

UW-Superior Student Organization Conduct Process

Definition of Student Organization

The term 'student organization', for the purpose of reporting violations, means an organization at UW-Superior (such as, but not limited to a club, society, association, varsity or junior varsity athletic team, club sports team, intramural team, fraternity, sorority, band, or student government) in which two or more of the members are students enrolled at UW-Superior, whether or not the organization is established or recognized by the institution.

Student Organization Conduct Process

All student organizations (as defined above) have considerable freedom to accomplish their goals. However, student organizations must comply with federal, state, and local laws/ordinances, as well as University rules, policies, and procedures. In addition, individual members (students and non-students) representing a student organization and the University are expected to abide by relevant laws and policies, including those of any off-campus facilities or localities which the organization may be using. Any student organization found in violation of these standards is subject to disciplinary action by the University.

Possible violations of law and policies that will be adjudicated through this process include:

- a. Board of Regents or Universities of Wisconsin Administrative policies
- b. University of Wisconsin System Administrative Code Chapter 17: Student Nonacademic Misconduct
- c. University of Wisconsin System Administrative Code Chapter 18: Conduct on University Lands
- d. UW-Superior Discrimination, Harassment & Retaliation Policy
- e. UW-Superior Sex Violence and Harassment Policy
- f. UW-Superior Anti-Hazing Policy
- g. University policies and sanctions concerning illicit drugs and alcohol
- h. Conduct that obstructs or impairs the ability of students or community members to participate in university-sponsored or authorized events, or that substantially and unreasonably interferes with others' participation in lawful activities.
- i. Creation of an unsafe or dangerous environment at an organization event or in organization facilities.
- j. Incident of theft, vandalism, excessive noise, or disorderly conduct.

This document outlines organization-level misconduct and potential sanction(s). Individual organization members involved in the violation of these or other policies may, in addition, face disciplinary action under University of Wisconsin System Administrative Code Chapter 17 (Student Nonacademic Disciplinary Procedures), Title IX, and/or University of Wisconsin System Administrative Code Chapter 18 (Conduct on University Lands). Individual student misconduct will be handled through the Dean of Students Office. Should a student organization or members of a student organization be charged with a violation of sexual misconduct, the Title IX Coordinator will be consulted at each step of the process outlined below.

I. REPORTING

- a. Any UW-Superior student, faculty, staff, or community member may file a written complaint of an alleged violation by a student organization through the Dean of Students Office [Incident Reporting Form](#). While the Dean of Students Office will review all reports it receives, the submission of anonymous reports can significantly impede the university's ability to address the incident.

- i. Complaints should include the following information:
 1. Detailed description of the alleged violation(s)
 2. Date, time, and location of the alleged violation(s)
 3. Name(s) of the student organization(s) involved
 4. Name(s), if possible, of the individual(s) involved
 5. Name(s), if possible, of witnesses
 6. Name(s) of the complainant(s)
- b. Upon receiving a report, the Dean of Students personnel will review the relevant information to determine whether the information submitted rises to a possible violation of policies outlined above. The Dean of Students personnel may request additional information regarding the allegation at any time. If another judicial body has concurrent jurisdiction over the issue, the report may be shared with that group. The Student Organization Conduct Process may be carried out prior to or simultaneously with other judicial proceedings.
- c. If after reviewing the information it is determined by the Dean of Students personnel that there are no potential violations, no formal action will be taken, and the case will be dismissed.
- d. Any concern of retaliation or harassment may be expressed to University Police or the Dean of Students Office.

II. INTERIM MEASURES

- a. The Dean of Students Office may take immediate action by restricting some or all of the student organization's activities by imposing interim measures up to and including interim suspension, when one or more of the following conditions are met. The behavior alleged in the report(s) would:
 - i. Constitute a potential for serious harm to a member or members of the student organization.
 - ii. Constitute potential for serious harm to another person or other people.
 - iii. Pose a threat of serious disruption of university-run or university-authorized activities.
 - iv. Constitute a potential for serious damage to university facilities or property.
- b. A student organization may request one review of these interim measures. This request will be made to the Dean of Student's Office, which will determine whether the interim measures will remain in place, be altered, or be removed.
- c. Interim measures will remain in effect until either:
 - i. They are lifted by the Dean of Students personnel; or
 - ii. The disciplinary process is completed.

III. INVESTIGATION

- a. If the information in the report indicates a possible violation of policies/laws (see above), the Dean of Students Office has thirty (30) calendar days to notify the student organization, via university email, of the investigation. The Dean of Students Office may extend the thirty-day timeline under extenuating circumstances.
- b. The advisor/coach and president/captain of the student organization charged with an alleged violation(s) of policies/laws will be sent a notice containing the following information:
 - i. The date/time of the alleged incident(s);
 - ii. A brief description of the allegation(s);
 - iii. The specific charges pending against the student organization;
 - iv. The student organization's rights during the process.

- c. The president/captain must respond to this notice within ten (10) calendar days to confirm receipt and to begin scheduling an investigatory interview. Exceptions to this timeline may be granted for extenuating circumstances by the Dean of Students Office.
- d. The investigating officer designated by the Dean of Students Office will investigate the allegations by conducting interviews and gathering information.
- e. If, as a result of the investigation, the investigating officer determines no organizational misconduct occurred, or that no disciplinary sanction is warranted under the circumstances, the matter shall be considered resolved without further action. The investigating officer shall notify the student organization in writing.
- f. If, as a result of the investigation, the investigating officer determines that organizational misconduct did occur, and that one or more disciplinary sanctions should be recommended, the investigating officer shall prepare a written report containing the following:
 - i. A description of the alleged misconduct;
 - ii. A description of all information available to the university regarding the alleged misconduct;
 - iii. Specification of the sanction(s) sought;
 - iv. Notice of the student organization's right to a hearing;
 - v. A copy of this policy and the institutional procedures
- g. The written report shall be emailed via university email to the student organization.

IV. ALTERNATIVE CASE RESOLUTION

- a. A matter can be referred to an Alternative Case Resolution at any point in the disciplinary process. In the event the student organization and the university cannot agree on a successful outcome via the Alternative Case Resolution, the case will be referred back to the investigating officer to continue the investigation or proceed to a hearing if the investigating officer has already made a recommendation. If a case is successfully resolved via an Alternative Case Resolution, a hearing for the case may not be requested.
- b. Examples of an Alternative Case Resolution include but are not limited to Negotiated Settlement or Organization Enhancement Partnership Agreement.

V. ORGANIZATION ENHANCEMENT PARTNERSHIP AGREEMENT PROCESS

- a. Eligible student organizations will meet with the Dean of Students personnel to discuss the next steps and guidelines in the Organization Enhancement Partnership Agreement Process. This meeting must take place within seven (7) **business** days (excluding breaks) of the referral to the Organizational Enhancement Partnership Agreement process.
- b. Within seven (7) **business** days (excluding breaks) of the meeting, outlined above in V.(b), the student organization must provide a written Organization Enhancement Plan, outlining all corrective actions and self-imposed sanctions the student organization will complete (by specified deadlines) in order to remedy the situation. The Organization Enhancement Plan must be approved by the designated Dean of Students personnel.
- c. If applicable, the designated Dean of Students personnel will issue a letter of reprimand to the student organization, outlining all deadlines for Organization Enhancement Plan completion. For record keeping purposes a copy of the letter will also be placed in the Student Organization file, in the Dean of Students Office, as well as the Student Involvement, and/or Athletics, and/or Campus Recreation offices. If a recognized student organization is found responsible for hazing and assessed a sanction(s), the violation, findings, and sanction(s) will also be posted on the

UW-Superior Stop Campus Hazing Act Transparency Report located on the University Police website (per PUBLIC LAW 118–173—DEC. 23, 2024 138 STAT. 2597).

- d. If the student organization misses any deadlines or violates any other condition of the Organization's Enhancement Plan, as determined by the designated Dean of Students personnel, it will be moved to the Hearing Process.
- e. If at any time it is determined by the designated Dean of Students personnel, that the allegations are pertinent to individual conduct and not student organization conduct, the Organization Enhancement Partnership Process will end, and individual(s) may face charges under UWS CH. 17, Title IX and/or other appropriate student conduct processes.

VI. HEARING PROCESS

- a. Student organizations receiving a written report under Section III. f, have the right to a hearing to contest the determination that organizational misconduct occurred, the choice of sanctions, or both.
 - i. If the sanction sought is not suspension or termination, and if the student organization desires a hearing, the student organization must file a written request with Dean of Students Office within seven (7) calendar days of the date the written report was delivered to the student organization. If the student organization does not request a hearing within this period, the determination of organizational misconduct shall be regarded as final, and the sanction sought shall be imposed.
 - ii. Where the sanction sought is suspension or termination, the investigating officer shall forward a copy of the written report to the Associate Vice Chancellor for Student Affairs, or their designee (excluding the investigating officer) who shall, upon receipt of the written report, schedule a hearing on the matter within 30 calendar days. A hearing shall be conducted unless the student organization waives, in writing, the right to such a hearing.
 - 1. Student organizations may waive their right to a hearing by submitting a written notice to the Associate Vice Chancellor for Student Affairs within 7 calendar days of the date the written report was delivered to the Student Organization.
- b. Student organization hearings regarding alleged policy violations outlined in this document shall be held before the Nonacademic Misconduct Hearing Committee.
- c. No fewer than seven (7) calendar days in advance of the hearing, the hearing committee shall obtain from the investigating officer, in writing, a full explanation of the facts upon which the determination of misconduct was based and shall provide the student organization with access to or copies of the investigating officer's explanation, together with any other material provided to the hearing committee by the investigating officer. The student organization must also share any written or electronic materials for consideration and the names of any witnesses it plans to call with the hearing committee and investigating officer no fewer than seven (7) calendar days in advance of the hearing.
- d. Hearings are subject to Wis. Stat. § [19.85](#), Wisconsin Open Meetings of Governmental Bodies, and may be closed if the student organization's representatives request a closed hearing or if the members of the hearing committee determine it is necessary to hold a closed hearing. The charged student organization may have an advisor or support person present at any point. The advisor or support person may speak to student organization representatives but cannot address the hearing committee or participate in the hearing as a witness. Hearings shall be recorded.

- e. Following the hearing, the hearing committee will meet as soon as reasonably possible to deliberate. Deliberations of the hearing committee shall be held in closed session in accordance with Wis. Stat. § [19.85](#). Within seven (7) calendar days of the hearing, the hearing committee shall issue a written recommendation to the Dean of Students Office, including their rationale, based upon the preponderance of the evidence, as to whether the student organization was responsible for the charges in the matter. A recommendation to find the student organization responsible for violations must be determined by a majority vote of the hearing committee. If the hearing committee recommends finding the student organization in violation, it will also recommend sanctions.
- f. Within seven (7) calendar days of receiving the recommendation from the hearing committee, the Dean of Students or their designee will issue a decision to the student organization. If that decision differs from the hearing committee's recommendation, it will include a rationale for those differences. If the decision finds the student organization responsible for any violations, it will also include information on how the student organization may appeal the decision.

VII. APPEAL

- a. Student organizations that are sanctioned with suspension or termination have the right to appeal. Should a student organization wish to do so, it must submit an appeal request in writing to the Associate Vice Chancellor for Student Affairs (or designee) no later than fourteen (14) calendar days from receipt of the written summary of the findings and disciplinary action(s) provided by the Dean of Students Office.
- b. A student organization may request an appeal based solely on one or more of the following factors:
 - i. The evidence does not support the finding or disciplinary action(s) issued;
 - ii. New evidence or information has been received that was not available and of which a reasonable person would not have been able to obtain during the investigation, that is relevant and material to the issue at hand;
 - iii. The procedures outlined in this document were not followed.
- c. Upon receipt of the request for an appeal, the Associate Vice Chancellor for Student Affairs (or designee) shall conduct a review and make a final determination as to whether the decision shall be upheld, modified, or reversed, and the decision shall be provided to the student organization and the Dean of Students Office in writing no later than fourteen (14) calendar days from receipt of the written appeal, unless extenuating circumstances warrant additional time. The decision of the Associate Vice Chancellor for Student Affairs (or designee) is final.

VIII. POSSIBLE SANCTIONS

Sanctions given to student organizations as a result of misconduct are designed to be educational in nature and encourage adherence to University of Wisconsin-Superior policies. Sanctions also serve the purpose of encouraging student organizations to consider why misconduct occurred and how student organization leaders can take responsibility for compliance. The range of possible sanctions the Dean of Students Office on behalf of the University of Wisconsin-Superior may impose on a student organization include, but are not limited to:

Disciplinary Warning – A written warning outlining why the conduct of the student organization was inappropriate and warning against additional sanctions if the conduct continues.

Community Service – The student organization will be required to organize, fund, and/or participate in an agreed upon service opportunity to give back to the larger community.

Educational Programming – The student organization will be required to attend an educational event(s) held on campus to receive information for the betterment of the student organization. Student organizations may also be required to plan or sponsor an educational program for members and/or the larger campus community.

Loss of University Privileges – Student organizations will be prohibited from using specific resources (such as University facilities) if found in violation of abuse of such resources. Loss of University Privileges will be sanctioned for a specified time period after which the privileges will be reinstated.

Restitution – The student organization will be responsible for the cost associated with replacement or maintenance of an item that was damaged due to misconduct.

Funds Freeze - This would impose a hold on the student organization's funding as provided and allowable through the Segregated University Fees Allocation Committee (SUFAC) or Athletics. This is intended to freeze organizational funds for a 6-9 month period from date of imposed sanction.

Disciplinary Probation – The student organization will remain recognized provided it abides by all applicable laws and policies for a period of time not to exceed 24 months. Probation will allow the use of University of Wisconsin-Superior facilities and resources available to all student organizations. Probation signifies a warning status that any further violation of policy may result in Disciplinary Suspension or loss of University Recognition. Disciplinary Probation will be given for a specific time period; the student organization will return to good standing once the time period has expired.

Disciplinary Suspension – Resources available to student organizations and the use of University facilities will be suspended. Student organizations on suspension will not be allowed to meet, conduct organization business and will be held accountable for any continued misconduct of the student organization. Any further violation of policy when suspension has been invoked will result in immediate loss of University Recognition. Disciplinary Suspension will be given for a specific time period, not to exceed 24 months, after which the student organization must re-apply for University Recognition. The re-application must include a plan for steps the student organization has taken to eliminate the risk of future violation of policy.

Termination – The student organization will officially be terminated by the University of Wisconsin-Superior. All resources and rights enjoyed by the student organization will be permanently terminated. Termination will occur based upon the type and severity of the misconduct. In addition, Termination may occur when a student organization on Disciplinary Suspension violates University policy and/or federal, state, or local law. This is intended to be a permanent decision and may only be carefully reconsidered after a period of at minimum four calendar years from date of imposed sanction, and only upon the approval of the Chancellor and/or appointed designee.

Emergency Suspension – Student organizations may be immediately suspended if the Dean of Students Office has reason to believe the safety of individuals or the community may be in jeopardy and/or the alleged complaint puts the university's reputation or finances at risk. Any Emergency Suspension will be followed by an investigation as outlined in this document.

NOTE: A combination of multiple sanctions listed above can be used if the Dean of Student's Office deems necessary.