

Investigation Process for Student Organization and FSL Conduct Concerns

I. Purpose and Guiding Principles

This process is designed to ensure a fair, thorough, and timely response to allegations of misconduct involving registered student organizations (RSOs) and fraternities/sororities. The process upholds:

- **Institutional integrity and student safety**
- **Fairness and procedural due process**
- **Transparency and education as outcomes**
- **Collaboration with relevant stakeholders, including national organizations**

II. Key Stakeholders

- **Office of Community Standards / Dean of Students**
- **FSL/Student Involvement Office/Center for Student Engagement**
- **Title IX Office (if applicable)**
- **Campus Safety/Security**
- **Faculty/Staff Advisors**
- **Chapter Presidents & Executive Boards**
- **National/Regional Headquarters of Fraternities/Sororities**
- **Council or umbrella organizations (e.g., student government, club sports leadership)**
- **Governing Councils (IFC, NPC, NPHC, MGC, etc.)**
- **Legal Council/Risk Management**
- **Residential Life (if applicable)**
- **Parents/Guardians (when necessary and permitted)**

III. Process Outline

A. Intake and Preliminary Review

1. **Incident Report Received**
 - Submitted via Guardian, campus partners, RA's, or campus safety.
2. **Initial Review by Community Standards Office**
 - Determine jurisdiction (individual vs. organizational).
 - Conduct preliminary fact-gatherings to determine credibility and potential policy violations.

3. Policy Violation Determination

- Determine whether allegations, if substantiated, would constitute a policy violation.
- Consult with FSL office and/or national headquarters if necessary.

B. Notice and Interim Actions

4. Notice of Investigation

- Provide written notice to chapter president and advisor detailing:
 - Alleged policy violations
 - Description of incident
 - Overview of investigation process
 - Rights and responsibilities

5. Assessment for Interim Measures

- May include:
 - Cease and desist letters
 - Activity or event suspension
 - Safety interventions (e.g., relocation, support resources)

C. Investigation Process

6. Assign Case Resolution Facilitators

- Add organization as a Student Org in Guardian.
- Internal CRF or designated external investigator.
- Avoid conflicts of interest.

7. Gathering Information

- Interview complainants, respondents, witnesses.
- Collect physical, digital, or documentary evidence (videos, texts, social media, rosters, etc.).
- Consult relevant advisors, CSE, or national HQs when appropriate.

8. Organization Determination

- Apply organizational responsibility criteria (e.g., adopted from Stoner & Lowery or ASCA guidance):
 - Were leaders aware?
 - Were new members or alumni apart of the incident?
 - Did the activity occur in official capacity?
 - Did members act in concert?
 - Were chapter resources used?

9. Coordination with Campus Safety or Title IX (if applicable)

- Ensure coordination without interference if criminal or Title IX processes are involved.
- Delay internal process if required by law enforcement.

D. Decision-Making

- 10. If found to be in potential violation, Student Organization will be asked to resolve their case by Informal Resolution or Formal Resolution via Form.**
- 11. Informal Resolution will follow our standard procedure.**
- 12. Formal Hearing (please see below the Formal Hearing Process)**
 - The Organization is provided opportunity to respond to findings.
 - If findings support violation, proceed with hearing or resolution.
 - For the formal hearing 2-3 CRF's will serve as hearing panelists.
- 13. Determination of Responsibility**
 - Based on preponderance of the evidence.
 - Communicated in writing to chapter leadership.
- 14. Sanctioning**
 - Educational and restorative where appropriate.
 - Examples: Risk management training, community service, social suspension, deferred suspension, conduct probation, loss of recognition.
 - Disciplinary sanctions may apply: removal, loss of privileges such as new member intake, suspension, dissolution.
 - Coordinate with FSL office, CSE, and national HQ if applicable.

E. Closure and Follow-Up

- 14. Outcome Notification**
 - Send formal outcome letter to:
 - Chapter president
 - Advisors
 - FSL/CSE staff
 - National HQ (if MOU or consent allows)
 - Include appeal instructions (if applicable).
- 15. Educational Follow-Up**
 - Require completion of assigned sanctions.
 - Offer post-process debrief with chapter and FSL staff.
 - Consider chapter-wide reflection or values-based workshops.
- 16. Appeal Process**
 - If permitted, follow outlined institutional appeal procedures based on:
 - New evidence
 - Procedural error
 - Sanction severity
- 17. Case Closure**
 - File all records in conduct system (e.g., Guardian).
 - Document outcomes in any required Clery or risk reports.
 - Schedule future check-ins (if deferred sanctions or continued probation apply).

What is a Formal Hearing?

A Formal Hearing is a **formal but non-adversarial** meeting designed to review the alleged violations of the Student Code of Conduct/Guiding Principles. While the process is structured, it is also **educational** in nature and is intended to ensure a **fair, impartial, and thorough review** of the information. The hearing is facilitated using Pace University procedures and aligned with best practices in student conduct, including **trauma-informed and equity-centered approaches**. The hearing will take place via Zoom and will be recorded and kept in records for 7 years.

1) Pre-Hearing Preparation (done before the hearing begins)

Before the hearing date, the Formal Hearing panel—typically **two to three Case Resolution Facilitators (CRFs)**—will review the case materials in advance.

- One CRF will serve as the **Chair**, who will facilitate the hearing and ensure the process runs smoothly.
- An **Office of Community Standards (OCS)** staff member will also be present to support the process, ensure the procedures are followed correctly, and assist in making sure relevant questions are asked.
- Prior to the hearing, we confirm that all parties have received appropriate notice and procedural information, and we address any **conflicts of interest or bias** if disclosed.
- You as the representative will have pre-hearing meeting with the Chair of the panel to discuss the process, witnesses, advisors, and any questions you may have.
- We will also confirm whether you/the organization will have any **support persons, advisors, or witnesses** participating.

2) Call to Order (how the hearing begins)

At the start of the hearing, the Chair will open the proceedings, introduce the purpose of the hearing, and review expectations for respectful participation. The Chair will emphasize that the hearing is structured but **not designed to be argumentative**.

Please note: the hearing is documented by university procedures, and **no external recordings are permitted** other than the recorded Zoom host by OCS.

3) Introductions and Role Clarification

The Chair will ask:

- Each CRF panelist to introduce themselves (name and role), and
- The OCS staff advisor to identify their role (procedural support and ensuring relevant questions).

Then the Chair will ask the parties present to introduce themselves, including:

- Your name and role as the organization's President/representative, and
- Whether you have an **advisor or support person** with you.

4) Reading of Allegations and Charges

The Chair will read the alleged policy violations being reviewed. After the charges are read, you will be asked if you **understand the charges**. You may respond with:

- "Yes,"
- "No," or
- A request for clarification.

5) Rights and Hearing Procedures (important)

Before information is presented, the Chair will review key rights and procedures, including that you/your organization have the right to:

- **Present information** and **witnesses** on your behalf,
- Have an **advisor or support person** of your choice,
- Have two observers of your choice,
- **Remain silent** (and silence will not be interpreted as an admission of responsibility),
- **Question information presented** and request clarification.

The Board makes decisions using the **preponderance of the evidence standard**, meaning the Board will determine whether it is **more likely than not** that a violation occurred.

The Student Organization also has an opportunity to ask questions about their rights before moving forward.

6) Presentation of Information (the main portion)

This is the portion where the panel gathers information to understand what occurred.

A. Opening Statements

- If there is a complainant (usually the University) or presenting party, they may provide an opening statement (when applicable).
- You, as the organization's representative, will have the opportunity to provide an opening statement as well.

B. Evidence and Witnesses

- The Board will review any submitted materials (documents, reports, screenshots, pictures, messages, social media posts, etc.).
- The presenting party/University may share their account and witnesses (if applicable).
- Then you will have the opportunity to share your account and witnesses.
- The Board may ask clarifying questions at any time to better understand the information.

C. Questioning

The Chair facilitates questioning in a respectful, structured way:

- Board members may ask questions of all parties and witnesses.
- The OCS staff member may help ensure questions remain appropriate and relevant.
- If the student org rep has questions they would like asked of another party/witness, they may submit them **through the Chair** (rather than directly questioning someone yourself). This helps maintain a non-adversarial process.

7) Closing Statements

At the conclusion of information-sharing:

- A complainant/presenting party may offer a closing statement (if applicable).
- The Student Organization will also have the opportunity to offer a closing statement.

8) Deliberation and Decision

After closing statements, the Board will deliberate **in private at another time**.

- The decision is based **only** on the information presented during the hearing and the materials submitted for review.
- If a finding of responsibility is made, the Board will consider appropriate discipline, educational, and/or restorative measures aligned with university values and past cases of similar nature.

9) Outcome Notification (timeline)

The outcome will be communicated **in writing via Guardian** within **10 business days**. If the organization is found responsible, the notice will include:

- The outcome,
- Any sanctions (if applicable), and
- The appeal procedures.
