**Initiating a Report**

Reports should be submitted as soon as possible after an incident or event occurs. In cases in which a University staff member is notified of an incident from an outside person or entity the staff member may document the call and prepare the incident report. In cases in which the reporting person fears retribution, the name may be withheld by the reporting staff member at the discretion of the Director of Student Activities and Student Conduct Services. Anonymous calls or reports may be submitted but will warrant additional investigation to substantiate the validity of the complaint.

Upon receipt of a complaint or incident report, the Department of Student Activities has a responsibility to address these. This includes notifying the Offices of the Dean of Student Life in cases in which an individual has possibly violated a student rule. Normally, complex or serious cases such as sexual harassment, sexual assault/rape, sexual abuse, hazing, illegal drugs, or the involvement of a recognized fraternity or sorority, and cases in which the possibilities of both individual and organizational violations exist, will require investigation prior to charges being issued. Such investigations will be conducted expeditiously.

In such cases, the Dean of Student Life working with the Director of the Student Activities or their designee(s) will determine the process and timing of the investigation. Hazing investigations will be reported to the University Police by the Dean of Student Life for their action as appropriate. A determination regarding the need for a joint investigation (with members of a parent organization or inter/national headquarters staff assisting) is made at this time with Student Activities coordinating their participation.
Interim Suspension of Recognition

Based upon a student organization’s alleged behavior, the Vice President for Student Affairs, the Director of Student Activities (or their designee(s)) may impose an interim disciplinary action prior to the initiation of formal charges under the Student Organization Accountability Process or a student organization’s hearing on the facts of the case.

- When the student organization’s actions/behaviors affect the safety, health, or general welfare of a student organization and/or the University community, an interim disciplinary action may be issued. Some of the restrictions that may be placed on the student organization during the interim disciplinary action period include, but are not limited to: barring or limiting some or all of the organization’s activities and/or privileges (including, but not limited to: social activities; intramural competition; organizational competition; eligibility to receive any University award or honorary recognition; privilege to occupy a position of leadership or responsibility in any University student organization governing body, publication, or activity; or ability to represent the University in an official capacity or position); entrance into University residence halls or other areas of campus, or contact with another specified person(s). While on interim disciplinary action, the student organization’s University recognition is suspended pending the outcome of an investigation or conduct. While an organization is suspended, it may not use University resources or participate as an organization in any University activities or events.
- An interim disciplinary action requires that the student organization be notified in writing delivered via email to the contact addresses for the chief student leader and faculty advisor on file with Student Activities.
- The student organization may request a meeting to discuss the restrictions imposed by the interim disciplinary action. The student organization’s request must be in writing to the Director of Student Activities.
- If a meeting is requested on the interim disciplinary action, a meeting will be scheduled within three (3) class days of the receipt of a written request. The Director of Student Activities (or designee) will conduct the meeting. The student organization will be notified of the outcome of the meeting in writing. The written notification of the outcome is final as to the interim disciplinary action, pending the final results of the Student Organization Accountability Process.
- Formal charges under the TAMU Student Rules may be filed at the completion of a University investigation or as soon as practicable, even if law enforcement investigations or criminal proceedings are ongoing.

Investigations

1. The Dean of Student Life will assign investigators (from a pool of trained investigators) to look into the situation and collect facts associated with the reported incident. Generally one of the investigators will be a staff member affiliated with the Department of Student Activities.
2. Prior to the commencement of the investigation, the chief student leader and faculty advisor will be notified via email of the investigation and associated process. Time permitting, a meeting may be held with the chief student leader and faculty advisor(s) to discuss the investigation process.
3. Investigators will begin the investigation and meet with selected members and/or associated others to collect information about incident or behavior in question. Statements from all relevant witnesses are collected at this time. Organization leaders are encouraged to collect and/or prepare statements related to the matter for addition to the report.
4. A summary report is prepared and the investigation report is submitted to the Dean of Student Life for review. The report will then be shared with the Director of Student Activities and his/her designee.
5. The Director of Student Activities or his/her designee will determine if the report contains information that warrants organizational conduct action.
Student Organization Accountability Process

Assessment of Charges

Upon the receipt of a written incident report or complaint, the Director of Student Activities or his/her designee may determine that there is sufficient reason to charge the student organization with a violation of the TAMU Student Rules and Student Organization Manual protocol and if a hearing is warranted. If it is determined that there is not enough evidence to warrant organizational conduct action the organization president will be notified in writing of that determination and the report will be archived for one year. If it is determined that there is sufficient evidence to warrant an organizational accountability hearing, the Associate Director of Student Activities/Chair Student Organization Accountability Board will assesses charges applicable to the incident and initiate the process.

Hearing Notification

All charges shall be sent via email to the chief student leader of the student organization in written form. This letter of notice will provide details of the alleged violations and set a time for the hearing. Hearings will be arranged as expeditiously as possible but depending on the academic calendar, may be extended until the Student Organization Accountability Board reconvenes following scheduled breaks.

The written notice given to any charged student organization will include the following:

1. Sufficient detail to prepare a defense (including source of information, alleged violation, and specific Student Organization Conduct Code charges).
2. An invitation to attend an information session, during which the student organization’s representative may view all materials related to the case, receive instruction regarding the student conduct process and the student organization’s rights, and confirm the forum in which the case will be heard.
3. Notice of a formal hearing will occur at least five (5) class days prior to the hearing of the case.
4. The Department of Student Activities working in conjunction with University offices and/or organization advisors may place restrictions on the student organization if the representative fails to address the Student Organization Conduct Code charges in a timely manner.
5. The address on file with the Department of Student Activities StuAct Online recognition database will be used for all notices sent to the organization regarding the conduct process.
Student Organization Accountability Board (SOAB)

Student organization conduct cases which may result in the suspension of University recognition shall be conducted by the Student Organization Accountability Board.

The Student Organization Accountability Board will be convened by the Associate Director of Student Activities (or their designee). This Board will be made up of two TAMU faculty or staff members and five trained student board members. Student representatives from the following campus constituencies SGA, GSC, RHA, Greek Councils, Corps of Cadets, ISA, and MSC will make up the pool from which student board members will be selected.*

*In cases where a recognized Greek-letter organization (those associated with CPC, IFC, NPHC & MGC) is alleged to have violated University Student Rules, the board will be made up of two TAMU faculty or staff members and five trained student representatives (two students from the council whose member chapter is accused and one from each of the other three councils).

Administrative Resolution of Organizational Charges

In cases where the organization is not subject to the loss of University recognition AND if the charges are not disputed, alternative resolution such as Restorative Justice or mediation may be offered by mutual consent of the parties involved and on a basis acceptable to the Director of Student Activities.

Following notification of the charges, the chief student leader and faculty/staff advisor of the Student Organization will meet with the Associate Director of Student Activities or his/her designee to discuss the charges and accountability options. A written summary of these agreements are provided to all parties. These agreements are binding and once entered are not subject to appeal. Failure to abide by the agreements could result in the situation being returned for resolution through the Student Organization Accountability process.

If the charges are disputed by the organization, or if the chair believes that sanctioning is best determined by a board, the case will move forward to the Student Organization Accountability Board for a formal hearing.
All hearings will be fair and impartial and will use a reasonable person standard when assessing whether the information presented constitutes a preponderance of the evidence. A charged student organization may submit a challenge to the impartiality of any member of a hearing body to the Chair of the Student Organization Accountability Board or the Director of Student Activities. Decisions on challenges shall be final and not subject to appeal.

A charged student organization will have the opportunity to present evidence on its behalf, including presenting witnesses and/or signed, written statements from witnesses, and other documentary evidence. Witness testimony is not required and the inability of the charged student organization to question a witness who has provided a witness statement is not a violation of the due process rights of the charged student organization, as the charged student organization has the opportunity to review the written statement and may offer evidence to rebut the witness statement and other evidence presented at the hearing. Witness statements are entitled to be given the same weight by the hearing body as live witness testimony. Witness statements need not be sworn or in affidavit form.

The charged student organization and any witnesses may be accompanied during the hearing by an advisor. A faculty advisor, national representative or student may serve as an advisor to the charged student organization. A student representative of the student organization is required to address the hearing body in person, although the representative may consult with the advisor and other members of the student organization during the hearing. This consultation must take place in a manner that does not disrupt the proceedings. The advisor shall not speak on behalf of the student organization unless expressly authorized to do so by the chair of the Board. The charged student organization and any witnesses shall provide the advisor's name in writing to the chair of the Student Organization Accountability Board two (2) class days prior to the hearing. The advisor may not serve as a witness.

Protection from self-incrimination does not extend to student organizations.

The burden of proof in an SOAB hearing always rests with the University. The standard of proof will be the preponderance of the evidence, meaning that the evidence, as a whole, shows that the fact sought to be proved is more probable than not.

The formal rules of evidence do not apply to Student Organization Accountability Board proceedings. Appropriate witnesses will be called by the University to all formal hearings. Those witnesses who appear may also be questioned by the charged student organization. If called witnesses do not appear, their written or taped statements may be considered by the hearing body. Appropriate witnesses may also be called by the charged student organization to all hearings, provided they are reasonably available and do not disrupt or delay the hearing. In the event a witness is not reasonably available or the witness's presence may disrupt the hearing, a written statement from the witness may be substituted. Witness statements need not be sworn or in affidavit form.

If the charged student organization fails to appear at the scheduled hearing after proper notice or fails to cooperate with the Student Organization Accountability Board process, the hearing may be held in the charged student organization's absence.

Prior records of Student Organization Accountability Board action and complainant/witness impact statements are considered by the hearing body only in the sanctioning phase of deliberations. The hearing body's determination of "responsible" or "not responsible" will be based solely on the information presented at the hearing. However, when additional information that affects this determination is gathered outside the hearing, it may be used provided it is shared with the charged student organization and the student organization has an opportunity to respond to the information. In cases involving multiple students or organizations charged, information provided at one hearing may be used as evidence in the related case(s).

To request the cancellation of a previously scheduled formal hearing, the charged student organization must submit a written statement to the chair of the Student Organization Accountability Board two (2) class days prior to the hearing date. At the discretion of the chair of the Student Organization Accountability Board (or designee), the hearing may be rescheduled or conducted in the charged student organization's absence.

All decisions made by the SOAB will be communicated in writing to the charged student organization and will include the findings of fact, determination of responsibility, sanctions (if applicable), and notice of appellate rights.
SOAB Procedural Outline

1. Hearing called to order by Chair
2. Introductions of Board members and hearing participants
3. The Chair will review the investigation report(s) and charges, and as appropriate:
   - Facilitates questions of witnesses (if any) this can include text, video, photos, and other things specific to the case.
   - Questions from board members
4. Student Organization presents their case including:
   - Presentation of witnesses (if any)
   - Questions from panel members and board chair
5. Student Organization final statement regarding responsibility
6. University summary statement - chair reviews charges of alleged Student Rule violations
7. Hearing is dismissed for Student Organization Accountability Board Deliberation
   - The board will specifically review the charges for organization responsibility
8. Chair Delivers Board’s Decision regarding Student Rule violation
   - If the organization is found NOT RESPONSIBLE for violating a Student Rule then the hearing is dismissed.
   - If the organization is found to be RESPONSIBLE for violating a Student Rule then proceed to Step 9.
9. The Chair will review the charges and outlines sanctioning guidelines to be considered
   - Nature of the behavior
   - Circumstances of the case
   - Past organizational conduct history
   - Sanctioning precedent and options
   - Educational/developmental impact on organization and its membership
10. Student Organization presentation of case including:
    - Self-imposed sanctions, national organization requirements or protocols developed
    - Questions from Board members
11. Student Organization final statement regarding sanctions
12. Student Organization Accountability Board Deliberation (faculty & student representatives)
    - Deliberation of sanctions
13. Chair reads Boards’ decision(s) regarding sanctions for student organization

Records

Student organization conduct files will be maintained in accordance with the procedures outlined in the Student Rules.

Student Organization Sanction Guidelines

In light of the facts and circumstances of each case, the sanctions or combination of sanctions (with or without appropriate modifications) listed on the following pages may be imposed upon any student organization found to have violated Student Rules or the Student Organization Manual protocols. Certain sanctions may result in a financial cost to the student organization. If a student organization does not complete a sanction by the required deadline, the Department of Student Activities, working in conjunction with University officers and/or organization advisors may place restrictions on the organization.
Primary Sanctions

The following are listed in order of severity:

**Organizational Suspension**: This action consists of a student organization’s recognition being suspended for a specified or indefinite period of time, and automatic loss of all rights and privileges associated with University recognition (e.g. use of the University facilities, use of University name and associated logos). For Greek-letter organizations, this sanction also prohibits the group’s participation in Greek Council activities and recommendation will be made to the National/International Organization to temporarily suspend or revoke the charter.

**NOTE**: A Student Organization whose recognition is suspended through the Student Organization Accountability Process is NOT guaranteed re-recognition at the end of such period of time, but is guaranteed a review of the case and a decision regarding eligibility and the process for re-recognition.

**Organizational Deferred Suspension**: An official notice that the student organization’s conduct was in violation of Texas A&M University Student Rules, and/or the Penal Code of the State of Texas, but not sufficiently serious to warrant immediate suspension of the organizations’ University recognition. If the student organization is found in violation of any University Student Rule during the time of Deferred Suspension, the Suspension takes effect immediately without further review. Additional student organization conduct sanctions appropriate to the new violation also may be taken. It is also possible that more stringent disciplinary action, including restriction from participation in specific events, such as intramural events or University traditions, may result if future violations occur during the deferred suspension period. The length of the deferred suspension sanction is set by the Board and is normally set to end at the conclusion of the current or some future semester.

A student organization on deferred suspension is deemed to be "Recognized with Restrictions" with the University for student organization recognition purposes and will have limited privileges. Parent organizations, national/international headquarters of organizations placed on deferred suspension will be notified of this action.

* **Organizational Conduct Probation**: An official notice that the student organizations’ conduct is in violation of Texas A&M University Student Rules, and/or the Penal Code of the State of Texas, but not sufficiently serious to warrant suspension of the organizations’ University recognition. It is also possible that more stringent disciplinary action, including restriction from participation in University events, Greek Life activities, intramural events or University traditions, may result if violations occur during the probationary period. The length of the probation is set by the Board and is normally set to end at the conclusion of the current or some future semester. *This sanction is generally accompanied by a secondary sanction of an educational and/or restrictive nature.

Unless restricted by the Board, this status does not restrict an organization’s ability to hold social functions. A student organization on organizational conduct probation is deemed to be "Recognized with Restrictions" for student recognition purposes and may have limited privileges. A violation of the terms of organizational conduct probation may result in the organization’s University recognition status being suspended temporarily or permanently.

Parent organizations, national/international headquarters of organizations placed on deferred suspension will be notified of this action.

**Organizational Social Probation**: Restriction of an organization’s ability to host or participate in any social activity outside of meetings, educational programs, community service projects, and intramural activities. The length of the probation is set by the Board and is normally set to end at the conclusion of the current or some future semester. It is also possible that more stringent disciplinary action, including restriction from participation in University events, Greek Life activities, intramural events or University traditions, may result if violations occur during the probationary period. *This sanction may be accompanied by a secondary sanction.

**Letter of Reprimand**: A letter that makes a matter of record any incident that reflects unfavorably on the student organization or the University. It specifies that more severe disciplinary action may result should the organization be involved in future violations. *This sanction is generally accompanied by a secondary sanction.

**Warning**: A public admonition of a student organization for actions unbecoming a recognized student organization to the university community.

Greek-letter organizations may be subject to additional action, restrictions or sanctions to be determined through their Greek Council jurisdictional procedures.
Secondary Sanctions

The following may be imposed in addition to a primary sanction as appropriate:

**University Restrictions**: The withdrawal of specified privileges for a definite period of time, but without the additional stipulations contained in the imposition of conduct probation. The mechanics of the restriction should be clearly specified, as well as how long it is in effect (i.e. tailgating restriction, social restriction, date party restriction, alcohol or intramural restriction).

**Community/University Service**: An organization may be offered an opportunity to complete a specified number of hours of community/university service in lieu of other sanction(s). The deadline for completion is set by the Board and is normally set to end at the conclusion of the current or some future semester. The Chair of the Student Organization Accountability Board or their designee must approve the type of Community/University Service prior to participation by the organization. Organizations may not count community service time done by individuals assigned community service hours as part of TAMU student conduct or court ordered directives. Completion of service projects will be supervised by the faculty advisor of the organization with a final confirmation of completion provided by the Chair of the SOAB.

**Educational Requirements**: A provision to complete a specific educational requirement directly related to the violation committed. The provision will be clearly defined. Such educational requirements may include, but are not limited to, completion of an alcohol education workshop, a diversity awareness workshop, presentations or guest speakers, essays, reports, etc. The deadline for completion is set by the Board and is normally set to end at the conclusion of the current or some future semester. Completion of educational requirements will be supervised by the faculty advisor with a final confirmation of completion provided by the Chair of the SOAB.

**Restitution**: A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception. The assessed costs to be paid may be in addition to receipt of any of the above sanctions. Compliance with the restitution sanction will be supervised by the faculty advisor with a final confirmation of completion provided by the Chair of the SOAB.

**Letter of Apology**: A letter written to those impacted by the behavior of the organization. The letter indicates that the organization accepts responsibility for the incident and has remorse for their actions.

**Other Penalties**: The Student Organization Accountability Board may impose other restrictions requirements or sanctions in addition to, or in conjunction with those listed, when deemed appropriate.

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**Appeals of Student Organization Accountability**

Appeals of Student Organization Accountability Board sanctions are heard by the Director of Student Activities or his/her designee. The written outcome of the appeal will be copied to the Director of Student Activities and Dean of Student Life (as applicable).
Appeals of Student Organization Accountability

Appeals of Student Organization Accountability Board sanctions are heard by the Vice President for Student Affairs or his/her designee. The written outcome of the appeal will be copied to the Director of Student Activities and Dean of Student Life (as applicable).

Appeal Hearing Procedures

Rules of Evidence
- Burden of proof rests with the student organization
- Decisions will be based on a preponderance of the evidence
- All discussion and questions should be limited to facts of the incident and the basis of the appeal. The purpose of the appeal is NOT to rehear the case, but to review the decision that was made regarding the case.

Appeal Process
The student organization representative, the chair of the Student Organization Accountability Board and any pertinent witnesses, meet with the Vice President for Student Affairs or their designee who will serve as the appeal officer and render a decision.

The Vice President for Student Affairs or designee will notify the student organization in writing of the date of the appeal. The appeal hearing may include the chief student leader representing the student organization, any witnesses presented by the student organization or University, and the chair of the Student Organization Accountability Board. Organizations requesting an appeal should review the Appeal Hearing Procedures carefully and be prepared to present their appeal at the scheduled meeting time, including coordinating with witnesses they wish to present.

Appeal Decisions
- All decisions of the Vice President for Student Affairs or his/her designee are final, there is no other appeal provided.
- The decision of the Vice President for Student Affairs or his/her designee may be to:
  - Uphold previous decision
  - Revise previous decision
  - Overturn previous decision
  - If the appeal is based upon a violation of procedural fundamental fairness, the appeal officer will determine whether a deviation of fundamental fairness occurred and then whether the deviation was sufficient enough to make the process fundamentally unfair to the student. The case may be remanded back to the Student Organization Accountability Board for a new hearing or a decision may be based on the testimony or materials presented at the appeal. Note: A finding that a procedural violation occurred in the initial hearing will not result in the dismissal of the case.
- The Vice President for Student Affairs or his/her designee MAY increase the severity of the previous decision.
- Decisions will be delivered within three working days of the appeal hearing.

How to Initiate Appeals
To initiate an appeal, the student organization must complete the Appeal Request Form and submit it to the Office of the Vice President for Student Affairs, within five working days of the date the decision was announced. The organization must base an appeal on one or more specific aspects of the previous hearing:
- Unjust sanction;
- Violation of procedural fairness.

The Vice President for Student Affairs or their designee may deny the admission of any evidence that does not accompany the student organization’s request for appeal.