



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

STUDENT ORGANIZATION CONDUCT PROCESS
Information Sheet for Local Advisors and Inter/National Organizations

The Office of Student Conduct and Community Standards (SCCS) is committed to collaborating with advisors and Inter/National organizations (I/NOs) throughout the student organization conduct process at the University of Tennessee, Knoxville (UTK). This tip sheet is designed to serve as a resource for advisors and representatives of I/NOs participating in the student organization conduct process. For full details of the process and to access UTK's Student Code of Conduct (Code), please visit: <https://studentconduct.utk.edu/>.

I. Summary of Student Organization Conduct Case Process

- A. Report Received and Pre-investigation
- B. Notice of Educational Conference
- C. Educational Conference
- D. Investigation: gather and review evidence, witness interviews, (length varies based on type of investigation)
- E. Outcome: Finding of Responsibility & Sanction Recommendation or No Action Determination

II. General Terminology & Guidelines for SCCS investigations and meetings

- A. *Notice of Educational Conference*. A Notice of Educational Conference is written notice (via email) through which SCCS notifies the Student Representative (student member of representing the organization) that an investigation has begun. The notice states that SCCS has received allegations indicating the organization may have engaged in misconduct and instructs the Student Representative to schedule an Educational Conference with SCCS. Information regarding the student organization conduct process is also included.

- B. *Administrative Liaison (AL)*. An AL is a staff member from the office the organization reports to at the University. They serve as a resource to the organization during the conduct process. Groups are classified as either general student organizations, Greek organizations, or Rec Sports organizations. For general student organizations, SCCS reaches out to the Center for Student Engagement (CSE) and invites them to participate in the conduct process as an Administrative Liaison. For Greek organizations, the Office of Sorority & Fraternity Life (OSFL) serves as the liaison. For sports clubs, a staff member from Rec Sports is the Administrative Liaison. Advisors of organizations are also welcome to take part in any phase of the conduct process. The Student Representative is expected to inform Advisors of the status of the case and invite them to attend any meetings. The AL will also reach out.



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- C. *Student Representative.* A Student Representative is the student member representing the organization during the conduct process. It is typically the organization president, but other individuals may serve in the role if needed. It is the organizations responsibility to notify SCCS if the current president will not be the Student Representative.
- D. *Educational Conference.* An Educational Conference is a meeting between SCCS and the student organization. During this meeting, SCCS generally reviews Fundamental Rights [Section 5.1 of Code](#), verbally shares the alleged violations, provides the student organization an opportunity to respond to the allegations and identify witnesses, and permits both parties to ask and answer preliminary questions.
1. Generally, SCCS will further investigate the allegations by gathering additional information and conduct interviews.
 2. An Administrative Liaison (AL) is in the Educational Conference to serve as an additional resource to the organization. An AL is a staff member from the office the organization reports to at the University (i.e. Office of Sorority & Fraternity Life, Rec Sports, or Center for Student Engagement).
 3. Advisors and I/NOs are permitted and encouraged to attend. They may teleconference in if unable to attend in person.
- E. *Follow-up Meetings.* Follow-up meetings are used by SCCS to update student organizations on investigations and findings, discuss possible resolutions, and/or share Notices of Allegations and/or Sanctions.
- F. *Possible Outcomes.* After the investigation is complete, SCCS will make a recommendation regarding responsibility. If SCCS determines it is more likely than not that the student organization violated the Code, sanction recommendations will be made. There will be a No-Action Determination for the student organization if there is not a preponderance of the evidence or if individuals are responsible and not the entire group. If responsible the follow will be shared:
1. **Notice of Allegations** – A Notice of Allegations (NOA) is a written summary of the investigation, along with the Standards of Conduct SCCS has determined it is more likely than not that the student organization violated.
 2. **Notice of Sanctions** – A Notice of Sanctions (NOS) is a written notice that informs the student organization of the recommended sanctions that have been determined by SCCS with the collaborative input of the student organization and partnered I/NO.
 3. **Resolution Agreement** – If a student organization enters into a resolution agreement, the student organization:
 - accepts responsibility for violating the Standards of Conduct;
 - agrees to the imposition of the sanction(s)
 - waives all rights to resolve the allegations through a formal hearing;
- *A student organization can enter into a Resolution Agreement or request a formal hearing to contest responsibility and/or recommended sanctions.



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III. Local Advisors' involvement in conduct cases.

- A. *Local advisors in educational conferences.* Local advisors are permitted to attend Education Conferences and follow-up meetings between a student organization and SCCS, as an "Advisor," defined in Section 5.3 of the Code. Please note that Advisors are not permitted to speak for or on behalf of a respondent/student organization.
- B. *Local advisors' participation in conduct cases.* Local advisors are encouraged to participate in the student organization conduct process as follows:
1. Review the Student Code of Conduct (<https://studentconduct.utk.edu/>);
 2. Review all notices and documents sent by SCCS to the student organization;
 3. Attend all initial and follow-up meetings scheduled with SCCS and the student organization;
 4. Provide support to the student organization, its president or identified representative, and members;
 5. Promote honest, forthcoming, and prompt communication by the student organization, through its president, representatives, and members; and
 6. Strive for a fair and amicable resolution between the organization and SCCS.
- C. *Scheduling meetings.* To promptly resolve conduct cases, SCCS will schedule meetings consistent with students' class schedules and their availability. Advisors should consult with Student Representative to determine meeting time(s).

IV. Inter/National Organizations' involvement in conduct cases.

- A. *Notification to Inter/National Organizations (if applicable).* The Administrative Liaison for the student organization will generally notify an Inter/National Organization or regional headquarters, along with the organization's Advisor, of an alleged violation after the organization's Written Notice of Educational Conference with Student Conduct & Community Standards (SCCS) is sent. The University of Tennessee believes in an active partnership with Inter/National, regional organizations and Advisors to best address issue of misconduct. When the nature of the incident is more severe, the Administrative Liaison or SCCS may reach out sooner to respective entities.
- a. Process including notification:
1. Report Received
 2. Preliminary Investigation Occurs
 3. Written Notice Scheduling Educational Conference
 4. Inter/National Organization or regional headquarters & Advisors Notified by Administrative Liaison
 5. Educational Conference



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6. Additional Investigation Occurs if Needed
7. Notice of Allegations & Sanctions shared with all respective stakeholders

B. *Investigations and Interviews.* SCCS is committed to collaborating with student organizations' I/NO during an investigation. The Family Educational Rights and Privacy Act ("FERPA") does not apply to student organizations, but rather only to individual students. Representatives of regional offices or I/NOs may participate in meetings between SCCS and the student organization. Due to individual FERPA rights, representatives of I/NOs may only participate in individual students meetings if the members of the student organization has submitted a FERPA waiver.

V. **Factors SCCS considered when determining if an incident is an organizational violation.**

- a. Did leadership know it was going on/help carry it out?
- b. Was it financed in any way by the organization?
- c. Is it related to initiation or a membership activity?
- d. How was the event advertised?
- e. Did it occur at a place where members/alumni live?
- f. Did the student organization/members attempt to cover up the activity?