# Northwestern | STUDENT AFFAIRS Office of Community Standards

# Recognized Student Organizations and Groups Guide to the University Hearing and Appeals System (UHAS)

Link: 2025-26 Student Handbook

Link: 2025-26 Student Handbook Appendix: University Hearing and Appeals System (UHAS)

Receiving a letter from the Office of Community Standards (OCS) on behalf of an organization has the potential to create various feelings, concerns, and questions for students. Common questions include how an allegation was reported, what allegations and charges mean, what the conduct process entails, and what outcomes may come from a responsible finding. This document is designed to assist groups and organizations, hereafter referred to simply as *organizations*, with navigating the student conduct process, also known as the University Hearing and Appeals System (UHAS). Staff within OCS are also happy to answer any questions you may have and provide additional guidance as needed.

# **Receiving a Letter from OCS**

#### Why am I receiving formal notice on behalf of my organization?

When an organization is reported for a potential violation of the Student Code of Conduct, OCS will ask the leader(s) within said organization, most commonly the President(s), to serve as the organization's *Representative*. This designation helps OCS streamline communication with one or two individuals who can then share relevant information with the broader organization. The Representative is responsible for formally meeting with OCS to review the report and discuss the allegations that the organization may have violated one or more university policies.

### Are other members of the organization involved in the process?

Executive board or general members may be asked to meet with OCS as *Persons with Information* or *Witnesses*. This is typically due to their role within the organization or their potential connection to the matter under review; examples include, but are not limited to, OCS meets with a Social Chair after it is reported that their organization hosted an event with alcohol or OCS meets with a new member after it is reported that their organization is hazing its new member class. OCS's request to meet with a Witness is not an implication that the Witness violated a policy nor does the meeting come with individual allegations or charges levied at the Witness. OCS recommends Witnesses review information relative to participating in "good faith," found in the UHAS Appendix (p. 8).

Representatives are encouraged to talk with their members about engaging in the process as Witnesses if they receive outreach but are discouraged from coaching, influencing, or guiding their members regarding questions that will be asked by OCS or what the members, as Witnesses, should or should not discuss with OCS. Further, Representatives nor individual members, are to engage in any action that attempts to retaliate against, intimidate, threaten, coerce, discriminate against, or improperly influence any member from reporting alleged violations of policy or concern for the health or safety of a Northwestern community member. Doing so would be a violation of

the Student Code of Conduct (*Misconduct within the Student Conduct Process (D)*) and could result in additional policy violations for both the organization and individual members involved in such action.

#### What is included in the Notice Letter/ Initial Appointment Letter?

The notice letter or initial appointment letter will include the allegation(s) as reported, the subsequent charges of violation of the Student Code of Conduct related to the allegation(s), whether the case is being viewed a non-separation or separation level case, the Case Resolution Coordinator(s) or Investigator(s) assigned, as well as meeting logistics. If the Representative has questions regarding their organization's notice letter, the representative can contact the Case Resolution Coordinator (CRC) or Investigator listed under the Scheduled Meeting section for assistance.

Interim Action: In instances where a reported allegation causes reasonable concern for safety and security of the University community, University community members, or University property, interim action may be taken. Interim action language can be found in the notice letter after the listed charges and before the scheduled meeting. More information regard Interim Action can be found in the UHAS Appendix (p. 9-11).

## Why is the allegation toward the organization and not its individual members involved?

OCS uses 11 factors (*Student Handbook, p. 10-11*) when making determinations as to whether an organization or its individual members are responsible for a reported allegation(s), if a responsibility finding is made. Please note, an organization's members and officers may be held individually responsible for violations of the Student Code of Conduct in concurrence with their organization. OCS will not disclose an individual member's conduct review with the organization's Representative or any third-party affiliate (e.g. National Headquarters).

#### What is the role of a Student Representative?

OCS recruits and trains students every year to serve as Student Representatives, hereafter referred to simply as Student Reps, who assist the OCS as co-Case Resolution Coordinators (co-CRCs) for non-separation level organization cases. Student Reps have been trained to adjudicate organizational misconduct, in partnership with a full-time OCS staff member, in a fair, impartial, and confidential manner. The organization's Representative will receive the name of the Student Rep via the notice/appointment letter or via email after the letter has been sent. Prior to meeting with OCS, Representatives are encouraged to notify the Director of Community Standards via email at <a href="mailto:community-standards@northwestern.edu">community-standards@northwestern.edu</a> if there are concerns regarding the Student Rep's ability to impartially participate in the hearing. Following review of the concern, the Director will determine whether to keep the Student Rep assigned to the case, reassign the case to a new Student Rep, or have the matter proceed without the inclusion of a Student Rep.

In cases where a Student Rep cannot be assigned to a case due to limited availability or time of year (e.g. summer quarter), OCS may offer the Representative to either proceed with the case without a Student Rep's involved or postpone the case until a Student Rep can be assigned.

# **Preparing for the Meeting**

#### What should I have prepared for the meeting with OCS?

Representatives are encouraged to review the allegation(s) in full and prepare to discuss their knowledge of the event(s) in question. This may include solidifying times, dates, and locations in which an event occurred, and

names of individuals who were involved or witness to the event, prior to attending the meeting. Please note, OCS discourages any Representative from investigating an event themselves (e.g. going to each member of one's organization and questioning them for information), including falsifying or tampering with information or coaching potential Witnesses, as this has the potential to violate the student code of conduct (*Misconduct within the Student Conduct Process (B) and (D)*). Rather, OCS asks that Representatives provide the name(s) of those individuals the Representative believes may has additional information to share.

#### Should I tell my organization's faculty or staff advisor about the meeting with OCS?

Representatives are encouraged to meet with their organization's Northwestern-specific faculty or staff advisor regarding the organization's alleged misconduct and outreach from OCS prior to their scheduled meeting with OCS. If the Representative is representing a Northwestern fraternity or sorority, OCS encourages the Representative connect with the organization's Office of Fraternity and Sorority Life (FSL) <u>chapter coach</u>.

#### Should I tell my organization's Inter/National Headquarters about the meeting with OCS?

When an organization has a governing body (i.e. an inter/national headquarters), OCS or a designated campus partner will conduct outreach to said governing body to inform its staff that their local (Northwestern) organization is engaged with the OCS process. Representatives are encouraged to proactively outreach and communicate with their organization's inter/national headquarters, if applicable.

#### Can I have someone attend the meeting with me for support?

Representatives may have one individual accompany them to their meeting with OCS as an *Advisor*. Advisors must be a Northwestern community member (faculty, staff, or student) and cannot be a family member, attorney. or a party or witness to the allegation(s) under review. *Staff within FSL or Student Organizations and Activities (SOA) will not serve as Advisors in the OCS process*.

Advisors are meant to provide emotional and process support for representatives navigating the process. Advisors are not permitted to:

- Represent the Representative or the organization throughout the process, including, but not limited to, answering questions, providing evidence, communicating with the OCS, or submitting documentation; or
- Create undue delay to the OCS process.

# **Meeting with OCS**

#### So what process is my organization going through?

When Representatives receive their notice letter, they are informed that they will be engaging with OCS in one of two processes; either a non-separation level process called an *Administrative Hearing*, or a separation level process called an *Investigation*. More information on the two processes is provided below.

Administrative Hearing (Non-Separation Level): Cases involving non-separation level allegations, meaning allegations that if a responsibility finding is made **will not result** in group suspension or dissolution, will typically be resolved through an Administrative Hearing facilitated by a CRC and Student Rep in OCS. Indication of the case under review being an Administrative Hearing is indicated in the notice letter via the following language found under the charges.

The alleged violation(s) as currently stated are not in alignment with University policy and expectations and require University response but will not result in separation (group suspension or group dissolution) from the University.

Within this process, an organization's Representative has the option to accept responsibility for the allegation(s) and charge(s) in lieu of a complete Administrative Hearing process via the *Acceptance of Responsibility (AOR)* form linked within the original notice letter. When an organization engaging in a non-separation level process accepts responsibility for some or all of the violations of policy, the case may be resolved collaboratively with university staff via a Collaborative Resolution Meeting (CRM) rather than the case being resolved via a formal process. Please note, representatives can only AOR between the time of the initial notice and before an outcome is delivered.

More information on the non-separation level and AOR processes can be found in the UHAS Appendix (p. 13).

*Investigation (Separation Level):* Cases involving separation level allegations, meaning allegations that if a responsibility finding is made **could result** in group suspension or dissolution, including housing removal if applicable, will typically be resolved through an Investigation facilitated by one to two OCS staff members or trained designee. Indication of the case under review being an Investigation is indicated in the notice letter via the following language found under the Preparing for Your Meeting section.

#### **Preparing for Your Meeting**

First, review the allegations provided above, utilizing the <u>Student Handbook</u> for further review. Please note during our meeting, we will be discussing the alleged violation(s) that have the potential to result in separation (suspension or group dissolution, including housing removal if applicable) from the University, as well at the investigation process and hearing options.

Within this process, an organization's Representative(s) have the option to accept responsibility for the allegation(s) and charge(s) via the Acceptance of Responsibility (AOR) form linked within the original notice letter. Following an AOR submission, the Investigators will review the provided information and determine whether further investigation is necessary. If not, the matter will be reviewed, a Final Investigative Report will be sent, and the matter will move to a sanctioning panel for deliberation of outcomes.

More information on the separation level and AOR processes can be found in the UHAS Appendix (p. 15).

#### **Outcome Letter and Beyond**

#### What outcomes can come from a case and how am I notified of them?

Following the end of an Administrative Hearing or Investigation, and if a finding of responsibility is made, the CRC or Sanctioning Panel coordinator will send the representative an outcome letter. The outcome letter will outline sanctions the organization is to complete before the matter is officially closed. Sanctions are determined based off 10 sanctioning factors listed here:

- The nature, context, and severity of the incident.
- The level of accountability and responsibility taken by the student/student organization.
- The need to stop the misconduct and prevent its recurrence.
- The impact of the conduct on the reporter when one exists.
- The impact of the conduct on the community or the University.
- The need to remedy and address the impact or effects of the conduct on others.
- The disciplinary history of the student /student organization. 2
- $\bullet\,$  The developmental needs of the student/student organization.
- The best interests of the University community.
- · Any other aggravating, mitigating, or relevant factors.

2. For student organizations, the deciding sanctioning body will review the group's history for the 30 months prior to the incident date.

Based on the sanctioning factors, the CRC or sanctioning panel will determine appropriate disciplinary, educational, and restriction sanctions to assign the organization. For Administrative Hearing cases, disciplinary sanctions can range from as low as a warning to disciplinary probation, while Investigation cases can range from warning to group dissolution. More regarding the sanctioning factors and sanctions can be found in the Student Handbook (p. 25-30).

#### Can the organization challenge findings and/or outcomes?

Yes. Following the organization's retrieval of the outcome letter, there is the opportunity to appeal findings, sanctions, or both via a written appeal submission. Appeals must be submitted within three (3) business days from receiving the outcome letter and are limited to 15 pages, including any attachments. Appeals will only be considered under four (4) grounds, which are:

- New information discovered after resolution of the case that could not have reasonably been available at the time of resolution that could materially change the outcome
- Procedural errors within the resolution process that may have substantially affected the fairness of the process
- The individuals who made the determination had a conflict of interest or bias for or against the reporter or respondent generally or the individual reporter or respondent that would change the outcome
- The sanction is disproportionate with the violation

If an organization appeals findings, outcomes, or both stemming from an Investigation, the appeal will move to an Appellate Panel for review. More on the appeals process can be found in the UHAS Appendix (*Non-Separation p. 14-15, Separation, p. 20-21*).

#### Are outcomes and sanctions of a case shared with the NU community?

For organization cases where a responsibility finding is made and sanctions are assigned, OCS will share relevant information of the case to the larger NU community via the <u>Student Organization Conduct Status Report</u> page on the OCS website. Cases that involve a responsibility finding for hazing will also be included in an annual Campus Hazing Transparency Report under the federal Stop Campus Hazing Act. Information involving individual student records will not be shared.