

Board of Trustees of the Nebraska State Colleges

Student Affairs

POLICY NAME: Recognized Student Organizations

POLICY NUMBER: 3300

A. PURPOSE

To set forth the requirements with respect to recognized student organizations including, but not limited to, receiving and maintaining status as a recognized student organization, eligibility for funding, use of college resources, advisors, volunteers, and conduct.

B. DEFINITIONS

1. **Advisor:** An employee of the College assigned by the College or who in a volunteer capacity as a service to the College, community, and profession, assists a recognized student organization.
2. **Fundraising:** Collecting money through donations, sales, and/or event programming for the purposes of budget enhancement.
3. **Recognized Student Organization (RSO):** A group of students joined together in pursuit of a common purpose, guided by a constitution or charter, and officially recognized by the College pursuant to this policy. RSOs are distinct and separate entities from the Colleges.
4. **Senior Student Affairs Officer:** The vice president, assistant vice president, or dean of students responsible for student affairs as designated by the President.
5. **Student Senate:** The Student Senate is the elected representative body of students of the College. References to Student Senate herein includes any body created and delegated responsibility under the authority of the Student Senate, whether appointed or elected.
6. **Volunteer:** Any individual who chooses to perform services without compensation or expectation of compensation at the direction of, and on behalf of, a student organization. A member of the student organization is not considered a volunteer.

C. POLICY

1. Obtaining Recognition

- 1.1. Each College shall have an equitable process for the recognition of student organizations which encourages participation by all students and contributes to a vibrant educational environment.
- 1.2. The process shall be in writing and accessible to all students;
- 1.3. Student organizations seeking recognition must have a minimum number of student members as established by the College;
- 1.4. Student organizations seeking recognition must have an Advisor who is an employee of the College who has agreed or to act in that capacity;
- 1.5. Student organizations seeking recognition must provide a copy of their governing documents including but not limited to their charter agreement, constitution, and by-laws and such governing documents must be in compliance with the requirements for RSOs set forth in this policy;
- 1.6. The process shall include an opportunity for the Student Senate to review the student organization's application for recognition and all related documents and provide a recommendation with respect to recognition;
- 1.7. The Senior Student Affairs Officer shall make the decision regarding recognition of a student organization; and
- 1.8. The process must provide an opportunity for the student organization seeking recognition and the Student Senate to appeal the decision to the President.

2. General Requirements for All RSOs

- 2.1. RSOs shall comply with all applicable state and federal laws and regulations, Board policies and College rules with respect to the operation, activities, and membership of the organizations.
- 2.2. Each RSO charter agreement and/or constitution must affirmatively state that membership in the organization is open and the organization will not discriminate on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age.
 - An organization exempt under Title IX may maintain its single-gender membership and may modify the non-discrimination statement in its charter and/or constitution to reflect its exempt status.
 - Any new charter agreements and/or constitutions and any revisions to existing charter agreements and/or constitutions must be approved by the Senior Student Affairs Officer.
- 2.3. In order to remain in good standing, each RSO shall provide to the student activities office at the College on or before October 15th annually:
 - a list of current officers,

- total number of members as of October 1st, and
- bank and account information for any accounts used by the RSO.

3. Funding and Finances

- 3.1. RSOs may receive funds from the following sources:
 - Student Activity Fees in an amount to be determined by the Student Senate of the College; and
 - Donations from individuals, businesses, or other entities; and
 - Proceeds from fundraising activities conducted in compliance with this policy.
- 3.2. RSOs shall not receive any College or Foundation funds.
- 3.3. All student organizations are responsible for maintaining their own bank accounts outside of the College and College Foundation for funds from student organization fundraising or other activities. No College or Foundation tax identification numbers shall be used on these accounts. Student organization funds held in such accounts do not belong to the College or Foundation and an accounting for those funds will not be included as part of the College's or Foundation's audit. Student organizations are financially and legally responsible for deposits to and expenditures from their accounts.
- 3.4. College employees including, but not limited to, student organization advisors are not permitted to:
 - be signatories on student organization bank accounts or
 - have access to student organization bank account funds through checks, debit cards, or other means.

4. Student Activity Fees

- 4.1. Only recognized student organizations shall have the opportunity to access student activity fees pursuant to a process approved by the Student Senate of the College.
- 4.2. The process for the allocation of student activity fees to RSOs must be equitable and free from discrimination on the basis of race, color, national origin, sex, sexual orientation, gender identity, disability, religion, or age.
- 4.3. Student Activity Fees allocated to RSOs can be used to support the RSO's activities and operations, including but not limited to the following purposes:
 - General expenses related to events, including but not limited to supplies, rentals, decorations, food, and beverages;
 - Speaker and entertainer fees;
 - Music, movie and other media licenses;

- Payments to student workers to accomplish the purpose of the RSO;
 - Equipment necessary to accomplish the purpose of the RSO;
 - Travel and transportation expenses;
 - Conference and event registration fees; and
 - Insurance.
- 4.4. Student Activity Fees allocated to RSOs cannot be used by RSOs for:
- Purchase or serving of alcohol, drugs, tobacco, vaping products or any nicotine products;
 - Engaging in illegal activity;
 - Establishing or investing in a profit-making enterprise;
 - Engaging in gambling activity, not including the hosting of a casino night or holding a raffle for charitable or fundraising purposes.
 - Charitable and political donations to third-parties;
- 4.5. All equipment purchased by RSOs using Student Activity Fees remain the property of the RSO. In the event the RSO ceases to operate, all equipment becomes the property of the Student Senate.

5. Fundraising

- 5.1. RSOs may wish to collect money through fundraising activities to support their activities and functions.
- 5.2. Only RSOs may conduct fundraising on campus. Permission for conducting fundraising activities must be obtained in advance by completing the required College form and obtaining necessary College approvals.
- 5.3. The purpose of the funds that will be raised must be consistent with the Code of Conduct and other applicable policies of the College and all activities associated with the fundraising must be in compliance with applicable federal, state, and local rules and regulations.
- 5.4. The Board acknowledges this policy may not anticipate every possible issue that may arise with respect to fundraising activities. As a result, the Colleges have the right to impose reasonable restrictions and/or requirements with respect to the time, place and manner of fundraising activities.

6. Access to College Resources

- 6.1. RSOs may, at the College's discretion, have access to College resources at a free or reduced rate.
- 6.2. College resources may include, but not be limited to, copiers, computers, mail, email, postal services, building use, and state cars.

- 6.3. College resources shall only be made available to the RSO, if the organization has available allocations to cover the applicable resource cost from the student activity fees, which are in the College accounts, or outside bank accounts.
- 6.4. Use of any College resources must be in accordance with College policies. Such College resources shall not include the use of College or Foundation funds.

7. Contracts

- 7.1. RSOs wishing to enter into agreements or contracts with persons, corporations or organizations, external to the College community, must have approval by the College Vice President for Administration and Finance, or their designee, prior to entering into such an agreement or contract in order to ensure that
 - (a) the contract does not create inappropriate or unanticipated liability for the College and the Board of Trustees;
 - (b) if the RSO intends to utilize its student activity fees, the use of the fees is appropriate and sufficient funds exist to cover the cost of the contract, and
 - (c) if the contract includes the utilization of College facilities and/or resources, the RSO has complied with all requirements for the use of such facilities and/or resources.
- 7.2. The appropriate student organization officer shall sign contracts on behalf of the RSO.
- 7.3. The College shall not sign contracts on behalf of RSOs. However, contracts that include the utilization of College facilities and/or other resources of the College for an event must be approved in advance and also be signed by the College President or Vice President for Administration and Finance.

8. Insurance

- 8.1. Insurance coverage procured by the Board of Trustees for each College does not extend to RSOs and does not provide coverage for any loss or injury caused in who or in party by participation in any sport or athletic activity. RSOs should conduct business with that understanding.
 - RSOs must accurately represent their insurance status to organization members and outside entities.
 - RSOs should acquire appropriate signed waivers from participants based upon the nature of risk associated with the RSO's activities and events.
- 8.2. All RSO activities and events taking place on College property, are to be considered College activities and events for insurance purposes unless

otherwise agreed to in writing by the College and the student organization(s) involved.

- 8.3. Travel to and from RSO events and activities are to be covered by the student travel accident policy procured by the Board of Trustees subject to reasonable limitation and terms.
- 8.4. Advisors are presumed to be working within the course and scope of their employment when performing the duties of an advisor, regardless of whether they are working in a volunteer capacity.
- 8.5. Student organizations are allowed to independently seek insurance coverage for the benefit for their members.

9. Advisors

- 9.1. Each RSO shall have an advisor who is an employee of the College.
- 9.2. Advisors may be assigned by the College to assist a particular recognized RSO; or, advisors may work with the RSO in a volunteer capacity as service to the College, community, and profession, if approved as a volunteer by the Senior Student Affairs Officer.
- 9.3. The role of an advisor is to communicate with, guide, and assist the RSO; attend organization meetings, events, and fundraisers; be knowledgeable of all policies that may impact the organization; and monitor compliance with Board and College policies and budgetary/financial guidelines established by the College and student senate.

10. Travel

- 10.1. RSOs traveling to participate in events or activities which include an overnight stay must be accompanied by either the RSO advisor or a College employee. An RSO can ask that the senior student affairs officer waive this requirement based upon the individual circumstances.
- 10.2. All travel by any advisor or college employee must be approved pursuant to established Board and College rules and procedures.

11. Volunteers

- 11.1. RSOs are responsible for the training and supervision of their volunteers. A volunteer who provides assistance in person to an RSO on a routine and ongoing basis; and acts in a capacity similar to those of an advisor and/or coach shall be subject to a criminal background check at the expense of the RSO.
- 11.2. A student organization may submit a request to the College that a volunteer driver be authorized to operate a state-owned vehicle pursuant to Board Policy 6100 under the following circumstances:
 - The volunteer cannot be a student.

- The College is not responsible for finding a volunteer on behalf of the student organization.
- The volunteer would be a volunteer on behalf of the College subject to Board Policy 5025 for purposes of operating a state vehicle and required to satisfy all requirements set forth in Board Policy 6100.
- Approval of the volunteer is entirely within the discretion of the College.

12. Conduct and Discipline

12.1. RSO misconduct which may rise to sanctions includes:

- Failure to comply with applicable state laws and regulations, federal laws and regulations, Board policies and/or College rules;
- Engaging in conduct which constitutes student misconduct as outlined in Board Policy 3100; or
- Creating, supporting, or fostering an environment which allows, encourages, or otherwise contributes to student misconduct as outlined in Board Policy 3100.

12.2. Allegations of sex harassment or sexual violence shall be addressed as described in Board Policy 3020 or 5011; Sexual Violence or Sexual Harassment, Reporting, Policies and Procedures and will be referred to the Title IX Coordinator.

12.3. RSOs are encouraged to self-report misconduct and take affirmative steps to address misconduct.

12.4. Reports of any RSO misconduct should be referred to the Senior Student Affairs Officer.

12.5. Upon receiving a verbal or written report or otherwise becoming aware of alleged misconduct by an RSO, the Senior Student Affairs Officer or their designee will conduct an investigation, and shall:

- Notify the College President of the allegations;
- Notify the leadership of the RSO and the national organization, if any, in writing of the general nature of the alleged misconduct and that an investigation will be conducted;
- Interview RSO leadership, witnesses, and any individuals involved in the conduct at issue; and
- Collect any physical evidence available, including, but not limited to, photos, video or documents.

12.6. Nothing herein shall prevent the Senior Student Affairs Officer from conducting an initial inquiry to determine whether sufficient information exists to warrant an investigation.

- 12.7. The RSO leadership may admit the alleged misconduct and voluntarily subject itself to the discipline of the Senior Student Affairs Officer.
- 12.8. Upon completion of the investigation, the Senior Student Affairs Officer will review the information and using the preponderance of evidence standard of proof, issue a finding either that:
- The alleged misconduct is not substantiated and no further action is necessary; or
 - The alleged misconduct is substantiated and sanctions will be levied against the student organization.
- 12.9. If the misconduct is found to be substantiated, the Senior Student Affairs Officer shall determine the appropriate sanction to be levied against the RSO. In determining the appropriate sanction, the following factors should be considered:
- the nature and severity of the misconduct;
 - whether the RSO self-reported the misconduct;
 - the willingness of the RSO to take responsibility for the misconduct;
 - the level of cooperation received from the RSO in the investigation; and
 - any other relevant facts.
- 12.10. The Senior Student Affairs Officer shall notify the President, the leadership of the RSO, and the national organization, if any, of the findings in writing. If the misconduct is found to be substantiated, the notice shall include the sanctions to be levied against the organization and the RSO's right to appeal the decision to the President.
- 12.11. If it is determined that the organization's recognition is revoked, the notice shall state a specific period of time that must lapse before the organization can reapply for recognition and what actions must be taken prior to its application.

SOURCE:

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