



STUDENT AFFAIRS & ENROLLMENT MANAGEMENT

DEAN OF STUDENTS DIVISION
1600 Holloway Avenue | SSB 403
San Francisco, CA 94132
415-338-3888
<http://www.dos.sfsu.edu>

STUDENT ORGANIZATION/CLUB CONDUCT PROCEDURES

Table of Contents

Purpose	1
Overview	1
Off Campus Behavior	2
Off-Campus Events.....	2
Guidelines for Responding to Student Organization or Club Misconduct	3
Complaints Investigated through the Student Organization/Club Conduct Process	3
The Fact Finding Review Process	5
Formal Conduct Review Process	6
Possible Sanction Outcomes	8
Appeal Process	9
Definition of Terms (listed in alphabetical order).....	10
Useful Web Links.....	11
Approval Page	12

SF STATE STUDENT ORGANIZATION/CLUB CONDUCT PROCEDURES

Purpose

SF State is a learning community which recognizes the value that student organizations/clubs contribute to the student experience. As part of this role, leaders of student organizations/clubs must fully recognize their responsibilities, as well as, their rights and privileges. These procedures have been developed to ensure that matters of conduct involving student organizations/clubs, are handled consistently, fairly, and in a timely manner. The goal of these procedures is to ensure that any alleged misconduct is resolved in accordance with the educational purpose of the University, and adheres to due process standards. Student Activities & Events (SA&E) staff shall consult staff and students, including representatives from Associated Students (AS), in the revision of these procedures except when such revisions result from changes to system wide policies or are specifically mandated by law. Any member of the campus community may submit written proposals to change the provisions of this procedure to SA&E at any time.

Student organizations/clubs who have engaged in alleged misconduct may go through the Student Organization/Club Conduct Process. The Associate VP & Dean of Students is responsible to designate an Assistant Dean of Students (ADOS) who is charged with implementation and oversight of this procedure. The ADOS shall assign a staff member or administrator to investigate and adjudicate student organization/club conduct concerns and complaints. Based on the severity of the case, a concern or complaint may be handled by both the assigned campus investigator and the Office of Student Conduct.

An annual memo, appointing campus staff and administrators to serve as investigators, will be generated by the ADOS and approved by the President's Designee, the Vice President for Student Affairs & Enrollment Management. The investigators will receive annual training to ensure that they are familiar with this procedure as well as other relevant University, local, state and federal laws.

Overview

Student organizations and clubs at SF State ("University") must comply with CSU [Executive Orders 1068, 1098](#), and [UED 89-13](#) as well as other University policy and/or directives, and local, state and federal law. When a student joins, or is joining, a student organization or club, a student accepts responsibility for the actions of the organization or club and for the other members, while engaged in organizational or club endeavors.

Each student organization/club is responsible for the conduct of its members whenever individual actions are abetted by the officially recognized student organization/club, and violate University policies and/or regulations and/or local, state and federal law. Abetting is defined, but not limited to, student organization/club sponsorship, sanctioning, participating in or condoning of the misconduct.

Violations or any attempt to violate University policies, rules and/or regulations and local, state and federal laws, and/or abetting such violations or any attempt to abet, constitutes "misconduct" and can

cause sanctions to be issued by the University against the organization and/or those individuals involved, as described below.

Off Campus Behavior

Section 41301, Student Conduct, Title 5 states: “This section clarifies the university’s authority for off-campus behavior that includes students who are members of clubs and organizations. The Student Conduct Code sets the standard of expected behavior and describes conduct that is unacceptable and subject to discipline through the university’s disciplinary process.”

Off-Campus Events

Student organizations/clubs choosing to sponsor an event off-campus accept sole responsibility for the event. Student organizations sign a statement each fall during the organization recognition and renewal process which releases the University and its employees from any claims or causes of action arising out of any event held off campus and sponsored by a student organization/club. Organizations and clubs utilizing off-campus facilities or vendors are solely responsible for all contractual agreements they enter into and in no way involve the University or the advisor as an employee of the University.

Any recognized student organization/club which undertakes the sponsorship of an event accepts responsibility for maintaining proper conduct of those in attendance. Officers of the organization or club are responsible for informing members of the organization of this requirement. If a complaint is registered against an organization or club, SA&E will request the complaint be placed in writing and a copy forwarded to the President of the organization or club concerned and the Assistant Dean of Students responsible for the SA&E program. Misconduct may simultaneously be investigated by and processed through the Office of Student Conduct for [EO 1098](#) complaints and/or the Office of Equity Programs and Compliance for [EO 1096](#) or [EO 1097](#) complaints.

If, following review by SA&E, the organization has not resolved the problem satisfactorily, or if the difficulty was of such proportion as to impair the name of the University or other student organizations/clubs, disciplinary action may be initiated by the Assistant Dean of Students responsible for the SA&E program and/or the Office of Student Conduct. Student organizations sponsoring an event off-campus at a local venue may be required to provide proof of insurance. The University does not provide insurance coverage for student organizations/clubs sponsoring events held off-campus. The Enterprise Risk Management Office will provide information and guidance to student organizations/clubs needing to purchase insurance for an event off-campus.

Guidelines for Responding to Student Organization or Club Misconduct

The following guidelines outline the process through which alleged misconduct will be investigated and the issuance of any resulting sanctions. These are guidelines to the process meant to aid in the resolution of the student organization/club conduct. As appropriate and in consultation with fundamental campus administrators, the University may occasionally determine an alternative process which will best serve the campus community in reaching an appropriate resolution. In such situations, the accused student organization/club will be informed in writing of any alternative process that will be followed. This communication will be sent, via email, to current student organization/club president, advisor, or other appropriate officers using the primary student organization/club email(s) identified during the annual registration process¹.

Complaints Investigated through the Student Organization/Club Conduct Process

A complaint alleging non-academic misconduct by a student organization/club may be filed by anyone (anonymous complaints will be investigated with solemnity²). When the complainant is known, the complaint must be in writing, signed, dated and submitted to the assigned Assistant Dean of Students (ADOS) or to the Student Activities & Events Office. It is highly recommended that complaints be submitted online through the [Student Organization/Club Complaint Form](#); however, they may be sent via email or dropped off in person in the Student Activities & Events office (SSB 206). Unless otherwise impracticable, the ADOS, or designee, will notify the student organization/club of the allegations within ten (10) working days of receipt of the complaint. The ADOS, or designee, will also communicate with the complainant within ten (10) working days to let them know that the complaint has been received and is being reviewed. While complaints may be filed at any time, complainants are encouraged to submit them as close to the time the incident(s) occurred so that the concern(s) may be addressed in a timely manner.

The ADOS, or designee, will review all complaints regarding the activities of a recognized student organization/club. If the ADOS, or designee, determines that a formal investigation is necessary, the student organization/club president, advisor and other appropriate officers will be notified in writing of the complaint against them, and the possible violation of specific University policy.

¹ Should the email address change following the registration renewal, it is the responsibility of the organization/club to notify the SA&E office in writing as soon as the change is made.

² Please note that anonymously submitted complaints may limit our effectiveness in fully resolving the concerning behavior or misconduct.

1. If the ADOS, or designee, using appropriate discretion, determines that as a result of the allegations that the health and safety of the campus community is at risk, the ADOS, or designee, in consultation with the Associate Vice President & Dean of Students, may direct the student organization/club to cease and desist all organizational activity until the conclusion of the investigation and resolution of the allegation. This decision is not subject to review. A cease and desist order may be implemented at any time during the Student Organization & Club Conduct process. Unless a student organization/club has been directed to cease and desist all organization activity, the organization or club may continue to function as normal until such time that an investigation is complete.
2. The ADOS, or designee, will set the time and place for initial interviews. This initial interview process is known as a “Fact Finding Review.” During the Fact Finding Review process, the ADOS, or designee, will determine when and how to meet with the leadership of accused student organization/club leadership. Additional interviews may be necessary, as determined by the ADOS, or designee, to determine the accuracy of facts. Additional interviews may include, but are not limited to, interviewing individual members, the complainant, and any additional witnesses and/or involved parties.
3. At the conclusion of the Fact Finding Review, if the ADOS, or designee, determines a more formal investigation is warranted, then a copy of all facts against the organization will be made available (with necessary redactions), in writing, for the organization to review with the ADOS, or designee.
4. If, after conducting the Fact Finding Review the ADOS, or designee, determines by a “preponderance of the evidence” (meaning, more likely than not the alleged incident took place) that the student organization/club has engaged in misconduct (e.g., violated a University rule, policy, regulation and/or state, local and/or federal law) an appropriate sanction will be identified for the student organization/club.
5. After the initial Fact Finding Review, the ADOS, or designee, may impose sanctions against a recognized student organization/club, including, but not limited to, probation, loss of privileges (e.g. booking on-campus venues, hosting events, etc.), or rescinding recognition (see page 7-8 for a list of possible sanction outcomes). If the student organization/club does not accept the sanctions, the matter will be handled through the Formal Conduct Review Process (see below).
6. When individual members are alleged to have engaged in misconduct (e.g., violated a University rule, policy, regulation and/or state, local and/or federal law), the ADOS, or designee, will forward the case to the Office of Student Conduct.

7. After the process is complete, the student organization/club will be informed, in writing via email³, by the ADOS, or designee, of the outcome of the investigation and nature and scope of any sanctions.
8. The ADOS, or designee, may consult with the Student Conduct Administrator at any point during the Student Organization and Club Conduct process.

The Fact Finding Review Process

1. The president and faculty/staff advisor of the student organization/club will receive a Notice of Complaint letter from the ADOS, or designee. The letter will include an appointment time to meet with the ADOS or designee. Appointments may be rescheduled one (1) time should the initial appointment time not work for the president and advisor.
2. The Notice of Complaint letter will include the following:
 - a. Date of appointment;
 - b. All alleged violations;
 - c. A brief summary of the charges alleged against the student organization/club;
 - d. Contact information for the investigator;
 - e. A copy of CSU [Executive Order 1068](#) and the SF State Student Organization/Club Conduct Procedure.
3. Both the Complainant and the organization or club charged may elect to be accompanied by an advisor to any meeting(s), conferences or interview(s). The advisor's role is limited to observing and consulting with and providing support to the student organization/club charged; an advisor cannot be an attorney, and may not speak on behalf of their advisees. Attorneys are not allowed in the student organization/club conduct process, per SF State Presidential Order⁴.
4. During the Fact Finding Review, the appropriate student organization and club members will meet with the ADOS, or designee, regarding the incident and will have the opportunity to address the alleged violations outlined in the Notice of Complaint letter. Additional interviews may be necessary, as determined by the ADOS, or designee, to substantiate the accuracy of facts.
5. At the conclusion of the Fact Finding Review, the ADOS, or designee, will determine if 1) the allegations have no warrant, 2) informal mediations are possible, or 3) a "Formal Conduct Review" is necessary. The ADOS, or designee, will draft an initial report of findings.

³ Using the primary student organization/club email(s) identified during the annual registration process.

⁴ Reference CSU [Executive Order 1098](https://www.calstate.edu/eo/EO-1098-rev-6-23-15.html) Article II. Section C (<https://www.calstate.edu/eo/EO-1098-rev-6-23-15.html>).

6. The student organization/club will be notified, via email⁵, by the ADOS of the outcome of the Fact Finding Review within ten (10) working days after receipt of the initial Fact Finding report. At this point in the process, if necessary, a “Cease and Desist Order” will be sent, if one has not already been imposed. Should the review find that the complaint does not warrant further investigation, the student organization/club president and advisor will be notified of such in the Outcome Letter. If the determination is that the issue can be resolved by mediation, the Outcome Letter will contain information about the mediation process and a timeline for completion. Likewise, should the case need to go to the Formal Conduct Review, the Outcome Letter will outline the next steps in the process.

Formal Conduct Review Process

1. Within ten (10) working days of the decision to move to a formal conduct review process, the ADOS will assign an investigator who will contact the organization/club president, via email⁶, and send the student organization/club a “Letter of Formal Review”.
2. The Letter of Formal Review will include the following:
 - a. Date of appointment;
 - b. All alleged Student Organization/Club Conduct & policy violations;
 - c. A brief summary of the findings of facts alleged against the student organization/club;
 - d. Contact information for the investigator;
 - e. A copy of CSU [Executive Order 1068](#) and SF State’s Student Organization and Club Conduct procedure.
3. A copy of the Fact Finding Review Report will be made available for the student organization or club to be reviewed in person, by the organization’s president with the ADOS, or designee. If the president is not available to review the report in person, they must provide within five (5) working days of receipt of the “Letter of Formal Review” the name of the officer who is authorized to review the report. The president or designee must acknowledge in writing, via email, that they have been provided access to review the report in person.
4. The report will inform the student organization/club of all relevant allegations, and the findings of fact to date. All personally identifiable information may be redacted, as appropriate.
5. The student organization/club will have the opportunity to respond in writing, via email, to the allegations, prior to the Formal Conduct Review, although this is not mandatory. If the student organization or club chooses to respond in writing, the written response must be delivered to

⁵ Using the primary student organization/club email(s) identified during the annual registration process.

⁶ Using the primary student organization/club email(s) identified during the annual registration process.

the investigator, five (5) working days prior to the Formal Conduct Review. The written response will be taken into consideration for the final determination of Conduct Review Process.

6. The student organization/club will be allowed to call witnesses. The student organization/club will provide the names of their witnesses, to the investigator, five (5) working days prior to the Formal Conduct Review. The student organization/club is responsible for contacting their witnesses and making sure they are present at the review. All people called as witnesses must be people who actually witnessed the alleged events/activity. Witnesses will only be present at the review when their testimony is being given. When their testimony is concluded, witnesses will be asked to leave the room, but will be asked to stand by in case they need to be recalled for any clarification.
7. Participants or witnesses who are disruptive to the process may be asked to leave the room.
8. The Formal Conduct Review may be recorded by the investigator for accuracy and reference.
9. Once the investigation is complete, the investigator will send the report and a summary of the findings, which will include their recommendation(s), to the ADOS within ten (10) working days. The ADOS in consultation with the Assistant Dean of Students & Director of Student Conduct (when deemed necessary), will have the options to:
 - a) accept the recommendations of the investigator,
 - b) modify the recommendations of the investigator or,
 - c) reject the recommendations of the investigator.

If the ADOS rejects the recommendations of the investigator, the ADOS will make a determination and impose sanctions on the student organization/club. The ADOS will have five (5) working days to make a determination and notify the student organization/club of that outcome. The student organization/club will be notified of the imposed sanctions through a Notice of Decision letter. The Notice of Decision letter will be sent to the President of the organization or club and the Faculty/Staff Advisor via the University-assigned, or other primary email address linked to the Student's account in the Office of the Registrar. When applicable, and if necessary, the organization/club National Headquarters will be notified of the imposed sanctions of the student chapter located at SF State.

10. The ADOS, or designee, will advise the student organization/club of their appeal process option in the Notice of Decision letter.
11. The president or co-chairs of the student organization/club may accept or refuse the sanction(s) on behalf of the student organization /club. Organizations/clubs will be provided a reasonable opportunity to review the sanction. Presidents or co-chairs are encouraged to review the sanction with their organization prior to acceptance or refusal of said sanction(s). The president may reject the sanction on behalf of the student organization/club by submitting a written

appeal within ten (10) working days of the Notice of Decision to the Associate Vice President & Dean of Students, whose decision is final. See below for Appeal Process. Upon receipt, the AVP & DOS will acknowledge receipt of the appeal by sending an email to the president of the student organization/club.⁷

Possible Sanction Outcomes

Organizations or clubs found responsible for violating one or more Student Code of Conduct violations, may be assigned one or more sanctions, to be administered and issued by the University. The details of a given sanction will be included in the Notice of Decision letter (e.g. deadline to complete sanction, sanction instructions, etc.)

A. For student organizations/clubs:

1. Official Reprimand/Warning (written or oral), with or without conditions.
 - a. A letter of reprimand/warning is a written notice to the student organization/club that a violation of University policies has occurred. This letter will be a warning that further violations could result in more severe disciplinary action. It will be a part of the organization's file for a period of one year from the date of the letter.
2. Restriction of privileges granted to the student organization/club.
3. Frozen Accounts.
 - a. Organization or club accounts may be frozen during an investigation period.
4. Restitution, community service, educational sanctions, or any combination of these.
5. Probation for a specified period of time, with or without conditions.
 - a. Probation is a period of supervision imposed for a specific length of time. Organizations or Clubs on probation may continue with all or some of the rights and privileges of student organizations/clubs for the specified period of time as identified in the Notice of Decision letter. Any violations within the time period shall result in the immediate loss of additional or all organizational or club privileges. The organization shall be closely monitored by Student Activities & Events during the probation period.
6. Suspension of university recognition for a specified period of time, with or without conditions.
 - a. Suspension is the loss of all rights and privileges of a student organization/club during the specified suspension period. The student organization/club must meet with the ADOS after the conclusion of the suspension period and request permission

⁷ Using the primary student organization/club email(s) identified during the annual registration process.

to gain approval to register as an active organization or club during the next registration period.

7. Total revocation of university recognition (e.g. the organization or club loses all privileges associated with university recognition).
 - a. Revocation of recognition involves the expulsion of a student organization/club from the University campus and all University activities, including the revocation of all student organization/club rights and privileges. None of the current club officers will be permitted to charter another club at SF State.
8. Required training and/or education.
 - a. Assignments, such as work, web-based educational programs, research, essays, presentations, service to the University or the community, training, counseling, or other remedies intended to discourage a repeat of the misconduct or as deemed appropriate based upon the nature of the violation. In many cases, the organization will be held responsible for fees associated with the educational and remedial sanctions.

Any sanctions that are listed under Article VI. SANCTIONS of California State University [Executive Order 1098](#) (or its successor) "Student Disciplinary Procedures for the California State University" that can apply to individual students for violation of the student conduct code can also apply to a student organization/club (except any academic sanctions such as expulsion or suspension which can only be applied by the Office of Student Conduct under [Executive Order 1098](#)).

B. For individuals:

1. Official reprimand (written or oral), with or without conditions.
2. Restriction of privileges within an organization or club.
3. Organization/Club or University Probation for a specified period of time, with or without conditions.
4. Restitution - Compensation for loss, damages or injury. This may include appropriate service and/or monetary material replacement.
5. Suspension or Expulsion from participation in the organization or club for a specified period of time, with or without conditions.
6. Individuals violating the university "Student Code of Conduct," or university rules and regulations, available online at [SF State Student Code of Conduct](#) may also be subject to the Student Conduct Process.

Appeal Process

1. A student organization/club that disagrees with the determination made by the ADOS and/or the sanction issued, may engage in an appeals process within ten (10) working days

- of receipt of the Notice of Decision letter. The decision shall be deemed delivered to the organization five (5) working days after the date emailed to the last known email provided by the president or other head officer of the organization from the office of Student Activities & Events.
2. To seek an appeal, the student organization/club must submit a request in writing within the time described above, to the Associate Vice President & Dean of Students (AVP & DOS). Using the parameters described below (letters a. – c.), the student organization/club should outline in the written request the reason(s) they believe the decision and/or sanctions should be reconsidered. The AVP & DOS will only review decisions and sanctions issued by the ADOS and not any actions taken by the Office of Student Conduct regarding individual members of the student organization/club. In requesting an appeal, the student organization/club must identify one or more of the following as the basis for the request and the facts that support that basis:
 - a. New evidence that was not available when the ADOS rendered a decision;
 - b. The sanction is not supported by evidence, using a preponderance of the evidence standard, for the determined violation; or
 - c. The ADOS substantially deviated from the procedures delineated in these Disciplinary Procedures.
 3. The AVP & DOS will utilize the criteria listed above (letters a. – c.) to determine which individuals will be consulted and/or questioned as part of the appeal process and what documentation the AVP & DOS will review.
 4. The AVP & DOS may also consider the student organization/club cooperation in the investigation of the complaint by ADOS and any failure to abide by any interim sanctions in place as part of the appeal process. The AVP & DOS may refer the matter back to the ADOS for further investigation and/or follow up. The AVP & DOS may also confirm, modify and/or reject the decision and sanctions issued by ADOS.
 5. Written notification, communicated via email⁸, of the outcome of the student organization/club appeal will be provided to the student organization/club within thirty (30) days of receipt of the request for appeal, unless impracticable. The decision by the AVP & DOS is final.

Definition of Terms (listed in alphabetical order)

- Advisor
 - The complainant and the student charged may each elect to be accompanied by an Advisor of their choice to any meeting, interview or hearing regarding the allegations, subject to the limitations set forth above in Article II. C. The Advisor may be anyone,

⁸ Using the primary student organization/club email(s) identified during the annual registration process.

provided the Advisor is not a person with information relevant to the allegations who may be interviewed or testify during any related investigation or hearing. The Advisor may not answer questions regarding the subject matter of the investigation for the complainant or on behalf of the student organization/club.

- Complainant
 - An individual who is eligible to file a Complaint or who is reported to have experienced a potential violation of policies and procedures;
- Fact Finding Review
 - Student organization and club members meet with the assigned investigator regarding the incident and any alleged violations outlined in the Notice of Complaint letter;
- Investigator
 - The staff member and/or administrator assigned by the ADOS to review the allegations of misconduct against a student organization/club;
- Misconduct
 - Improper conduct; wrong behavior; may be intentional or unintentional;
- Preponderance of Evidence
 - The greater weight of the evidence; i.e., that the evidence on one side outweighs, preponderates over, or is more than, the evidence on the other side. The Preponderance of the Evidence is the applicable standard for demonstrating facts and reaching conclusions in an investigation conducted pursuant to Executive Orders [1096](#), [1097](#), and [1098](#).
- Timelines
 - The AVP & Dean of Students may (but is not required to) extend any of the aforementioned timelines within this procedural document. The designated Assistant Dean of Students responsible for oversight of this procedure shall notify the current student organization/club president, advisor, or other appropriate officer(s) of any revised timeline.

Useful Web Links

- Executive Order 1068 - <https://www.calstate.edu/eo/EO-1068.html>
- Executive Order 1096 - <https://www.calstate.edu/eo/EO-1096-rev-6-23-15.html>
- Executive Order 1097 - <https://www.calstate.edu/eo/EO-1097-rev-6-23-15.html>
- Executive Order 1098 - <https://www.calstate.edu/eo/EO-1098-rev-6-23-15.html>
- Student Organization/Club Conduct Complaint Form - https://cm.maxient.com/reportingform.php?SFStateUniv&layout_id=8
- University Executive Directives: <https://policiesandpracticedirectives.sfsu.edu/content/university-executive-directives-ueds>