1.0 Purpose

1.1 The purpose of this document is to outline the rights and responsibilities of registered student organizations and the process for adjudicating misconduct by members of these groups at Virginia Commonwealth University. When an individual student’s or group of students’ actions evolve from or are in any way related to their association with or the activities of a registered student organization, the student organization may be held responsible for the behavior of these members.

1.2 Students and student organizations have a right to expect enforcement of the rights and responsibilities outlined in this document. The University also has the right to expect students and student organizations to abide by them as members of the University community. Knowledge of these rules and regulations can prove most beneficial to students and student organizations in utilizing and protecting their rights. It is important to add, however, that unfamiliarity with University policies and procedures does not excuse infractions.

1.3 The provisions of this document are applicable to all student organizations on the Monroe Park Campus. Statutes of the Commonwealth of Virginia, city or county codes, and federal laws apply on University premises, and violators of such laws will be subject to the provisions thereof, in addition to the sanctions of this document. In general, it is the policy of Virginia Commonwealth University not to become involved in adjudicating off-campus conduct of registered student organizations. However, the institution also has a commitment to protect its own welfare and that of its members. Thus, in those circumstances where the off-campus behavior of a member or members of a registered student organization significantly impairs the University-related functioning of another member of the University community or gives rise to serious danger to the University community or when an event or travel is funded with Student Activity fees, the provisions of this document will apply to off-campus behavior. Such conduct may subject the violator to the provisions of law, in addition to the sanctions of this document.

1.4 Members of student organizations that commit offenses against local, state or federal laws are subject to prosecution by those authorities and may subject the organization to University disciplinary action when such conduct violates University standards.

2.0 Rights and Prohibited Conduct

2.1 When a complaint against an organization is received by a Student Activities staff member, the president of the organization will be contacted. The organization will be given an opportunity to identify the individuals involved in the incident and to show that the organization took reasonable steps to prevent violations by their
fellow members or that the organization had no knowledge of the misconduct. The failure or inability to demonstrate any such action will result in an investigation and disciplinary proceeding against the organization if justified.

2.2 Every student organization has the duty to take all reasonable steps necessary to prevent any infraction of University rules and other laws growing out of or related to the activities of the organization. This duty is applicable not only to members of the organization who are engaging in the activity, but is applicable to every member, including those not engaging in the activity. Thus, if a number of members are involved in misbehavior growing out of their association or membership in the group, even if no other members are around to prevent the action, the organization will still be held collectively liable for the misbehavior so long as it grows out of the life of the organization. All members should be aware that their misdeeds may result in the sanctioning of the entire organization as well as the individuals involved.

2.3 Prohibitions from Other Policies

2.3.1 All registered student organizations are subject to the requirements of the following documents (see a partial list below), and the provisions of this document are applicable for organizations that may violate any of these documents:

2.3.1.a Posting Materials Policy
2.3.1.b Guidelines for Demonstrations on the Campuses of Virginia Commonwealth University
2.3.1.c Procedures for Consumption and Distribution of Alcohol at Student Sponsored Events on the Monroe Park Campus of Virginia Commonwealth University
2.3.1.d Non-Instructional Use of Space on the Monroe Park Campus
2.3.1.e Procedures for the Reservation and Use of Space in the University Student Commons
2.3.1.f SGA Appropriations Committee Guidelines (if Student Activity Fee funds received).
2.3.1.g Hazing Policy
2.3.1.h Ethics Policy on Computing
2.3.1.i VCU Honor System
2.3.1.j Student Sexual Misconduct Policy
2.3.1.k Student Organization Web Page Guidelines

2.4 Other Rules of Conduct for Organizations

2.4.1 Registered student organizations shall not willfully:
2.4.1.a Disrupt or prevent the conduct of classes, lectures, meetings, or other University functions, or interfere with the lawful freedom of other persons, including invited speakers, to express their views.

2.4.1.b Falsify or forge an official University record or document; or file documents with the University with the intent to mislead.

2.4.1.c Incite others to commit any act which has been herein prohibited.

2.4.1.d Bring charges against another member or organization of the University community that are spurious, or that are intended primarily to harass or maliciously defame, or that are designed to intentionally overburden the adjudicatory system.

2.4.1.e Act in violation of the reasonable and lawful requests of University officials acting in the performance of their duties.

2.4.1.f Unreasonably stop or obstruct the free movement of any person or vehicle, or unreasonably obstruct a passageway, entrance or exit.

2.4.1.g Refuse to leave any University premise after being ordered to do so by an authorized member of the University community.

2.4.1.h Destroy or damage land, buildings, or equipment owned or controlled by the University, the personal possessions of any individual, or without proper authorization, use, remove, or fail to return such property.

2.4.1.i Without permission, expressed or implied by the duly assigned occupant, enter any office of an administrative officer, faculty member, or employee, or student office or room.

2.4.1.j Enter into, or remain in, any University premise for other than an authorized purpose, or remain beyond the prescribed hours for utilization of the facility, without written permission from a University community member authorized to give such permission.

3.0 Procedure

3.1 Any member of the University community or a department or unit of the University may make a complaint about a student organization. Complaints must be made in writing to the Director of the University Student Commons and Activities or designee. Complaints by non-University community members against registered student organizations should also be made in writing to the Director of the University Student Commons and Activities and will be considered if policy violations are evident.
3.2 The Director of the University Student Commons and Activities or designee shall conduct a confidential investigation by interviewing the individual(s) bringing the complaint and the individual(s) accused in the complaint. When necessary, the Director or designee may also interview other individuals who have direct and specific information regarding the behavior alleged in the complaint.

3.3 The accused student organization president will have the opportunity to decide if the organization wants to have any action warranted by the investigation determined by the designated administrator in consultation with the Director of the University Student Commons and Activities and the Dean of Student Affairs or if the organization would like to have any action warranted by the investigation determined by a hearing board comprised of a representative group of the Student Activities Advisory Council membership which would include no fewer than three students and two faculty or staff representatives. The chair of the hearing board will be determined at the beginning of the hearing.

3.4 Once the investigation is complete, the Director or designee will proceed based upon the option chosen by the president of the accused student organization.

3.4.1 If the president of the student organization has chosen the administrative action process, as soon as reasonably possible after the conclusion of the interviews, the Director or designee shall notify the person(s) filing the complaint and the organization(s) accused in the complaint of the action to be taken based upon the investigation.

3.4.2 If the president of the student organization has chosen to have the charges reviewed by the hearing board, he/she will be notified of the next available meeting time. The person filing the complaint and the president of the accused student organization will be asked to attend the meeting. The investigative reports will be copied and distributed to the members of the hearing board.

3.5 At the hearing, the board will have an opportunity to ask questions of the person filing the complaint and of the president of the accused student organization. Each member of the hearing board, excluding the chair will have one vote as to the guilt or innocence of the accused on each charge and the decision will be determined by a simple majority.

3.6 On a finding of guilty, the hearing board shall determine the punishment of the accused by a simple majority vote.

4.0 Penalties and Other Disciplinary Action

4.1 Any organization which violates the provisions of this document is subject to one or more of the following penalties and/or disciplinary actions. If the offending organization falls under the judicial function of another student organization with established disciplinary procedures, the case may be referred to the appropriate organization. This decision will be made by the Director of the University Student Commons and Activities. Otherwise, the Director of the University Student Commons and Activities (or designee) will conduct an investigation, and proceed with an administrative review or a hearing to determine guilt or innocence and when necessary, sanctions, when notified that an organization has violated university regulations, local, state and federal statutes. Any sanctions imposed by the offending organization itself or its governing body will be taken into consideration during the hearing and sanctioning processes. Organizations may
4.2 The exact nature of the sanctions imposed on the organization shall be based on the severity of the violations. If the conduct is injurious to property (individual, group or University) for which monetary damages may be ascertained, financial restitution will be an option at any level of sanction. All sanctions may be appealed in writing within 14 calendar days of the notification of the sanction to the Student Activities Advisory Committee. The full Student Activities Advisory Committee will act on the appeal at its next scheduled meeting. The decision of the SAAC is considered a recommendation and is not binding on the Associate Vice Provost and Dean of Student Affairs, whose decision is final.

5.0 Definitions

5.1 Censure: A letter of warning shall be sent to the current president of the organization and a copy placed in the permanent file of the organization. If the organization is affiliated with a national organization, that national organization may be copied on correspondence.

5.2 Probation: The organization may lose certain privileges such as use of University space and may be required to perform certain public services and/or assigned some educational experience which, ideally, would bear some relationship to the offense committed. A probationary period will be a time of review and observation during which a student organization is under an official warning that their misconduct was serious. Subsequent violation of University rules or policies could result in more severe sanctions.

5.3 Suspension: Suspension means denial of rights and privileges of a registered organization for a period not to exceed two (2) calendar years. The organization shall lose the privilege of using university space for social and fund-raising activities and be denied use of student activity fees for a period of time determined by the Director or designee. Services (such as an organization mailbox) assigned prior to suspension will not automatically be reassigned upon expiration of the suspension. Suspended organizations will be required to meet with a designated SAC staff member who will consider issues of compliance with the obligations of the suspension. Satisfactory compliance will result in the organizations being placed on probationary status for a minimum of one academic year following their renewed registration. Organization files must be maintained according to the SAC policies.

5.4 Cancellation: The organization shall lose the privilege of being registered by or associated with the university. Any organization whose registration has been cancelled must cease all organizational activities upon receipt of the notice of cancellation. Any member of an organization whose registration has been cancelled shall relinquish any appointed or elected office held with that organization's governing body or any position that depends on membership in the organization being disciplined. Balances of all organizational funds granted by the Appropriations Committee of the SGA will automatically revert to the Appropriations Committee. Funds raised by the organization and managed by the Manager of Student Organization Accounts may be used to make financial restitution. Any balance of these funds remaining would be designated for use on any of several campus service projects managed by VCU student organizations.

6.0 References
7.0 Approvals and Revisions

USCA Administrative Approval: 2/7/97
Revised by SAAC: 5/5/2008