**STUDENT CONDUCT CODE**

**Drafting Note:** *A Student Conduct Code outlines the process by which alleged violations are investigated and adjudicated. A written code should clearly define prohibited conduct and allow the organization to apply the procedure evenhandedly in all cases. Because student conduct administration is an educational endeavor, the Code should use a student development voice.*

*The template is a helpful starting point for drafting a Student Conduct Code, but there is not a one-size-fits-all approach for every organization. The organization should customize this template to meet its needs.*

*The organization should replace bracketed text highlighted in blue with information about its own practices and policies. Bracketed items highlighted in yellow include alternative language the organization can select, edit, or delete at its discretion.*

**I. Philosophy**

[Philosophy Statement]

**Drafting Note:** *An effective student and chapter conduct philosophy should emphasize personal responsibility and be education-centered and prevention-focused. Members and chapters are responsible for upholding the organization’s standards and values. Students and student chapters are expected to accept responsibility for their behavior and learn from their violations. The conduct process should challenge students’ decision-making to help them develop and positively contribute to the community. The goal of the conduct process should be changing behavior and reducing future violations.*[[1]](#endnote-1)

**II. Jurisdiction**

**Drafting Note:** *The inter/national organization should consider the extent it wants to limit its jurisdiction over alleged individual student misconduct, in writing or in practice. This may include limiting the language in Section 2.4(a) to only egregious alleged misconduct or cases where the student chapter requests that the inter/national organization adjudicate the case.*

**2.1 Application to Students and Student Chapters.** The Student Conduct Code (“Code”) applies to all students[[2]](#footnote-1) and student chapters.[[3]](#footnote-2)

2.1.1 Students are responsible for reading and abiding by the Code.

2.1.2Students and student chapters may be held accountable for their guests’ misconduct.

**2.2 No Time Limit for Reporting.** There is no time limit for reporting violations of the Code or adjudicating alleged misconduct.

**2.3 Student Chapter Jurisdiction.** Astudent chapter may adjudicate the alleged misconduct of its students.

**2.4 [Inter/national Organization] Jurisdiction.** The [inter/national organization] may adjudicate

1. alleged misconduct by a student; or
2. alleged misconduct by a student chapter.

**III. Prohibited Conduct**

**3.1 Student Misconduct.** Students may not

1. violate the trust imposed in them as elected or appointed leaders of the student chapter;
2. endanger the health or safety of another person;
3. cause a reasonable expectation of harm in another person, including harassing, intimidating, or using implied threats;
4. create a health or safety hazard (e.g., engage in dangerous pranks, hang out of a window, climb on a roof, etc.);
5. violate applicable policies or state or federal laws on
6. the use, sale, or possession of alcohol;
7. the use, sale, or possession of illegal drugs or controlled substances;
8. hazing;
9. sexual misconduct, including sexual harassment, sexual violence, domestic violence, dating violence, stalking, and sexual exploitation;
10. the use or possession of firearms or incendiary devices;
11. assault and battery; or
12. non-retaliation;
13. fail to comply with the directives of inter/national organization officers, directors, or staff while they are performing their position responsibilities;
14. fail to meet financial responsibilities to the organization;
15. damage or destroy another’s property;
16. take another’s property without permission;
17. knowingly possess stolen property;
18. violate other published organization rules or policies;
19. act with another person to violate the Code;
20. fail to confront another person known to have violated the Code;
21. abuse or interfere with the organization’s conduct process by
22. falsifying, distorting, or misrepresenting information;
23. failing to provide, destroying, or concealing information during an investigation into alleged misconduct;
24. attempting to discourage a person’s participation in or use of the organization’s conduct process;
25. verbally or physically harassing or intimidating a member of a hearing body prior to, during, or after a conduct proceeding; or
26. influencing or attempting to influence another person to commit an abuse of the organization’s conduct process;

or

1. violate the terms of any sanction assigned under the Code.

**3.2** **Student Chapter Misconduct.** Student chapters may not

1. endanger the health or safety of another person;
2. cause a reasonable expectation of harm in another person, including harassing, intimidating, or using implied threats;
3. violate applicable policies or state or federal laws on
4. the use, sale, or possession of alcohol;
5. the use, sale, or possession of illegal drugs or controlled substances;
6. hazing;
7. sexual misconduct, including sexual harassment, sexual violence, domestic violence, dating violence, stalking, and sexual exploitation;
8. the use or possession of firearms or incendiary devices;
9. assault and battery; or
10. non-retaliation;
11. fail to comply with the directives of inter/national organization officers, directors, or staff while they are performing their position responsibilities;
12. fail to meet financial responsibilities to the organization;
13. damage or destroy another’s property;
14. take another’s property without permission;
15. knowingly possess stolen property;
16. violate other published organization rules or policies;
17. abuse or interfere with the organization’s conduct process by
18. falsifying, distorting, or misrepresenting information;
19. failing to provide, destroying, or concealing information during an investigation into alleged misconduct;
20. attempting to discourage a person’s participation in or use of the organization’s conduct process;
21. verbally or physically harassing or intimidating a member of a hearing body prior to, during, or after a conduct proceeding; or
22. influencing or attempting to influence another person to commit an abuse of the organization’s conduct process;

or

1. violate the terms of any sanction assigned under the Code.

**IV. Interim Suspension**

**Drafting Note:** *The inter/national organization should have the ability to interimly suspend a student or student chapter accused of misconduct.* *Because the inter/national organization’s involvement in addressing alleged incidents of individual student misconduct may suggest a level of “control,” the inter/national organization should consider the extent it wants to limit its interim suspension authority, in writing or in practice. This may include limiting the language Section 4.1 to only egregious alleged misconduct or other limited circumstances.*

*The inter/national organization should also determine whether the scope of Section 4.1.1 should be limited or open-ended. The draft language is limited: The interim suspension remains in place for up to a maximum number of days unless extenuating circumstances justify an extension. If drafted to be open-ended, Section 4.1.1 could say: “The interim suspension may remain in place until the alleged misconduct is investigated or adjudicated.”*

*The organization should determine the extent to which a student chapter executive board can interimly suspend its students and the appropriate vote threshold. If the organization does not allow student chapter executive boards to interimly suspend students, the organization should delete Sections 13 and 15.*

*Similarly, the organization should consider the extent to which a regional or local volunteer can interimly suspend students or student chapters and add those provisions as appropriate. A regional or local volunteer’s interim suspension authority should be consistent with the scope of authority granted to the inter/national organization.*

**4.1 [Executive Director’s] Authority.** The [Executive Director] or their[[4]](#footnote-3) designee may interimly suspend a student or student chapter accused of misconduct.

* + 1. The interim suspension cannot exceed [60] days unless justified by extenuating circumstances.
    2. The suspended party has the right to meet with the suspending authority or their representative to demonstrate why an interim suspension is not merited.
       1. The suspended party must submit the request in writing.
       2. The meeting must be held within [14] days of the written request. If the meeting does not occur within the required timeframe, the interim suspension is automatically lifted.
       3. During the meeting, the suspended party may challenge
  1. the reliability of the information on which the interim suspension is based; and
  2. whether the alleged misconduct reasonably indicates the interim suspension is in the organization’s best interest.
     + 1. The suspending authority or their representative may retain, modify, or lift the interim suspension after the meeting.
       2. The suspending authority or their representative’s decision is final.

**4.2 Student Chapter [Executive Board’s] Authority.** By a [three-fourths] vote, a student chapter [executive board] may interimly suspend a student accused of misconduct until the chapter adjudicates the alleged violation under this Code.

4.2.1The interim suspension cannot exceed [30] days unless justified by extenuating circumstances (e.g., a pending university, civil, or criminal case; end of an academic term; etc.).

4.2.2The chapter [President] must notify the interimly suspended student in writing, copying the [Chapter Advisor].

4.2.3The suspended party has the right to meet with the suspending authority or their representative to demonstrate why an interim suspension is not merited.

* + - 1. The suspended party must submit the request in writing.
      2. The meeting must be held within [14] days of the written request. If the meeting does not occur within the required timeframe, the interim suspension is automatically lifted.
      3. During the meeting, the suspended party may challenge

1. the reliability of the information on which the interim suspension is based; and
2. whether the alleged misconduct reasonably indicates the interim suspension is in the organization’s best interest.
   * + 1. The suspending authority or their representative may retain, modify, or lift the interim suspension after the meeting.
       2. The suspending authority or their representative’s decision is final.

**V. Roles in the Conduct Process**

**Drafting Note:** *The template assumes only organization members, volunteers, or staff may serve as Complainants. If the organization allows people unaffiliated with the organization to serve as Complainants, the organization should update the template appropriately.*

**5.1 Complainant.** The Complainant is the person bringing the complaint. Students, volunteers, [alumni/ae], or [inter/national headquarters] staff may serve as Complainants. The Complainant may choose to be present for and participate in the conduct process as fully as the responding party.

**5.2 Respondent.** The Respondent is the student or student chapter alleged to have violated the Code.

**5.3 Witness.** A witness is a person who may offer information regarding the alleged misconduct.

**5.4 Investigator.** The Investigator is the organization staff member or volunteer who presents the allegations and shares the evidence the organization obtained about the alleged misconduct.

**VI. Procedural Standards and Evidence**

**Drafting Note:** *The template outlines factors the organization considers when determining an alleged violation constitutes chapter conduct. If the organization chooses not to include these factors in the Conduct Code, they can be a helpful tool for educating students, staff, and volunteers.*

**6.1 Preponderance Standard.** The complaint against the Respondent must be established by a preponderance of the evidence, meaning a reasonable person would accept that it is “more likely than not” a fact is true or a violation occurred.

**6.2 Factors for Finding Collective Responsibility.** A student chapter may be found responsible for collectively violating the Code when a preponderance of the evidence indicates

1. a reasonable person would understand the behavior to fall within the scope of the student chapter’s activities;
2. the student chapter or its officers sanctioned the behavior;
3. the behavior occurred during an activity the student chapter sponsored or endorsed;
4. the behavior occurred on the student chapter’s property;
5. the student chapter or its students supported the behavior;
6. the student chapter’s officers knew or should have known the behavior would occur and failed to prevent it; or
7. the student chapter or its students lied about the behavior.

**6.3** **Written Notice Requirements.** Written notice may be given in person, mailed to the Respondent’s local or permanent address, or emailed to the Respondent’s recorded email address. Notice mailed or emailed is presumed delivered.

**6.4 Inapplicability of Formal Evidentiary Rules.** Formal rules of evidence do not apply.

**6.5 Deviations from Prescribed Procedures.** Deviations from prescribed procedures will not invalidate a decision unless they result in significant prejudice to the Respondent or Complainant.

**Drafting Note:** *If the organization does not allow Respondents to appeal for procedural error substantially affecting the outcome of the case (*see *Section 12.1), this section should be edited.*

**VII. Rights**

**Drafting Note:** *The template assumes the organization does not provide full due process protections to students and student chapters. Instead, the template is based on fundamental fairness. As private membership organizations, students and student chapters only have the procedural rights outlined in the organization’s governing documents.*

**7.1** **Respondents’ Rights.** Respondents have the right to

1. be informed of the charges against them;
2. request an informal resolution to the case;
3. a reasonable time to prepare a defense;
4. hear and respond to the evidence upon which the charges are based;
5. appeal according to the Code; and
6. waive any of these rights.

**7.2 Right to an Advisor.** Complainants and Respondents have a right to an advisor of their choosing. Advisors must be students, volunteers, [alumni/ae], or [inter/national headquarters] staff.

7.2.1 People acting as legal counsel may not serve as advisors.

7.2.2 Advisors may be present during conduct proceedings but may not serve as witnesses, address hearing bodies, or question witnesses. Advisors may quietly confer with their advisee, exchange notes, or suggest questions to their advisee.

**VIII. Resolution by a Student Chapter**

**Drafting Note:** *The template uses a student chapter’s internal conduct board to adjudicate students’ alleged misconduct. A chapter’s internal conduct board should consist of an odd number of members (e.g., five), including a chair. The board can be elected or appointed (with or without ratification by the chapter).*

**8.1 Use of the [Standards Board].** A student chapter’s [Standards Board] adjudicates the alleged misconduct of the chapter’s students.

**8.2 Reporting Alleged Violations.** Any person may allege a violation of this Code by notifying the chapter [President] and [Standards Board Chair] in writing. If the person alleging a violation of the Code does not meet the qualifications outlined in Section 5.1, the [President] or the next highest ranking officer not allegedly involved in the misconduct will serve as the Complainant.

**8.3 Prohibition on Conflicts of Interest.** The Respondent or any other student simultaneously charged with similar misconduct may not adjudicate the case or participate in the appellate process.

**8.4 [Standards Board] Procedures.**

8.4.1 Once the student chapter receives a written complaint, the [Standards Board] will set a date, time, and location or method (e.g., conference call, video conference) for a meeting to adjudicate the case. The meeting must occur within [15] days unless extenuating circumstances justify an extension.

8.4.2 The [Standards Board] will send the Respondent written notice of the meeting at least [five] days in advance. The notice must

1. outline the provisions of the Code with which the Respondent is charged;
2. describe the nature of the alleged misconduct in sufficient detail to allow the Respondent to present a defense; and
3. indicate the date, time, and location or method (e.g., conference call, video conference) of the [Standards Board] meeting.

8.4.3 The Respondent and the [Standards Board] may resolve the complaint informally. To resolve the complaint without a [Standards Board] meeting, the Respondent must

1. waive the right to appeal;
2. accept responsibility for each alleged violation of the Code; and
3. agree to complete the sanctions proposed by the [Standards Board].

A written copy of an informal resolution must be sent to the chapter [President].

8.4.4 The [Standards Board] will conduct the meeting with the Respondent according to the following guidelines:

1. The [Standards Board] may question any party or witness. The Complaint and Respondent may submit questions to the [Standards Board Chair], who will ask the questions at their discretion.
2. The [Standards Board] will review the charges with the Respondent. The Respondent may admit or deny responsibility for each charge. If the Respondent admits responsibility for all charges, the [Standards Board] will only consider information to determine the appropriate sanction.
3. The Complainant will have the opportunity to present information substantiating the Respondent’s alleged misconduct, including pertinent witnesses, written statements, and other records.
4. After the Complainant’s presentation, the Respondent will have the opportunity to present a defense, including pertinent witnesses, written statements, and other records.
5. The [Standards Board] may limit the number of character witnesses or accept written statements instead.
6. After the presentation of all pertinent information, the [Standards Board] will excuse the parties and their advisors and deliberate.
7. The [Standards Board] will determine, by a majority vote, whether the Respondent is responsible for each charge.
8. If the [Standards Board] finds the Respondent responsible, the [Standards Board] determines the appropriate sanctions.

8.4.5 The [Standards Board] will keep minutes of all meetings with Respondents. The minutes will serve as the sole record for all meetings. The minutes should accurately summarize the information presented by the Complainant, Respondent, and any pertinent witnesses. Deliberations will not be included in the minutes.

8.4.6 If the Respondent does not appear for the [Standards Board] meeting, the meeting will proceed as scheduled and the [Standards Board] will consider the information substantiating the Respondent’s alleged misconduct.

8.4.7 The [Standards Board] will notify the Respondent of the outcome in writing within [seven] days of the meeting. The notice must include

1. the determination of responsibility for each charge;
2. any sanctions assigned; and
3. any applicable appeal procedure.

8.4.8If the [Standards Board] suspends or expels the Respondent, the [Standards Board] must forward copies of the following items to the [inter/national headquarters] within [seven] days of notifying the Respondent:

1. The written complaint.
2. The Respondent’s meeting notification.
3. The meeting minutes.
4. The Respondent’s outcome notification.

**IX. Resolution by the [Inter/national Organization]**

**Drafting Note:** *The template uses a committee of trained volunteers to adjudicate alleged misconduct. This allows the inter/national governing board to serve as an appellate body.*

**9.1 Reporting Alleged Violations.** Any person may allege a violation of this Code by notifying [inter/national headquarters]. The [inter/national headquarters staff] will conduct a preliminary inquiry into alleged violations of the Code. The preliminary inquiry may determine

1. there is insufficient evidence to pursue an investigation, because the alleged behavior, even if true, would not violate the Code;
2. the allegation requires additional investigation;
3. the case should proceed to an informal resolution; or
4. the case should proceed to a formal hearing.

**9.2 Investigator Appointment.** When the preliminary inquiry determines the allegation requires additional investigation, the [Executive Director] or their designee may appoint an Investigator.

* + 1. The Investigator should be prompt, thorough, and impartial. The Investigator identifies relevant facts by conducting interviews, obtaining witness statements, or collecting evidence.
    2. The Investigator prepares a written report summarizing the investigation process and relevant facts identified.
    3. After reviewing the written report, the [inter/national headquarters staff] determines whether there is sufficient evidence to proceed to an informal resolution or formal hearing.

**9.3 Informal Resolution Procedures.** When the [inter/national headquarters staff] determines a preponderance of the evidence supports finding the Respondent responsible for violating the Code, the case may be resolved by informal resolution.

* + 1. The [inter/national headquarters staff] may propose an informal resolution to the Respondent. The written proposal should

1. outline the provisions of the Code for which a preponderance of the evidence supports a finding of responsibility;
2. describe the nature of the alleged misconduct in sufficient detail to allow the Respondent to accept or reject the finding of responsibility;
3. include a copy of the Investigator’s report, if applicable;
4. outline appropriate sanctions for the misconduct; and
5. provide the Respondent with [three] days to accept or reject (i) the findings and (ii) the proposed sanctions.
   * 1. If the Respondent accepts the findings and the proposed sanctions, the case is resolved. The Respondent may not appeal the informal resolution.
     2. If the Respondent accepts the findings but rejects the proposed sanctions, the case proceeds to a sanction-only hearing.
     3. If the Respondent rejects the findings, the case proceeds to a formal hearing to determine responsibility and appropriate sanctions.

**9.4 Hearing Panel Procedures.** When a case proceeds to a hearing, a Hearing Panel adjudicates the case.

* + 1. The [inter/national governing board or Executive Director] or [its/their] designee appoints a committee of hearing panelists [annually]. For each hearing, the [inter/national governing board or Executive Director] or [its/their] designee selects three panelists from the committee, including a Chair. The Chair ensures the hearing follows the outlined procedures.
    2. The [inter/national headquarters staff] serves as the Complainant.
    3. The [inter/national headquarters staff] will send the Respondent written notice of the hearing at least [seven] days in advance. The notice must

1. outline the provisions of the Code with which the Respondent is charged, including any provisions of the Code for which the Respondent accepted responsibility;
2. describe the nature of the alleged misconduct in sufficient detail to allow the Respondent to present a defense; and
3. indicate the date, time, and location or method (e.g., conference call, video conference) of the hearing.
   * 1. At least [three] days before the hearing, the Complainant and Respondent will submit the following information to the [inter/national headquarters staff]:
4. A list of all pertinent witnesses to be called at the hearing.
5. Copies of all pertinent evidence to be presented at the hearing.
6. The names of any advisors accompanying the party at the hearing.
   * 1. The panel will conduct the hearing according to the following guidelines:
7. The Hearing Panel may question any party or witness. The Complaint and Respondent may submit questions to the Chair, who will ask the questions at their discretion.
8. The Hearing Panel will review the charges with the Respondent. The Respondent may admit or deny responsibility for each charge. If the Respondent admits responsibility for all charges, the Hearing Panel will only consider information to determine the appropriate sanction.
9. The Complainant will have the opportunity to present information substantiating the Respondent’s alleged misconduct, including pertinent witnesses, written statements, and other records.
10. After the Complainant’s presentation, the Respondent will have the opportunity to present a defense, including pertinent witnesses, written statements, and other records.
11. The Hearing Panel may limit the number of character witnesses or accept written statements instead.
12. After the presentation of all pertinent information, the Hearing Panel will excuse the parties and their advisors and deliberate.
13. The Hearing Panel will determine, by a majority vote, whether the Respondent is responsible for each charge.
14. If the Hearing Panel finds the Respondent responsible, the Hearing Panel determines the appropriate sanctions.
    * 1. The Hearing Panel will keep minutes of all hearings. The minutes will serve as the sole record for all hearings. The minutes should accurately summarize the information presented by the Complainant, Respondent, and any pertinent witnesses. Deliberations will not be included in the minutes.
      2. If the Respondent does not appear for the hearing, the hearing will proceed as scheduled and the Hearing Panel will consider the information substantiating the Respondent’s alleged misconduct.
      3. The Hearing Panel will notify the Respondent of the outcome in writing within [seven] days of the hearing. The notice must include
      4. the determination of responsibility for each charge;
      5. any sanctions assigned; and
      6. any applicable appeal procedure.

**X. Special Procedures for Sensitive Complaints**

**Drafting Note:** *The template does not allow student chapters to adjudicate sensitive complaints (e.g., alleged sexual misconduct, discrimination, retaliation after reporting hazing). The organization should determine how best to craft these provisions—or whether to include them at all—based on internal operating procedures. The organization may determine it is more appropriate for all alleged individual student misconduct to first be adjudicated by the student chapter.*

**10.1 Jurisdictional & Procedural Limitations.** Cases involving sensitive complaints, including sexual misconduct and discrimination,

(a)may be investigated under Section 9.3;

(b) may only be adjudicated by a Hearing Panel under Section 9.4.

**10.2 Evidentiary Limitations in Cases Involving Alleged Sexual Misconduct.**

10.2.1 An alleged victim’s sexual history is not admissible.

10.2.2 The Respondent’s sexual history is only admissible if it reasonably demonstrates (a) a pattern, or (b) repeated or predatory behavior. The Hearing Panel Chair determines if evidence is relevant. The Respondent’s sexual history may be established by previous findings in a campus or legal proceeding or previous good faith allegations.

**XI. Sanctions**

**Drafting Note:** *The template uses a majority vote to assign all sanctions. The organization should determine if certain sanctions (e.g., suspension, expulsion, charter revocation, etc.) require a higher threshold or ratification before they become effective (e.g., ratification by the inter/national governing board before a charter is revoked).*

**11.1 Student Sanctions.** By a majority vote, a student chapter’s [Standards Board] or a Hearing Panel may assign one or more of the following sanctions to any student for violating the Code:

* 1. *Warning:* a written notice that other violations of the Code will result in more severe conduct action.
  2. *Probation:* a designated period of time during which other violations of the Code will result in more severe sanctions.
  3. *Restitution:* compensation for damage to another’s property.
  4. *Fines.*
  5. *Community service:* a requirement that a student complete a specific, supervised service.
  6. *Loss of privileges:* denial of specific organizational privileges for a designated time period.
  7. *Behavioral requirement:* a required activity, including academic counseling, substance abuse screening, written apology letter, etc.
  8. *Educational programming:* a requirement to attend, sponsor, or present a program related to the violation.
  9. *Eligibility restriction:* inability to hold elected or appointed office or represent the organization for a designated time period.
  10. *Removal from elected or appointed office.*
  11. [*Bid revocation:* the removal of a new member from the organization.]

**Drafting Note:** *The organization should define what rights and privileges a student loses when a bid is revoked.*

* 1. *Suspension:* a student’s temporary separation from the organization for a designated time period.

**Drafting Note:** *The organization should define what rights and privileges a suspended student loses (e.g., not in good standing, may not run for or hold elected or appointed leadership positions, etc.).*

* 1. *Expulsion:* a student’s permanent separation from the organization.

**Drafting Note:** *The organization should define what rights and privileges an expelled student loses.*

* 1. *Other sanctions:* additional or alternate sanctions appropriate to the violation.

**11.2 Student Chapter Sanctions.** By a majority vote, a Hearing Panel may assign one or more of the following sanctions to any student chapter for violating the Code:

* 1. *Warning:* a written notice that other violations of the Code will result in more severe conduct action.
  2. *Probation:* a designated time period during which other violations of the Code will result in more severe sanctions.
  3. *Restitution:* compensation for damage to another’s property.
  4. *Fines.*
  5. *Community service:* a requirement that a student chapter complete a specific, supervised service.
  6. *Loss of privileges:* denial of specific organizational privileges for a designated time period.
  7. *Educational programming:* a requirement to attend, sponsor, or present a program related to the violation.
  8. *Charter Suspension:* a student chapter’s temporary cessation of all organizational activities for a designated time period.
  9. *Charter Revocation:* a student chapter’s cessation of all organizational activities until reestablished [under the organization’s bylaws].
  10. *Other sanctions:* additional or alternate sanctions appropriate to the violation.

**XII. Appeals**

**Drafting Note:** *The template assumes the organization provides students and student chapters with a right of appeal. Organizations are not, however, required to provide appellate rights.*

**12.1 Grounds for Appeal.** Appeals must be based on one or more of the following grounds:

(a) Procedural error substantially affecting the outcome of the case.

(b) New information not available at the time of adjudication that could substantially affect the finding of responsibility.

(c) Disproportionately severe sanctions in light of the violation.

**12.2 Limited Appellate Review.** Unless the appeal is based on new information that was not available at the time of adjudication, an appeal is limited reviewing the written record. The written record includes

(a) the written notice sent to the Complainant;

(b) copies of pertinent evidence presented at the hearing;

(c) the written hearing minutes; and

(d) the written outcome.

The Respondent, Complainant, and hearing body may also submit written statements for review on appeal.

**12.3 Sanctions Effective During Appeal.** Sanctions will be implemented while an appeal is pending. In extremely exigent circumstances, the [Executive Director] may stay the implementation of a sanction pending the outcome of an appeal

**12.4 Appeals from [Standards Board] Decisions.** Any student found responsible by a student chapter [Standards Board] may appeal in accordance with the chapter’s bylaws. Once an appellant exhausts the appeal procedure outlined in the chapter bylaws, they may appeal to the [inter/national governing board].

**12.5 Appeals to the Governing Board.** Respondents may appeal to the [inter/national governing board] from any case adjudicated by a

(a) student chapter [Standards Board], where the Respondent exhausts the appeal procedure outlined in the chapter bylaws; or

(b) Hearing Panel.

12.5.1 Appeals to the [inter/national governing board] must be filed within seven days of the written outcome, barring exigent circumstances. Exceptions are made at the sole discretion of the [Executive Director].

12.5.2 Appeals are reviewed for clear error or a compelling justification for altering an assigned sanction.

12.5.3 The [inter/national governing board] will review an appeal within 60 days.

12.5.4 The [inter/national governing board] may reverse a finding or modify a sanction.

12.5.5 The [inter/national governing board] will notify the appellant of the outcome in writing within [seven] days of the decision.

12.5.6 The [inter/national governing board’s] decision is final.

*Adapted, in part, from* NCHERM Grp., Model Developmental Code of Student Conduct: Private College/University (2013) *and* Pi Kappa Phi Fraternity, Conduct Code (2018).

1. *See* Ass’n for Student Conduct Admin., Ethical Principles and Standards for Conduct (1993); Council for the Advancement of Standards in Higher Educ., CAS Self-Assessment Guide for Student Conduct Programs (2015). [↑](#endnote-ref-1)
2. “Students” means all undergraduate members—uninitiated new members and initiated members. [↑](#footnote-ref-1)
3. “Student chapters” means all undergraduate chapters. [↑](#footnote-ref-2)
4. The template uses the non-gendered pronoun “their” in both its singular and plural forms. [↑](#footnote-ref-3)