s) but not collectively by the organization, the case will be retained by the Office of Student Conduct Education and Administration for individual adjudication. An organizational activity is any activity which reasonable observers would associate with the organization as a whole rather than the acts of some individuals who happen to be members of an organization. Factors which may be considered in determining whether the organization is responsible include, but are not limited to:
 - a. Was the organization involved in the planning, organization or preparation of the activity?
 - b. Was the activity advertised or publicized by the organization via posters or various forms of social media? Were communications sent out using standard organization contact lists?
 - c. Was some form of admission qualification process used?
 - d. Who participated?
 - e. Was alcohol provided? Who purchased the alcohol? Did the money come from individuals or an organization account? How was it transported to the activity?
 - f. What did or do meeting minutes reflect?
 - g. Was the venue associated with the organization in some way?
 - h. How was the guest list or security handled?

3. Rights Provided to Student Organizations:
 - a. A written notice of the alleged violation(s);
 - b. An explanation of the conduct process upon request;
 - c. No violation of the code is assumed;
 - d. Be accompanied by an Advisor during the conduct process;
 - e. Be present during the entire proceeding, except during deliberation;
 - f. The respondent and complainant will receive a written notification of the outcome of the hearing.

4. Alleged violations of University regulations where neither suspension nor expulsion are a possibility are normally resolved through an administrative meeting between the Office of Student Conduct Education and Administration and the respondent's representatives to resolve the case. For allegations which could result in suspension or expulsion, or that are complex, sensitive, or require a number of witnesses or that involve an alleged victim may be referred to a hearing. If during the administrative meeting it is determined further development of the facts is warranted and would be aided by a more formal hearing, the conduct officer may refer the case for a hearing, in which case, the conduct officer will not make any findings.
 - a. **Notice of Meeting.** The President or highest-ranking officer of the student organization shall be notified in writing by the Office of Student Conduct Education and Administration, of the date, time, and place of the meeting at least five (5) days before the hearing. The notice shall also include a statement of the allegations of policy violation(s) and information regarding the student organization's rights in the hearing.
 - b. **Representation.** The organization should be represented by one student member, preferably the president of the organization.
 - c. **Administrative Meeting.** At the administrative meeting the organization's student representative and the conduct officer will discuss the alleged violations.

- d. **Outcome.** The conduct officer(s) will deliberate whether it is "more likely than not" that a violation(s) of the Student Organization Code of Conduct did or did not occur as alleged. A decision and sanctions, if applicable, will be communicated to the organization in writing.
 - e. **Review of Outcome.** Within five (5) days the student organization may request that the Vice President for Student Affairs, in consultation with the President of the University, review the outcome of the administrative meeting.
5. If an organization is accused of a violation where suspension or revocation of the organization's recognition is a possible outcome, the adjudication for the organization will be processed in a hearing. The following procedures apply for hearings involving a student organization:
- a. **Selection of Hearing Panel.** The Hearing Panel will be selected by the Office of Student Conduct Education and Administration and consist of three (3) members; one (1) to be selected from the available panel of faculty/staff members, one (1) to be selected from the available panel of students and one (1) to be a faculty/staff advisor of a similar student organization. A chairperson will be selected from within the Hearing Panel.
 - b. **Notice of Hearing.** The President or highest-ranking officer of the student organization shall be notified in writing by the Office of Student Conduct Education and Administration of the date, time, and place of the hearing at least five (5) days before the hearing. The notice shall also include a statement of the alleged policy violation(s) and information regarding the student organization's rights in the hearing.
 - c. **Witnesses.** The representative officer of the accused student organization, the complainant, and the Office of Student Conduct Education and Administration may invite persons who have information relevant to the accusation to provide information at the hearing; however, the Chair of the Hearing Panel may limit the number of witnesses to avoid repetition and cumulative testimony. The names of witnesses must be provided to the Office of Student Conduct Education and Administration a minimum of twenty-four (24) hours before the hearing. Each party shall be responsible for insuring the presence of his/her witnesses at the hearing and shall be prohibited from submitting a written statement in lieu of personal testimony, unless otherwise permitted by the Hearing Panel to do so as a result of extenuating circumstances. Witnesses invited by either party shall be present only while they are providing information.
 - d. **Student Organization Assistance.** The officer of the student organization may be accompanied and assisted at the hearing by an advisor of the organization's choice. The student organization must provide the name of the advisor to the Office of Student Conduct Education and Administration at least twenty-four (24) hours before the hearing. The advisor may participate directly to the same extent as the representative officer could. Such direct participation is a privilege which, if abused, may be withdrawn by the Chair of the Hearing Panel. If the privilege is withdrawn, the advisor may continue to advise the representative officer. If an advisor fails to act in accordance with hearing procedure, the Chair may bar the advisor from the hearing.
 - e. **Conduct of the Hearing.** The hearing shall be conducted in an informal manner and without reference to rules applicable to a court of law concerning the examination of

witnesses and admissibility of evidence, but with a view toward providing the Hearing Panel with a complete understanding of the facts involved. The University investigation report shall be presented to the Hearing Panel first. Irrelevant, immaterial, and unduly repetitious information may be excluded as determined by the Chair. The hearing and the deliberations of the Hearing Panel shall be private. The hearing will be audio recorded. The recordings are property of the University. Others will not be allowed to make a recording of any type. The University is not responsible for equipment malfunctions. Requests to review audio recordings may be made to Student Conduct Education and Administration. If the organization representative elects not to appear for the hearing, the hearing will be held in his/her absence. Failure to appear will be noted without prejudice. Findings will be based on information presented at the hearing. The order of presentation at the hearing will be as follows:

- i. Purpose of the hearing provided by the Chair of the hearing panel.
 - ii. If relevant, the University investigator will present the investigation report and answer related questions in cases of sexual harassment, sexual misconduct, discrimination, or when the University has conducted an investigation.
 - iii. The complainant will present information and call witnesses. At the conclusion of each witness statement, the witness may be questioned by the hearing panel, and the respondent, either directly or indirectly.
 - iv. The respondent will present information and call witnesses. At the conclusion of each witness statement, the witness may be questioned by the hearing panel and the complainant either directly or indirectly.
 - v. The complainant may make a closing statement.
 - vi. The respondent may make a closing statement.
 - vii. All parties are dismissed for hearing panel deliberation.
- f. **Additional Rules.** Procedural rules not inconsistent with these procedures may be established by the Hearing Panel from time to time to fulfill its functions in an orderly manner. A copy of such procedural rules will be provided to the student organization along with the notice of hearing.
- g. **Hearing Outcome.** The hearing panel will deliberate and, by majority vote, determine whether it is "more likely than not" that a violation(s) alleged did or did not occur as alleged. The panel may find that the information presented was not sufficient to establish that a finding of responsibility for a violation(s) of the Student Organization Code of Conduct and dismiss the case. The panel may find that the information presented was sufficient to affirm the allegations and impose a sanction(s) appropriate with the violation(s).
The outcome will be communicated in writing to the student organization within five (5) days of the hearing outcome.

IV. Organization Sanctions

The following disciplinary sanctions may be imposed upon student organizations when they have been found responsible for violating of the Student Organization Code of Conduct. All sanctions may be imposed individually or in combination. Disciplinary sanctions are imposed for the purpose of holding student organizations accountable for their actions and the actions of their guest(s), whether on campus or at any organizational activity. Failure to satisfactorily complete a sanction may result in more severe sanctions. While organizations have pending sanctions, they are not to be considered in good standing with the University.

1. **Written warning** is an official written notice that the student organization has violated University policies and that more severe conduct action will result should the student organization be involved in other violations.
2. **Restitution** is compensation for the damage caused to the University, University approved housing, facilities on or near campus or any person's property on campus. This is not a fine but rather a repayment for labor costs and/or value of property destroyed, damaged, consumed, or stolen.
3. **Educational and Behavioral Change Requirements** are assigned as an opportunity for personal development and can include but are not limited to a written plan for reconstruction of the organization, class/workshop attendance, educational projects, and service learning experiences.
4. **Restriction of Privileges:** Restrictions placed upon a student organization which limits University privileges for a specified period of time. These restrictions may include, but are not limited to, the University prohibiting the organization from:
 - a. Representing the University in any capacity.
 - b. Receiving awards or recognitions from the University.
 - c. Maintaining an office or other assigned space on University property.
 - d. Receiving or retaining University funds.
 - e. Participating in intramural sports.
 - f. Being a sponsor, co-sponsor and/or participant in any social event or other activity (often referred to as social probation).
 - g. Sponsoring speaker(s) or guest(s) on campus.
 - h. Using University vehicles.
 - i. Using University facilities.
 - j. Advertising on campus for organizational activities.
 - k. Soliciting and/or selling any items on campus
5. **Suspension of Organizational Recognition:** The denial of privileges of a recognized organization for a designated period of time, which will be no less than one semester. Any organization whose recognition is suspended must:
 - a. Cease all organizational activities.
 - b. Vacate any appointed or elected office with that organization's governing body for the duration of the period of suspension.
 - c. Surrender balances of all organizational funds granted by Student Government.
 - d. Vacate office or housing space assigned by the University from the date of the notice of suspension. Space vacated due to suspension may be reassigned to other eligible University organizations. In the case of housing, individual members will be reassigned provided space is available. There will be no University Housing contract cancellations.
6. **Revocation of Organizational Recognition:** Permanently excludes the organization from the University without any recourse to reapply for recognition. Any organization whose recognition is permanently revoked must:
 - a. Cease all organizational activities.
 - b. Vacate any appointed or elected office.
 - c. Surrender balances of all organizational funds granted by Student Government.

- d. Vacate office or housing space assigned by the University from the date of the notice of dismissal. Space vacated due to dismissal may be reassigned to other eligible University organizations. In the case of housing, individual members will be reassigned provided space is available. There will be no University Housing contract cancellations.

V. Appeal Process

1. Decisions by the Hearing Panel may be appealed to the President of the University or his/her designee, who shall consult with the Vice President for Student Affairs.
2. The student organization has five (5) days from receipt of the original decision in which to submit an appeal in writing.
3. The organization may appeal based only on the following grounds:
 - a. The hearing was not conducted in conformity with prescribed procedures and substantial prejudice resulted.
 - b. The evidence presented at the Hearing does not support the finding that was made.
 - c. The sanction is not appropriate for the violation(s).
4. The appellate review will be based on the information and materials in the hearing file; the findings and decision of the Hearing Panel; the student organization's written request for an appellate review; and the record of the hearing.
5. An appeal may be resolved in one of the following ways:
 - a. The original decision may be upheld.
 - b. Modified sanctions, either greater or lesser, may be imposed.
 - c. The case may be remanded back for a new hearing.
6. The appellate decision shall be final and will not be subject to any further appeal or reconsideration.