



THE UNIVERSITY OF
TENNESSEE
KNOXVILLE

Conduct Process Information for Student Organizations

It can be difficult for the Student Representative of an organization to know how to best navigate the conduct process. Therefore, Student Conduct & Community Standards (SCCS) developed this sheet to share useful information, provide answers to commonly asked questions, and give best practice advice with Student Representatives and student organizations.

Factors SCCS considered when determining if an incident is an organizational violation:

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

In some incidents, organizational charges and individual charges may be issued. If individual charges are issued, they will typically occur after the student organization conduct process is complete. Individual charges may also be issued instead of an organizational charges.

For more detailed information, regarding what constitutes an organization violation, please see Section 2.4 of the Student Code of Conduct.

Communication Tips for the Student Representative:

- Discuss how and what to communicate to all members with local advisory boards, inter/national or regional headquarters, and UTK staff.
- Provide clear instructions for members regarding what they can and cannot do if interim action from the inter/national organization and/or the University is issued.
- Help members understand that their response and cooperation during conduct processes can impact the overall outcome for both the organization and the individual student. Additional violations may be issued if there is a pattern of withholding, lying, and/or distorting information during an investigation.
- Do not coach members on what to say or how to answer potential investigation questions.
- Encourage members to be open and honest about their own specific experience. When investigations occur, members should share their own perspectives and accounts.
- Retaliation is strictly prohibited and is cause for additional disciplinary action. Describe retaliation to members and remind them not to participate in behaviors that could be considered retaliatory.
- If members are removed from the chapter by the internal organization or inter/national/ and/or regional organization processes, help remaining members understand expectations regarding their interactions with the members who have been removed.
- Share information related to the conduct process with members. The Administrative Liaison can address the organization membership and help answer questions.

Simultaneous Investigations: In some instances, simultaneous investigations may occur. Inter/National Organizations, Law Enforcement agencies, and other entities may have concurrent investigations occurring alongside a SCCS investigation. If this occurs, SCCS will collaborate with other entities conducting investigations, if possible. Elements of a collaborative investigation may include coordinated or joint interviews, evidence sharing, and investigation report sharing, but within the limits of student records policies.

Student Organization Participation: Student organizations may choose not to participate in any aspect of the conduct process, but the process will continue with or without participation by the organization. Organizations with inter/national, regional, or local advisory staff or volunteers may be allowed to participate in the resolution of conduct processes when a current student is no longer able to represent the organization.

Notification to Inter/National Organizations: The University of Tennessee believes in an active partnership with Inter/National and regional organizations to best address issue of misconduct. The Inter/National Organization and/or regional headquarters will be notified of an alleged violation prior to, and invited to attend, the organization's Educational Conference with SCCS. When the nature of the allegations is more severe, the Administrative Liaison and/or SCCS may reach out sooner to respective entities. Below are the steps generally taken:

- Report Received
- Preliminary Investigation Occurs
- Written Notice Scheduling Educational Conference
 - Inter/National Organization Notified
- Educational Conference
- Additional Investigation Occurs if Needed
- Notice of Allegations & Sanctions shared with Inter/National Organization

FERPA: The Family Educational Rights and Privacy Act (FERPA) provides for confidentiality of student records. FERPA does **not** apply to student organizations, but rather only to individual students.

Medical Amnesty/ Good Samaritan Policy: The health, safety, and welfare of students is of the utmost importance to the University. When individuals know someone is in need of emergency medical attention due to alcohol and/or drugs, they should immediately call for help and stay with the impaired individual. The individuals who help are referred to as "Good Samaritans" and the individuals in need of medical attention are referred to as "Impaired Individuals." When these steps are followed, no formal disciplinary action is taken by the University for the "Good Samaritan" or for the "Impaired Individual."

Student organizations, through their officers and members, are also expected to take responsible action in emergency situations. While the Policy on Amnesty for Individual Good Samaritans and Students in Need of Emergency Medical Attention may not fully apply, adherence to steps outlined above by a student organization's officers and/or members will be considered a mitigating factor when determining the outcome of or sanction for misconduct. Additionally, the University will consider a failure of officers and/or members to adhere to steps described to be an aggravating factor when determining the outcome of or sanction for misconduct.

Interim Restrictions: The Vice Chancellor for Student Life may impose interim restrictions prior to the conclusion of the student conduct process when the Vice Chancellor has reasonable cause to believe that a student organization's continued presence poses a significant risk of substantial harm to the health, safety, or welfare of others or poses an imminent or ongoing threat to the disruption of, or interference with, the normal operations of the University. Interim restrictions are confirmed by notice to the organization that explains the basis for the interim restrictions and will remain in effect until the conclusion of the student conduct process.

For more information about anything outlined in this document, please visit www.studentconduct.utk.edu and/or the Student Code of Conduct.