



**Office of Student Rights and Responsibilities**

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## **Student Organization Conduct Handbook**

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## **Introduction**

East Carolina University (ECU) is dedicated to providing an environment that supports registered Student Organizations' ability to freely associate and express themselves. It is through Student Organizations that students have opportunities for intellectual growth and development outside the classroom. All registered Student Organizations are expected to act consistently with the values of the University community. Student Organizations may be collectively responsible for any action(s) committed by members on behalf of the Organization that violate the ECU Student Code of Conduct.

Recognized Student Organizations are responsible for abiding by University policy, the ECU Student Code of Conduct, and all other agreements between the University and the Student Organization.

This handbook identifies the specific Student Organization policies and student driven procedures the University follows when it receives a report alleging a violation of the ECU Student Code of Conduct by a Student Organization.

## **Policies**

### **Group Responsibility**

In determining whether a Student Organization may be held collectively responsible for the individual actions of its members, guests, alumni, or agents, all the available factors and circumstances surrounding the specific incident will be reviewed and evaluated by the Office of Student Rights and Responsibilities (OSSR).

The following criteria are used to determine if a registered Student Organization will be held accountable for its actions or the actions of those affiliated with the organization. These criteria include but are not limited to:

- One or more members (active or inactive), former members, alumni, guests, or any person acting as an agent of the organization violate the Student Code of Conduct.
  - If it is determined that the individual or individuals were acting as part of or on behalf of the organization, there is no minimum number of Student Organization members who must be involved in an incident to be considered group responsibility.
- Activities that are not sponsored by the Student Organization but where the majority of the persons present or responsible for the activity are members (or guests of members) of the Student Organization.
- The conduct is endorsed, formally or informally, by the Student Organization.
- One or more officer(s) of the Student Organization had prior knowledge or reasonably should have known about the conduct in question, failed to take preventative or corrective action, or failed to attempt to stop the conduct while or prior to it occurring.
- If the conduct in question occurred on premises and/or transportation owned, operated, or rented exclusively by the Student Organization.
- If the conduct occurred during an activity paid for and/or financed by the Student Organization or an agent of the Student Organization. This includes activities where members of the Student Organization may “pool” money to fund an activity.
- If the Student Organization or related activities provided the context or environment for the conduct in question. A Student Organization may provide the context or environment for an activity/event if the following occur:
  - Non-members of the Student Organization learn of the activity in question through members.
  - If guests were stopped on their way to the activity/event, they would say they are going to the Student Organization’s activity/event.
  - The activity/event was listed or advertised on the Student Organization’s social media.
  - Invitations refer to the Student Organization. This may include invitations sent

through the Student Organizations' individual members via text, email, GroupMe, Snapchat, Facebook, Instagram, Twitter, or any other forms of communication.

- The activity/event is listed on the Student Organization's calendar.
- Members of the Student Organization attempt to rename the event/activity to give the appearance that the activity/event is not associated with the Student Organization.
- If the Student Organization protects one or more members (active or inactive), alumni, former members, agents, or guests of the Student Organization who were involved/led the conduct in question from ECU related actions.
- If a pattern of individual violations has occurred and/or continues to occur without adequate control, response, or sanction on the part of the Student Organization or its leaders.

## Hazing

Hazing is considered acting in a manner that would subject another student to physical injury or mental or emotional harm as part of an initiation, or as a criterion of membership, into any organized University group, including any society, military groups, athletic team, fraternity or sorority, or other similar group. Planning or preparing to engage in hazing activity is also a violation. The expressed or implied consent of participants will not prevent student conduct action.

Hazing will not be tolerated at East Carolina University (ECU) and is prohibited in any form both on-campus and off-campus.

North Carolina State Statute on Hazing (N.C.G.S. § 14--35):

*"It is unlawful for any student in attendance at any university, college, or school in this State to engage in hazing, or to aid or abet any other student in the commission of this offense. For the purposes of this section hazing is defined as follows: "to subject another student to physical injury as part of an initiation, or as a prerequisite to membership, into any organized school group, including any society, athletic team, fraternity or sorority, or other similar group."*

Some examples of behaviors that ECU considers to be acts of hazing are below. This is not an exhaustive list and does not represent every action that could be considered hazing.

- An environment that creates unnecessary fatigue, including but not limited to acts that stem from forced physical activity, such as calisthenics, and deprivation of sleep.
- Forced consumption of any solids or liquids, including alcohol and/or drugs.
- Deprivation of food or liquids.
- Any activity that would be viewed by a reasonable person as subjecting any person to embarrassment, degradation, humiliation, or danger.
  - Forced or coerced wearing of apparel
  - Requiring new members to always have certain items in their possession
- Physical assault
  - Paddling
  - Beating
  - Hitting
  - Whipping

- Verbal and Emotional abuse
  - Lineups
  - Excessive Yelling
- Personal servitude
  - Cooking
  - Cleaning
  - Errands
  - Driving
  - Completing academic work
- Kidnapping and/or abandonment.
- Unreasonable exposure to weather, temperature, and/or environmental conditions.
- Forced or coerced completion of an individual or group task that a reasonable person would find unreasonable.
- Forced or coerced exclusion from social contact, parental contact, medical or psychological care.
- Involuntary or coerced branding.
- Unreasonable interference with a student's academic performance.

### **Related Policies**

Student Organizations are required to follow all other policies outlined in the ECU Student Conduct Process REG11.30.01 (Student Code of Conduct), which can be found online at <https://www.ecu.edu/PRR/11/30/01/>.

### **Procedures**

#### **Interim Actions**

The Office of Student Rights and Responsibilities (OSRR) may take interim action pending the resolution of a Student Organization conduct case to preserve the safety and well-being of the ECU community and its members. Interim actions are narrowly tailored using the least restrictive means necessary to address the specific concerns related to an allegation(s).

- Conditional Interim Action
  - Organization operations are partially suspended.
    - May include but are not limited to social functions, intramurals, new member meetings, and/or informal gatherings, temporary loss of privileges.
- Comprehensive Interim Action – Cease and Desist
  - All organization operations are suspended.

Upon receipt of a report alleging a Student Organization violated the Student Code of Conduct, the Associate Vice Chancellor for Student Involvement & Leadership (or their designee) and the Associate Dean of Students/Director of Student Rights and Responsibilities (or their designee) will assess the following factors to determine if an interim action will be implemented.

- Severity/pervasiveness of the allegation(s).
- Level of alleged harm.
- Amount and/or credibility of the information supporting the allegation(s).
- Assessment of whether the continued presence or activities of the Student Organization pose a substantial and immediate threat to the health or safety of the university community.

- Whether lesser actions, short of implementing an interim action, can sufficiently address the university's concerns regarding the Student Organization's continued presence and/or activities on campus.
- Student Organization's prior conduct history.

If after the assessment of these factors the implementation of interim action is warranted, a letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee) by the Associate Dean of Students/Director of Student Rights and Responsibilities (or their designee). The letter will include the aspects of the Student Organization's operations that are prohibited and a brief description of why an interim action is being implemented. Specific details may not be provided in order to protect the integrity of the investigation.

The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

Within seven (7) calendar days of an interim action being implemented, a representative from OSRR and Student Engagement will meet with the Student Organization Representative, one (1) advisor, and one (1) headquarters representative (if applicable) to review the interim action and discuss the next steps in the process.

Student Organizations can appeal the implementation of an interim action to the Dean of Students (or their designee) within fourteen (14) calendar days of the notification of the implementation of the interim action. The original decision will remain in place until an appeal decision is made. All appeals to the Dean of Students or designee are final.

At any time while an interim action is in place, the Student Organization Representative can request a modification to the interim action if an extenuating circumstance exists. An extenuating circumstance includes, but is not limited to, holding a philanthropic event that was previously planned, having alumni members facilitate a new member process, attend a headquarters sponsored event. The Student Organization Representative can request a modification by e-mailing the Associate Dean of Student/Director of OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) a detailed request.

The circumstances related to each interim action are different and the amount of time an interim action remains in place varies. An interim action will remain in place until OSRR determines that the Student Organization is no longer believed to be comprising the safety and well-being of the ECU community and its members. OSRR will consistently evaluate the information related to the reported allegation(s) and make every effort to modify or remove the interim action in a timely manner.

Interim actions will be formally reviewed every thirty (30) business days, and should the interim action be in place for a period of time greater than thirty (30) business days, the Student Organization Representative will be given the opportunity to request a meeting with the Associate Vice Chancellor for Student Involvement & Leadership (or their designee) and the Associate Dean of Student/Director of OSRR (or their designee) to discuss lifting or modifying the interim action. One (1) advisor and (1) headquarters representative (if applicable) can attend this meeting with the Student Organization Representative.

A violation of any condition of an interim action will be regarded as a separate and independent violation of the Student Code of Conduct. A Student Organization found responsible for violating any terms of an interim action may be suspended from East Carolina University.

## Student Organization Conduct Process

The Student Organization conduct process may involve the following steps:

1. Report Received
2. Report Reviewed
3. Investigation
4. Case Information Review
5. Initial Meeting
6. After Initial Meeting Review
7. Follow Up Meeting (if applicable)
8. After Follow Up Meeting Review (if applicable)
9. Case Adjudication
  - a. Educational Resolution
  - b. Administrative Hearing
  - c. Student Conduct Board Hearing

The following sections will review each step of the process.

Throughout the Student Organization conduct process, the Student Organization is represented by the Student Organization Representative who is a student designated by the Student Organization to serve as its representative through any student conduct organization proceedings. Typically, the President is the individual who serves in the role of Student Organization Representative.

### 1. Report Received

Anyone can submit a report to OSRR regarding possible violation(s) of the ECU Student Code of Conduct. Reports can be submitted via the online report form at <https://osrr.ecu.edu/report-an-incident-or-concern>, in-person at 364 Wright Building, via phone at 252-328-6824, and/or via e-mail at [osrr@ecu.edu](mailto:osrr@ecu.edu).

### 2. Report Reviewed

Upon receiving a report of an alleged violation(s) of the Student Code of Conduct, OSRR in consultation with the appropriate University departments, will conduct a preliminary assessment to determine if there is a reasonable basis for OSRR to take action related to the alleged violation(s). The preliminary assessment will include a review of the information reported. This may include, but is not limited to:

- Regardless of whether a report is anonymous, or the reporting party or parties are known, OSRR may do the following:
  - Assess the specificity of the information reported.
  - Assess the timeline and clarity of the information reported.
  - Gather information that would corroborate elements of the report.
  - Review any materials related to the report.
- If the identity of the reporting party or parties is known, OSRR may also do the following:
  - Assess the reporting party or parties' motivation for reporting.
  - Assess the reporting party or parties' connection to the Student Organization.
  - Conduct interview(s) with reporting party or parties.

If it is determined that there is no basis to the allegation(s) and/or the allegation(s) lack credibility, OSRR will not take any additional action and will consider the matter closed.

If it is determined that additional action is warranted, OSRR will initiate an investigation.

### **3. Investigation**

Each investigation varies in scope, number of interviews, and amount of time it takes to complete the investigation.

The purpose of the investigation is to gather information and impartially review the alleged incident(s) by interviewing involved parties and witnesses in order to perform a comprehensive review of the incident. The investigation may also include a review of written statements, audio recordings, pictures, social media information, text messages, GroupMe messages, class schedules, police investigation reports, and other relevant information.

OSRR may notify the Student Organization Representative, via e-mail, that an investigation is taking place and provide information about the investigation process. Depending on the severity and/or complexity of the allegation(s), OSRR may not notify the Student Organization Representative if the notification would compromise the integrity of the investigation. A Student Organization can share information with OSRR at any time during an investigation and/or take responsibility for the alleged violation(s).

If interim action is taken against the Student Organization and/or the Student Organization has been notified that the investigation process has been initiated, and the investigation takes longer than thirty (30) calendar days, OSRR will e-mail the Student Organization Representative an investigation update. OSRR will continue to update the Student Organization Representative at least every thirty (30) calendar days until the investigation has been completed.

There is no set timeframe for an investigation to take place, but OSRR works to complete investigations in the quickest timeframe possible. Student Organizations can assist OSRR in completing timely investigations by doing the following:

- Providing requested documents in a timely manner.
- Ensuring that members attend scheduled meetings.
- Respond to correspondence from OSRR in a timely manner.

At the conclusion of the investigation, OSRR will prepare a written investigation report that includes all relevant information that was collected.

### **4. Case Information Review**

After an investigation report has been completed, OSRR will review the information to determine if the conduct process will continue.

- If the information gathered during the investigation does not indicate that any possible violation(s) of the Student Code of Conduct took place the case will be closed.
- If the information gathered during the investigation indicates that possible violation(s) of the Student Code of Conduct may have taken place the conduct process will proceed, and an initial meeting will be scheduled.

### **5. Initial Meeting**

Purpose: To review the ECU conduct process, review the Student Organization's rights/responsibilities, and to share the investigation report. A Student Organization is not charged with a violation(s) prior to and/or

during this meeting. The main purpose of this meeting is for OSRR to share information with the Student Organization.

*OSRR does not share the investigation report prior to the initial meeting. OSRR takes this action so that the report can be fully explained, and any questions about the report can be answered during the initial meeting.*

**Meeting Communication:** A meeting notice letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee). The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

**Attendees:** OSRR staff, Student Engagement Staff, and the Student Organization Representative. The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to the meeting. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to the meeting must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the meeting.*

**Meeting Length:** Thirty (30) minutes to one and a half (1.5) hours

**Initial Meeting Agenda:**

- a. Introductions
- b. Explain the conduct process
- c. Review rights and responsibilities
- d. Review information reported/investigation report
- e. Allow Student Organization Representative to share information
- f. Ask follow-up and clarifying questions
- g. Explain next steps
- h. Answer any questions

## **6. After Initial Meeting Review**

After the initial meeting, the Student Organization will have time to review the investigation report and the opportunity to develop a response. If the Student Organization wishes to provide a response to OSRR, the response can be provided verbally or in a written statement.

If a written statement is submitted, a follow up meeting may be scheduled depending on the clarity and/or complexity of the response.

If the Student Organization wishes to provide a verbal response, a follow up meeting will be scheduled.

If a follow up meeting is not needed, OSRR will review the response and determine if charge(s) will be issued.

If charge(s) are issued, OSRR will determine if the case will be adjudicated via an educational resolution or a hearing and schedule the appropriate meeting.

If charge(s) are not issued, the case will be closed.

## **7. Follow Up Meeting (if applicable)**

**Purpose:** To allow the Student Organization to provide a verbal or written response to the investigation report and/or to clarify a verbal or written response that was provided during or after the initial meeting.

Meeting Communication: A meeting notice letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee). The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

Attendees: OSRR staff, Student Engagement Staff, and the Student Organization Representative. The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to the meeting. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to the meeting must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the meeting.*

Meeting Length: Thirty (30) minutes to one (1) hour

Follow Up Meeting Agenda:

- Student Organization Representative provides a response to the investigation report.
- Clarifying questions asked.
- Next steps discussed.

#### **8. After Follow Up Meeting Review (if applicable)**

OSRR will review the Student Organization's response and determine if charge(s) will be issued. If charge(s) are issued, OSRR will determine if the case will be adjudicated via an educational resolution or a hearing and will schedule the appropriate meeting.

If charge(s) are not issued, the case will be closed.

#### **9. Case Adjudication**

There are three methods for adjudicating a Student Organization case at East Carolina University.

- Educational Resolution
  - Based on the type/severity of an incident and a Student Organization's prior conduct history, a Student Organization may be eligible for an Educational Resolution. An Educational Resolution allows for incidents to be addressed through an educational resolution without the Student Organization being placed on an administrative status with ECU.
- Administrative Hearing
  - A meeting with an OSRR staff member for Student Organization cases that do not involve the possible sanction of organization suspension.
- Student Conduct Board Hearing
  - Student Conduct Board hearings will be convened when a Student Organization's case involves the possible sanction of suspension. The hearing panel is composed of three students, one faculty member, and one staff member.

## **Educational Resolution**

A Student Organization must meet the following criteria to be eligible for an Educational Resolution:

1. Minor incident took place.
2. Student Organization takes responsibility for the incident.
3. Student Organization has not been found responsible for a Student Code of Conduct violation in the past three (3) years.
  - a. OSRR may consider a shorter period of time if the previous violation was extremely minor and/or if there is an extenuating circumstance.

If the Student Organization meets the criteria detailed above, OSRR will work with the Student Organization to develop an Enhancement Plan (EP). An EP is developed by the Student Organization in partnership with advisors and the inter/national organization (when applicable).

An EP is a step-by-step guide of how the Student Organization plans on addressing the behavior that violated ECU's Student Code of Conduct, and how to implement and consistently enforce policies by the Student Organization's inter/national office (when applicable).

After the conclusion of an initial meeting or a follow up meeting (if applicable), OSRR will e-mail notification to the Student Organization Representative notifying them whether the Student Organization is eligible for an educational resolution. The notification will outline potential ECU Student Code of Conduct violations and will include a date, time, and location for an educational resolution meeting.

## **Educational Resolution Meeting**

Purpose: To discuss the incident, discuss the Educational Resolution process, and to begin developing the Enhancement Plan.

Meeting Communication: A meeting notice letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee). The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

Attendees: OSRR staff, Student Engagement Staff, and the Student Organization Representative. The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to the hearing. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to the meeting must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the meeting.*

Meeting Length: Thirty (30) minutes to one (1) hour

Educational Resolution Meeting Agenda:

- a. The Student Organization Representative shares any additional information that was not previously discussed.
- b. OSRR shares the procedures for completing an Enhancement Plan.
- c. Enhancement Plan action items are discussed.
- d. Next steps and Enhancement Plan due date are discussed.

- e. Questions are answered.

#### Educational Resolutions Stipulations

- Given that a Student Organization has taken responsibility for the violation, a Student Organization voluntarily opted into the Education Resolution process, and the outcome does not result in sanctions being assigned, an Educational Resolution cannot be appealed.
- If a Student Organization obstructs the process, provides false or inaccurate information, or omits information they will not be eligible for an Educational Resolution and the case will be adjudicated via an administrative hearing or Student Conduct Board hearing.

#### Administrative Hearing

Purpose: To determine responsibility and sanction(s) (if responsible) in cases that will not result in suspension.

Meeting Communication: A hearing notice letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee). The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

Attendees: OSRR staff, Student Engagement Staff, and the Student Organization Representative. The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to the hearing. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to the hearing must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the hearing.*

Meeting Length: Thirty (30) minutes to one (1) hour

Administrative Hearing Agenda:

- a. The Student Organization Representative shares any additional information that was not previously discussed.
- b. Findings of responsibility are made and discussed.
- c. If responsible, the sanction(s) are discussed.
- d. Appeal process is explained.
- e. Questions are answered.

#### Board Hearing

Purpose: To determine responsibility and sanction(s) (if responsible) in cases that may result in suspension.

Meeting Communication: A hearing notice letter will be e-mailed to the Student Organization Representative (usually the Student Organization president or their designee). The Department of Student Engagement will also receive a copy of the letter and may inform the official advisor on record and/or national/international headquarters when applicable.

Attendees: OSRR staff, Student Engagement Staff, and the Student Organization Representative. The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to the hearing. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to the hearing must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the hearing.*

Meeting Length: Multiple hours. Most Student Conduct Board Hearings last at least four (4) hours.

#### Board Hearing Agenda

- a) Introductions
- b) Review of Process & Impartiality
- c) Review of Charge(s)
- d) Review of Documentary Information
- e) Organization President or designee Shares Information
- f) Witness Statements
- g) Final Statements
- h) Panel Deliberation
- i) Statement of Responsibility
- j) Review of Sanction(s)
- k) Panel Deliberation
- l) Statement of Sanction(s)

### Sanctioning

OSRR takes an educational, restorative, and skills building approach to sanctioning. Sanctions are meant to facilitate a dialogue, create educational opportunities, and facilitate behavioral change. The goal of sanctions is to balance accountability with providing tools and resources to recognized Student Organizations so members make better decisions in the future. Sanctions should encourage critical thinking and address safety concerns for the University community.

Sanctions are developed based on the specific circumstances of an incident and the developmental needs of the Student Organization. In determining sanctions, OSRR takes into account the nature and seriousness of the violation, the impact of the violation on the community, the Student Organization's past conduct history, and any mitigating or aggravating factors existing at the time of the incident.

OSRR administers two types of sanctions:

#### **Administrative Sanctions:**

- A Student Organization's status with ECU.

Administrative Sanctions may include, but are not limited to, the following:

- Warning
  - If the incident does not raise a severe concern for the safety of its guests and the University community, and the Student Organization has little or no prior history of misconduct, the organization may receive a warning. This Sanction indicates that the organization is taking the appropriate measures to address the incident.
- Probation
  - A Student Organization may be placed on disciplinary probation for a specified period of time under conditions stated in writing. Probation includes a warning that any violation of the conditions, or any further acts of misconduct, will result in additional sanctions, which may include an extension of probation, deferred suspension, suspension or expulsion from the University.

- Limit or Ban on Social Activity
  - Student Organizations may be limited or entirely banned from engaging in or hosting parties and other formal or informal social events with other Student Organizations, individual students, and/or third parties both on-campus or off-campus for a period of time.
- Limit or Ban on Participation in Campus Activities
  - Campus restrictions prohibit Student Organizations from participating in some, or all, University events and privileges for a period of time. Events may include, but are not limited to, Homecoming, Greek Week, Intramural Sports, or Club Sports. University privileges may include, but are not limited to, use of space, and access to University resources.
- Deferred Suspension
  - Organizational suspension from East Carolina University may be deferred for a period of time, on the condition that a lesser sanction(s) and education and/or restorative sanctions be completed or is otherwise implemented within that period of time. If the lesser Sanction(s) is not completed in the time period assigned, or if not upheld, the deferred suspension will go into effect, and the Student Organization will have no further opportunity to appeal the deferred suspension. If found responsible by the Student Conduct Board for violating the deferred suspension, the outcome will result in the Student Organization being suspended.
- Suspension
  - Organizational suspension from East Carolina University means the Student Organization will cease all activities and disband for a period of time. Suspended organizations cannot utilize university space for gathering purposes or participate in University activities.

#### **Educational Sanctions:**

- Educational sanctions are task(s) a Student Organization must complete to learn and grow because of a violation(s) of the Student Code of Conduct.

Educational Sanctions may include, but are not limited to, the following:

- Attendance at educational campus events/presentations
- Updated risk management plan
- OSRR presentation
- Educational workshops
- Meetings with OSRR and/or Student Engagement staff
- Other educational tasks developed in collaboration between OSRR, Student Engagement, the Student Organization Representative, advisor, and headquarters (if applicable).

## Appeals

- A Student Organization may appeal the outcome of an Administrative or Board Hearing.
- Appeals will be limited to the record of the hearing, including the supporting documents provided by the Student Organization and available records ("Written Record") within the OSRR.
- An appeal must be received by OSRR within five (5) calendar days from the date that the written decision on sanctions is provided to the Student Organization.
  - Failure to submit an appeal within this time limit will render the decision of the conduct administrator/Conduct Board final and conclusive.
  - An extension of time may be requested within the five (5) day limit, but it is within the discretion of OSRR to grant or deny such requests.
- Appeals should be submitted through the link provided in the decision letter or emailed to [osrr@ecu.edu](mailto:osrr@ecu.edu).

### Grounds for an Appeal

The Student Organization has the burden of showing either (1) a violation of due process; or (2) a material deviation from [Substantive and Procedural Standards](#) adopted by the UNC System Board of Governors.

- **Violation of Due Process.** Due Process requires notice and an opportunity to be heard. A violation of due process means that the appealing party was not provided the required notice or an opportunity to be heard due to specified procedural errors, or errors in interpretation of University policies or regulations, that were so substantial as to effectively deny the Student Organization a fair hearing. Reasonable deviations from the procedures set out in this Regulation will not invalidate a decision or proceeding unless the Student Organization can show that, but for the deviation or error, there likely would have been a different outcome in the case.
- **Material Deviation from Substantive and Procedural Standards.** Substantive and Procedural Standards require that the decision reached be neither arbitrary nor capricious. A material deviation from substantive standards means that there is a lack of information in the record that could support the decision or sanction(s). This does not mean the information presented at the hearing can be re-argued on appeal; rather, it requires a showing that no reasonable person could have determined the Student Organization was responsible or could have imposed the sanction that was issued, based on the information in the record. A material deviation from procedural standards means that a lack of information in the record that could support the decision is due to a procedural error that resulted in the proffered evidence or testimony being excluded.

### Appeal of an Administrative Hearing Outcome

- The Director of OSRR or their designee will review the written record, including the appeal and make a determination as to whether a decision and/or sanction should be altered.
- The Director of OSRR can uphold the outcome, amend the outcome, or overturn the outcome.
- If the Director of OSRR or their designee determines that an appeal is not granted, the decision of the conduct administrator and any assigned sanctions will go into effect and the Student Organization will have no further appeal opportunities. The Director of OSRR or their designee's decision is final.

- The final decision will be made by the Director of OSRR or their designee within forty-five (45) calendar days after the hearing and will be shared with the Student Organization in writing within ten (10) calendar days of the date the decision was made.
  - The letter will include a brief summary of the information upon which the decision was based.

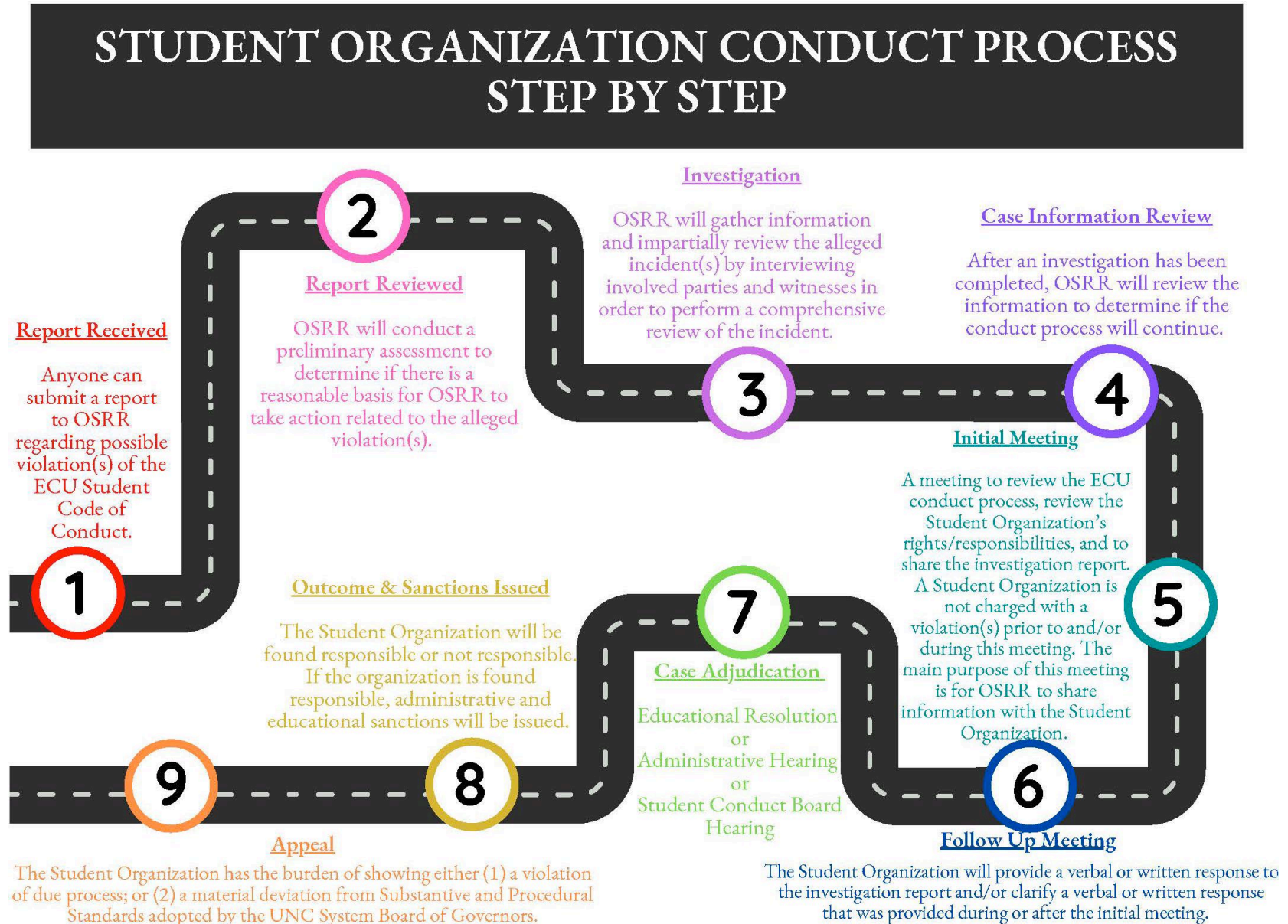
#### **Appeal of a Hearing Board Outcome**

- The Vice Chancellor for Student Affairs, or their designee, will review the written record, including the appeal.
- The Vice Chancellor, or their designee, will determine whether to impose the sanctions recommended by the Conduct Board, to modify the sanctions recommended by the Conduct Board, to refer the case back to OSRR for a new hearing before a different Conduct Board, or take other necessary administrative action.
- The final decision will be made by Vice Chancellor or their designee within forty-five (45) calendar days after the hearing and will be shared with the Student Organization in writing within ten (10) calendar days of the date the decision was made.
  - The letter will include a brief summary of the information upon which the decision was based.

If the Vice Chancellor of Student Affairs is unavailable, has a conflict of interest, or when the Chancellor determines that a substitution is necessary to ensure a fair and timely review, the Chancellor may assume the responsibility of reviewing Conduct Board appeals or designate another Vice Chancellor.

## Appendix

### Flow Chart



## Helpful Tips for Advisors

- Be familiar with the organization's objectives, constitution and bylaws.
- Be familiar with all ECU policies/procedures including the Student Code of Conduct and the Student Organization Conduct Handbook.
- Meet regularly with the organization to provide support and encourage the members to accept their responsibilities, meet their objectives, and develop as leaders.
- Be familiar with risk management procedures to assist leaders in their efforts to conduct business on campus and plan safe events.
- Be able to help members explore alternatives as they plan events, realizing that final decisions and organizational management is the responsibility of the members.
- Help leaders during periods of transition in an effort to maintain continuity.
- Alert organization leaders to potential organizational problems.

## Communication

The Office Student Rights and Responsibilities communicates, via ECU e-mail, with the Student Organization Representative, who is usually the Organization President or their designee. The Department of Student Engagement will forward communication to the advisors and a headquarters representative (if applicable).

## Meeting Attendance

The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to a meeting. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to a meeting must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the meeting.*

## Meeting Participation

OSRR will provide an opportunity for the Student Organization Representative and the advisor and headquarters representative (if applicable) who accompany them to a meeting, to discuss the nature of the allegations, the rights and responsibilities of the student organization, the resolution options available to the student organization, and the specific steps involved in the different resolution options. The advisor is able to fully participate in any meetings that take place.

## Case Documentation

The advisor who accompanies the Student Organization Representative to a meeting will be able to review the case documentation when it is shared during the meeting. The case documentation may be shared with the advisor, via a secure OneDrive link, after the meeting, at the discretion of OSRR.

## Sanctions

OSRR will use input from advisors and headquarters staff to assist in the development of sanctions. Sanctions are often proactive educational and/or developmental measures designed to assist the student organization in learning from the incident and providing the organization with the knowledge and skills needed to be successful in the future.

## Student Organization Rights and Responsibilities



### Office of Student Rights and Responsibilities

364 Wright Building | East Carolina University | Greenville, NC 27858-4353  
252-328-6824 office | 252-328-4828 fax

### Student Organization Representative Contact Information

MAXIENT:

Name: \_\_\_\_\_ Organization: \_\_\_\_\_

Phone Number: \_\_\_\_\_ Position: \_\_\_\_\_

### Student Organization Rights & Responsibilities

A Student Organization whose conduct is under review is entitled to the rights listed below and its President or designee will represent the Student Organization throughout the conduct process.

The Responding Student Organization might forfeit any of these rights if, after being given appropriate notice and opportunity to exercise these rights, they fail to do so.

### Responding Student Organization's Rights

- The right to an objective and impartial evaluation of the complaint.
- The right to be present during the meeting with a conduct administrator or during the Student Conduct Board hearing.
- The right to reasonable access to all information gathered throughout the evaluation pertinent to the alleged violation once OSRR has concluded the investigation and
- The right to present information relevant to the alleged violation, including inviting witnesses.
- The right to respond to information presented against the Student Organizations
- The right to a separate meeting with a conduct administrator or Student Conduct Board hearing in cases involving multiple Responding Student Organizations.
- The right to not provide information with the understanding that the University will make a determination without the Responding Student Organization's information.
- The right, after receiving written notice of the outcome, to review the decision, including to appeal as described in these Procedures.
- The right to be represented, at the Student Organization's expense, by a licensed attorney or non-attorney advocate who may participate in accordance with UNC Policy Manual 700.4.1.[R]. A Responding Student Organization represented by an attorney or non-attorney advocate is expected to attend all scheduled meetings and hearings.

### Responding Student Organization's Responsibilities

- The responsibility to be honest and direct in communicating with individuals involved in the conduct process.
- The responsibility to review pertinent conduct process policies and procedures and to seek clarification if necessary.
- The responsibility to respond in a timely manner to University requests for information, to promptly schedule meetings when requested, and to arrive on time for scheduled meetings.
- The responsibility to provide the decision-maker with pertinent information that the Responding Student Organization would like considered in the review of the alleged violation.
- The responsibility to participate in the conduct process in a manner that is civil and respectful.

I have reviewed this form in its entirety with an OSRR Staff Member, and I understand my rights, responsibilities, and resolution options as the representative for my organization's conduct case.

\_\_\_\_\_  
*Student Signature*

\_\_\_\_\_  
*Date*

[www.ecu.edu](http://www.ecu.edu)

## Frequently Asked Questions

Q: My student organization received a letter from the Office of Student Rights and Responsibilities (OSRR), what do we do?

A: Please read the letter in its entirety. The letter will explain the reason OSRR has contacted you and whether we will need to meet to discuss an alleged violation of the Student Code of Conduct. If a meeting has been scheduled, details will be included. If you have questions about a letter, contact the conduct administrator who sent the letter or contact OSRR at 252-328-6824 or [osrr@ecu.edu](mailto:osrr@ecu.edu).

Q: Why is my student organization being asked to attend a meeting about an incident that occurred off-campus?

A: The Student Code of Conduct applies to all conduct whether it occurs on or off-campus.

Q: What happens at a meeting with the Office of Student Rights and Responsibilities?

A: There are multiple different meetings that take place as part of the student organization conduct process. Detailed information regarding the different meetings, including agendas and meeting lengths, can be found on pages 9-14 of the Student Organization Conduct Handbook.

Q: How does my student organization reschedule our meeting with the Office of Student Rights and Responsibilities?

A: Contact the conduct administrator who sent your student organization a letter or contact the Office of Student Rights and Responsibilities at 252-328-6824 or [osrr@ecu.edu](mailto:osrr@ecu.edu).

Q: Who represents my student organization during meetings with the Office of Student Rights and Responsibilities?

A: The Student Organization Representative, usually the President or their designee, represents the organization.

Q: Who can my student organization bring with us to a meeting with the Office of Student Rights and Responsibilities?

A: The Student Organization Representative can bring one (1) advisor and one (1) headquarters representative (if applicable) to a meeting. *The names and contact information (phone number and e-mail address) of the individuals accompanying the Student Organization Representative to a meeting must be e-mailed to OSRR at [osrr@ecu.edu](mailto:osrr@ecu.edu) no later than two (2) calendar days prior to the meeting.*

Q: What happens after a meeting with the Office of Student Rights and Responsibilities?

A: After a meeting, the Office of Student Rights and Responsibilities will review all of the information discussed and send a letter to the Student Organization Representative's ECU e-mail account regarding next steps.

Q: Can my student organization appeal a decision made by the Office of Student Rights and Responsibilities?

A: A Student Organization may appeal the outcome of an Administrative or Board Hearing. Appeals will be limited to the record of the hearing, including the supporting documents provided by the Student Organization and available records ("Written Record") within the OSRR. An appeal must be received by OSRR within five (5) calendar days from the date that the written decision on sanctions is provided to the Student Organization. Detailed information regarding appeals can be found on pages 16-17 of the Student Organization Conduct Handbook.