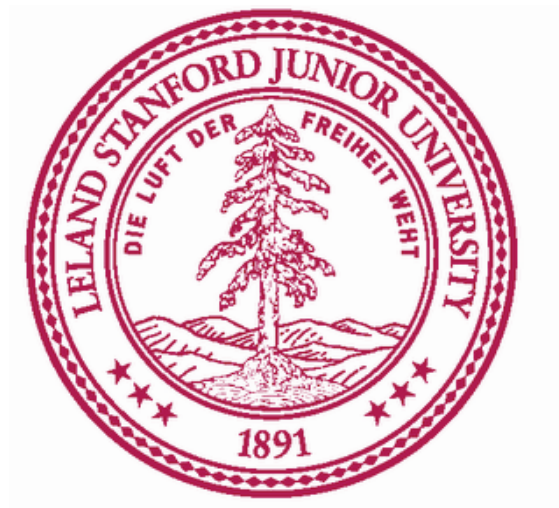


# **Organization Conduct Board**

## **Policies and Procedures**

### **For All Recognized Student Organizations**

#### **Stanford University**



**These policies and procedures are subject to change with approval of the Associate Vice Provost for Student Affairs/Dean of Students\***

*\*Document revised March 2018 to incorporate updates and name changes that were posted to the Policies and Procedures section of the Organization Conduct Board website, <https://studentaffairs.stanford.edu/policies/organization-conduct-board-ocb/policies-and-procedures>, to correct typos, to make some clarifications, and to carry name changes through the balance of the policy. Further revisions to clarify procedures were made in November 2018.*

## **OCB POLICIES AND PROCEDURES**

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## **Policies and Procedures**

For All Recognized Student Organizations  
Effective Winter Quarter 2009

### **OVERVIEW**

#### **Purpose**

The Organization Conduct Board (OCB) is a pool of students, faculty and staff that have been trained by the Office of Community Standards (OCS) to conduct hearings regarding incidents of alleged policy violations by any recognized student organization including voluntary student organizations, fraternities, or sororities (“RSO”). The specific panels drawn from the OCB conduct hearings, determine facts, and make recommendations to the associate vice provost and dean of students with respect to possible administrative actions to be taken.

#### **Philosophy**

The Fundamental Standard has set the standard of conduct for individual students at Stanford since 1896 and embodies the values and definition of good University citizenship. By extension, these guiding principles of acceptable behavior and civility are applicable to every RSO. In addition, the University policies that have grown out of the original Fundamental Standard apply not only to individuals, but also to RSOs and their members in the spirit of collective responsibility.

The OCB process is intended to be educational and administrative in nature. Each panel will identify behavioral problems and issues in the case before it, thereby reinforcing institutional expectations, and will provide advice and guidance to help the RSO self-correct behavioral problems.

#### **Jurisdiction**

The OCB’s jurisdiction includes both on- and off-campus RSO activities and events.

All instances of alleged violations of either the letter or spirit of the fundamental standard or applicable policies, laws, directives, or regulations (each a “Violation”) should be reported to the OCS. While many conduct issues will be formally investigated and forwarded through the OCB process, there may be occasions when the matter is referred to another, more appropriate, University entity for resolution, including to the associate vice provost and dean of students, Student Activities & Leadership (SAL), and Residential Education.

## Formal Process

The goal is to complete a case within a reasonable time frame after a complaint is filed. This time frame does not include the summer term nor the time period between quarters, and may be extended for reasonable cause. The procedural steps are as follows:

1. The process is initiated by a written complaint, which can be filed by any Stanford affiliated individual or office with the belief that a RSO has committed a Violation.
2. The complaint is submitted (physically or electronically) to the OCS.
3. As soon thereafter as reasonably feasible, the OCS notifies the leadership of the RSO of the nature of the complaint, the name of the person who will conduct the investigation, and an estimated time within which the investigation will be completed.
4. The investigator(s) conducts interviews with and/or requests responses to written questions regarding the issues and allegations raised in the complaint from any individual reasonably believed to have relevant information.
5. The investigator(s) completes review and provides an Investigative Report to the OCS.
6. After receiving the Investigative Report, the OCS Director or his/her delegate determines (1) whether there is sufficient evidence of a Violation to warrant a referral of the matter to an OCB Panel [see below] or (2) whether to refer the matter to a more appropriate University office for action.
  - . *In either case, the OCS shall notify the RSO as soon thereafter as reasonably feasible as to the decided course of action and will provide it with a copy of the Investigative Report.*
7. If an OCB Panel review is deemed necessary, the RSO submits its written response to the OCS within 10 business days or as soon after notification as reasonably feasible.
  - . *If an OCB Panel review is deemed unnecessary or inappropriate, the associate vice provost and dean of students and/or OCS will decide on a course of action and notify the complainant and RSO of the decision.*
8. The OCS sets a review date, time, and place for convening an OCB Panel as soon as possible following receipt of the RSO's response, and notifies all participants whose presence will be required.
9. OCB Panelists review the Investigative Report, question and/or hear from all witnesses they deem necessary and relevant, and decide by majority vote whether it is more likely than not that the RSO committed a Violation. Panel deliberations shall be conducted in closed session.
  - . *In the event that the RSO disputes the investigative findings, the OCB Panel will be asked to consider areas of agreement/disagreement in the findings, make factual determinations, and determine whether it is more likely than not that a Violation occurred.*
  - . *In the event that the RSO does not dispute the findings of the case, the OCB Panel will be asked to determine whether it is more likely than not that the facts presented constitute a Violation.*
10. If the OCB Panel determines that a Violation has occurred, they will move to the recommendation phase. The OCB Panel will submit written recommendations to the associate vice provost and dean of students regarding administrative action(s) commensurate with the Violation and in accordance with precedent. Recommendations to the associate vice provost and dean of students are advisory in nature, not prescriptive. If applicable, please see the policy and review process for

### Housed Greek Organizations.

11. The associate vice provost and dean of students may accept, reject, and/or modify the recommendations in whole or in part. The associate vice provost and dean of students shall notify the RSO in writing of his/her decision as soon thereafter as reasonably feasible.
12. The RSO shall have the right to petition the Vice Provost for Student Affairs (VPSA) or his/her delegate for reconsideration of the administrative actions imposed by the associate vice provost and dean of students, but may not contest the finding of a Violation(s). The RSO must submit such a petition as soon thereafter as reasonably feasible, but no later than 30 days after the written decision of the associate vice provost and dean of students. The petition must give reasons why the RSO believes the administrative action(s) are inappropriate, and may not be based on dissatisfaction with the University policy.
  - The VPSA or delegate may agree or decline to entertain the petition. In either case, this decision shall be transmitted to the RSO, associate vice provost and dean of students, and the OCS within 10 business days or as soon thereafter as reasonably feasible. If the petition is rejected, the matter is final, subject to #14 below. If the petition is accepted, the VPSA or delegate may designate a staff member unassociated with the underlying matter to review the case, and, if necessary, interview witnesses to clarify ambiguities. The OCS shall have the opportunity to respond in writing to the petition. The review shall be done as expeditiously as possible, and the VPSA or delegate's decision communicated to the RSO, associate vice provost and dean of students, and the OCS as soon thereafter as reasonably feasible. The matter is then final, subject to #14 below.*
13. Prior to the decisions described in sections 11 and 12, if OCS staff or other University staff should be made aware of material information not previously submitted, a case may be referred back to the investigator for further investigation.
14. The case closes officially when the RSO has completely satisfied the administrative actions imposed against it and submitted documentation to this effect to the associate vice provost and dean of students and OCS.

## **Examples of Violations and Administrative Actions**

Situations that have been or could be reported to the OCS and forwarded to an OCB Panel include (but are not limited to):

1. Incidents of hazing.
2. Serving alcoholic beverages to minors or allowing the consumption of alcohol without providing proper identification of proof of age.
3. Having parties that do not conform to University and Party Planning Guidelines.
4. Damage and/or theft of services and/or property.
5. Forging signatures on Purchase Orders, Check Requests, Journal Transfers, Payroll Requests and other University forms.
6. Deliberately listing a non-student as an Authorized Representative or Financial Officer.
7. Issuing invalid Purchase Orders to vendors.
8. Signing the name of another Stanford student on behalf of the RSO without specific prior consent.

Administrative actions recommended by the OCB Panel and/or imposed by the associate vice provost and dean of students have included mandated training and orientation activities, loss of event privileges such as parties (with or without alcohol), probation, and loss of University recognition for RSO.

## RESPONSIBILITIES OF SPECIFIC PARTIES TO THE OCB PROCESS

### **OCS**

The OCS serves as the repository of information/documents relevant to the successful completion of actions taken as a result of alleged Violations by RSOs. The OCS is the chief administrator of the Organization Conduct Board.

The specific duties of the OCS are:

1. Receive reports of alleged Violations by RSOs.
2. Meet with the individual, group, or representative of the office reporting the Violation.
3. Receive the formal complaint.
4. Notify the leadership of the RSO of the alleged Violation.
5. Assign an investigator to conduct a comprehensive review.
6. Determine if there is sufficient evidence of a Violation to file a formal charge against the RSO. The OCS may refer a case to another office when appropriate.
7. Inform the accused RSO leadership of charges, the evidence upon which charges are based and the names of potential witnesses at the OCB Panel review.
8. Train members of the OCB.
9. Serve as facilitator to the OCB Panel.
10. Present to the OCB Panel members, if the RSO is found in Violation, the previous three-year history of the RSO as it pertains to its actions as a member of the Stanford community.
11. Forward the OCB Panel's recommendation(s) to the associate vice provost and dean of students.
12. Ensure that a copy of the associate vice provost and dean of students's letter is sent to: a.) leadership of RSO, b.) advisor to RSO, c.) a member of the Office of Student Activities and Leadership and/or Residential Education, and any other group or individual that has a need to know the content of the letter.
13. Monitor the successful completion of all administrative actions imposed, if the RSO was found in violation.

### **Counselor to RSO (University assigned)**

The University-assigned RSO Counselor serves as the primary staff person to work with an RSO charged with Violation(s). The assigned Counselor will work with the RSO leadership in helping prepare for the OCB Panel review and/or preparing their written response to alleged Violation(s).

The specific duties of the assigned Counselor are:

1. Review OCB procedures with the RSO leadership and assist in preparing for a formal OCB Panel review.
2. Assist/advise the RSO leadership in preparing their written response to allegations of alleged Violation(s).
3. Schedule follow-up meetings with RSO leadership to discuss the OCB process in 7

detail.

4. Be available to RSO leadership throughout the OCB process.
5. Review RSO's immediate past history (3 years) with current leadership.
6. Attend the OCB Panel review with RSO leadership.
7. Attend meetings between the associate vice provost and dean of students and RSO leadership.

### **OCB Investigator**

The OCB Investigator (and it is permissible for more than one person to be assigned as an Investigator) is the initial fact finder assigned to gather the facts of an alleged Violation. The OCB Investigator meets with all knowledgeable parties, gathers the facts, and submits a comprehensive report to the associate vice provost and dean of students and the OCS.

The specific duties of the OCB Investigator are:

1. Receive all reports of alleged Violation(s) by the RSO.
2. Meet with the individual(s), group(s), or office(s) reporting the Violation(s).
3. Investigate the complaint and gather information and facts relevant to the case, including what happened, who was involved; where and when the incident occurred; circumstances that led to the incident, precipitating factors, etc.
4. Submit a comprehensive fact-finding report to the associate vice provost and dean of students and OCS, including demeanor of those interviewed, level of cooperation by RSO and context of information gathered.

### **RSO Leadership**

The president and at least one additional officer shall serve as the official representative of the organization. Other officers may be required to attend the Panel review by the OCS. The president of the RSO may submit a written request to the OCS asking for permission for other currently enrolled student members or other support person to attend the formal OCB Panel review. If the OCS approves the request it is with the understanding that these additional persons will not be allowed to participate in the discussions or speak on behalf of the RSO.

The specific duties of the RSO Leadership are:

1. Receive the official complaint and all relevant documents from the OCS.
2. Meet with the assigned Counselor to prepare the RSO's response.
3. Review and become familiar with the OCB procedures.
4. Prepare a written response to the OCB Investigator's report.
5. Present an opening statement to the OCB Panel, not to exceed 10 minutes in length.
6. Be present and actively participate at the OCB Panel review.
7. Submit written questions to the OCB Panel Chair during the questioning of witnesses, if any.
8. Prepare required reports documenting that the RSO has completely satisfied the administrative actions imposed and submit them to the associate vice provost and dean of students and OCS.



## **Complainant**

The complainant is the individual or department that has filed a formal complaint, either through a University reporting system or by notification to the OCS. This notification can take place via email or through the filing of a formal complaint utilizing the OCB Complaint Form.

The complainant shall have the right to participate in the formal OCB Panel review and to question witnesses, if any, through the process of written submission to the OCB Panel Chairperson.

## **OCB Panel**

The OCB Panel provides peer and community review of an RSO when conduct problems are reported. Upon completion of the review, the OCB Panel renders a decision, based on “whether it is more likely than not” that the RSO committed a Violation. Determining whether an RSO is in Violation requires a simple majority vote of the five-member Panel.

The specific duties of the OCB Panel are:

1. Prepare, in advance, for the official review:
  - . Review the official complaint and all accompanying documentation.
  - . Develop a series of questions for each of the witnesses that will be testifying, if any.
2. Select a student Panel Chair.
3. Interview witnesses and assess their testimony and credibility. All panelists shall be prepared to serve the entire length of the OCB Panel review (approximately 3-6 hours).
4. Review the facts and determine whether it is more likely than not that a violation occurred. If yes, make recommendations to the associate vice provost and dean of students with respect to possible administrative actions to be taken, commensurate with the conduct at issue, together with precedent and that RSO’s behavioral history for the previous three academic years.
5. Prepare a written summary of the Panel’s review, briefly stating: a) the facts of the case, b) the results of their deliberation and, if finding the RSO in violation, c) recommendations of administrative actions to the associate vice provost and dean of students.
6. Protect the confidential nature of the materials and testimony. All documents will remain in the hearing room and both written and spoken information submitted during the review process is considered confidential.

## ADMINISTRATIVE GUIDELINES WITHIN OCB PROCESS

### **Interim Administrative Action**

Pending the resolution of a particular case, the associate vice provost and dean of students or OCS may impose an immediate interim suspension of one or more of a RSO's privileges if the allegations in the complaint and other information available to the OCS reasonably imply there had been or continues to be a serious risk of harm to the University community as a whole or to individuals within it.

- *Examples include: situations where medical care to one or more individuals was necessary due to alcohol or other substance abuse/misuse at the RSO's event, where there was an alleged sexual assault, where the RSO violated University alcohol and party planning guidelines resulting in the serving of minors, or where there was alleged hazing activity.*

The associate vice provost and dean of students and/or OCS may draw from a range of interim administrative action(s), including but not limited to: a ban on alcohol at any and all parties, suspension of all activities, or banning some or all new member activities. The ongoing need for the interim administrative action(s) will be reevaluated at the end of the investigation. All interim administrative action(s) will cease at the conclusion of the Panel review process if the RSO is found not responsible. In other cases, the interim administrative actions will be replaced by the administrative actions that are imposed.

The RSO leadership may meet with the associate vice provost and dean of students and/or OCS after an interim administrative action has been imposed. The associate vice provost and dean of students and/or OCS may modify the interim action.

### **The Investigation**

The Investigator – either an OCS staff member, other University staff member appointed by the OCS, or outside investigator when warranted – is charged with investigating what happened: who was involved, where and when the incident occurred, circumstances that led to the incident, and precipitating factors. S/he may conduct multiple interviews with any individual reasonably thought to have relevant and necessary information, and in addition, may require individuals reasonably thought to have relevant and necessary information to respond in writing to specific questions. These individuals are expected to cooperate fully and truthfully. The goal shall be to complete the investigation and submit a written report within 15 business days or as reasonably soon thereafter.

If the OCS Director or his/her delegate, in consultation with other university staff, concludes from the Investigative Report that the findings were insufficient to warrant an OCB Panel review, no referral to an OCB Panel will be made, but the associate vice provost and dean of students, the Office of Student Activities and Leadership and/or Residential Education may work with the RSO to address any issues related to the incident.

If the OCS Director or his/her delegate, in consultation with other university staff, concludes

that the Report's findings are sufficient to warrant forwarding to an OCB Panel review, the assigned Counselor will meet with the RSO's leadership to prepare them for the OCB Panel review process. The RSO shall, within 10 business days or as soon thereafter as reasonably feasible, submit to the OCS either a written response acknowledging acceptance of the substantive findings, or a response disputing one or more of the report's substantive and relevant findings.

The RSO's response should include, at a minimum:

- A detailed description of the conduct at issue
- The planning, if any, that preceded that event or activity
- What actions, if any, the RSO took after the incident
- Courses of action it proposes to implement to avoid similar incidents

### **Composition of the Organization Conduct Board**

The Organization Conduct Board consists of students, faculty, and staff, ideally composed as follows:

1. Students
  - a. Ten (10) students that are affiliated/members of a fraternity/sorority in good standing with the University
  - b. Ten (10) undergraduates that are non-Greek affiliated
  - c. Ten (10) graduate students
2. Faculty/Staff
  - a. Fifteen (15) University faculty/staff members

Each OCB Panel shall consist of five members (3 students and 2 staff/faculty members) drawn from the two candidate pools noted above. The OCS shall be a non-voting advisor to each OCB Panel, ensuring that only proper facts and criteria are brought to bear in the review and in the Panel's deliberations.

Panelists shall be selected from those available for the date and time of the scheduled hearing. The OCS shall provide OCB Panel members (and the RSO) with all relevant documentation and a list of witnesses prior to the hearing.

Panelists cannot sit on any panel where there is an actual or reasonably based perceived conflict of interest. The OCS shall ask each OCB Panel member whether they are associated with the particular RSO at issue, and shall remove any member who answers in the affirmative. The OCS shall also ask whether each OCB Panel member is able to participate without bias, and shall remove any member who states that they cannot. The OCS shall also provide the RSO with the names of the OCB Panel members and inquire whether the RSO has a conflict of interest with any OCB Panel member. If a conflict of interest is alleged by the RSO, then the OCS shall determine whether the allegation is reasonably based.

It is important that once a Panelist is notified about being selected to serve on a Panel, s/he understand that they cannot discuss with anyone, including any member or prospective member of the RSO, the conduct at issue.

## **OCB Panel Administrative Recommendation(s)**

The OCB Panel shall forward to the associate vice provost and dean of students the written decision of whether the evidence shows more likely than not that a Violation occurred and if so recommendations for administrative actions commensurate with their findings. The recommendations shall be based on precedent, the seriousness of the violation, the cooperativeness of the RSO members in the investigation, the recent behavioral history of the RSO, and other circumstances as may be relevant.

The associate vice provost and dean of students shall review each OCB Panel's recommendations and shall convey his/her decision(s) and reasons therefore to a.) leadership of RSO, b.) advisor to RSO, c.) a member of the Office of Student Activities and Leadership and/or Residential Education, and any other group or individual that has a need to know the content of the letter, within 10 business days, or as soon thereafter as reasonably feasible. The associate vice provost and dean of students can accept, modify or reject any or all recommendations.

One or more of the following Administrative Actions may be imposed; they are not mutually exclusive:

### **Reprimand:**

A statement indicating that an RSO's actions were inappropriate. Formal and/or public apologies may be requested and kept in the RSO's file.

### **Education or Training:**

Actions designed to help an organization learn from the incident and to help prevent a similar one in the future. Such actions may include revision of an organization's constitution, mandated attendance at appropriate University workshops, written plans for future events, new member guidelines, meeting with national leadership, etc.

### **Restitution:**

Payment of any damages that occurred during or as a result of the violation, including property damage and physical injury. The RSO may be required to pay this restitution to the University, other persons, groups, or organizations.

### **Probations:**

Most RSOs found in Violation will be placed on general **Probation** for an amount of time to be specified by the associate vice provost and dean of students. While on Probation, any further Violations will result in additional sanctions, up to and including loss of University recognition.

An RSO's Probation may also include any of the following specific probations, for an amount of time to be specified by the associate vice provost and dean of students:

- 1. Alcohol Probation-** A RSO subject to alcohol probation may have very strict guidelines in which it may serve alcohol. These guidelines shall be established by the associate vice provost and dean of students or his/her designee and must be approved

prior to the completion of the On-Line Party Registration Form.

2. **Activities Probation** – A RSO may be excluded from participating in some or all of their social or extracurricular events and/or all-University events. Prior approval for desired activity participation must be obtained from the associate vice provost and dean of students or his/her designee at least 4 weeks in advance.
3. **Party Probation-** A RSO may only host or co-sponsor a party with prior approval of the associate vice provost and dean of students or his/her designee at least 4 weeks in advance.

**Suspensions:**

May include any of the following, for an amount of time to be specified by the associate vice provost and dean of students:

1. **Alcohol Suspension** - Alcohol is not permitted in any space the organization inhabits or meets in, either on- or off-campus.
2. **Activities Suspension-** A RSO may not host any activities on- or off-campus other than organization meetings and community service projects.
3. **Party Suspension-** A RSO may not host or co-sponsor any parties during the specified time frame imposed by the associate vice provost and dean of students.

**Community Service:**

Requires the active participation of the RSO as an organization in an established community service project. It may also include the planning and implementation of a new service project that is not part of the organization's current or previous community service commitment.

All projects must have prior approval from the associate vice provost and dean of students or OCS and have formal documentation of satisfactory completion as stated in the Community Service Confirmation Form. In general, a maximum of 10 hours of such service may be assessed to each member of the RSO.

**Removal of University Recognition:**

Removal of University recognition means the RSO loses all University privileges normally accorded a RSO, including but not limited to loss of housing. This action may be taken in a case the University deems to be extremely serious, or in cases where there have been multiple violations by the RSO over a period of time.

**Individual Actions** – Individuals are not sanctioned through the OCB Process, but members of an organization may, in certain cases, be referred to the OCS individual student conduct process for fundamental standard violations.

Adopted 1/09