



Item: AS:A-1

## Florida Atlantic University Board of Trustees

Wednesday, January 17, 2007

**SUBJECT: REVISIONS TO REGULATIONS FOR STUDENT ORGANIZATIONS**

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### PROPOSED BOARD ACTION

The Administration requests the Board of Trustees adopt the proposed amendment to Regulation 4.006 as changed after comments were received (Attachment C). Regulation 4.006 governs the student organizations of Florida Atlantic University.

### BACKGROUND INFORMATION

Student organizations provide a valuable service to the University community by promoting leadership development, community spirit, activism, community service, and social and cultural interaction. Each year more than 300 student organizations sponsor conferences, seminars, lectures, debates, cultural and social events, and fine arts programs. These activities allow FAU students to meet and interact with local, state, nationally, and internationally renowned scholars, artists, politicians, academicians and other professionals. Student organization members spend countless volunteer hours each academic year participating in service projects for campus and community efforts.

During the past few months, the Division of Student Affairs has begun to assess and evaluate all policies, procedures and regulations that govern all student organizations at FAU. This initiative is being conducted to enhance Campus Life participation by clarifying policies, procedures and guidelines for students to understand how to get involved at FAU.

1. The current Regulation 4.006 was last amended November 1987.
2. The proposed regulation amendment was publicly posted December 18, 2006 (Attachment A). Subsequently, written comments to the proposed amendment were submitted by students on December 29, 2006 (Attachment B). After considering the written comments, on January 9, 2007 the proposed regulation amendment was changed to adopt some of the students' comments and further clarify the proposed

regulation amendment (Attachment C). Written comments to the change in the proposed regulation were received on January 9, 2007 (Attachment D).

3. The policies and procedures in this regulation are consistent with the policies and procedures of the other SUS institutions.
4. This revised legislation allows the University to create a culture conducive to the development of the total student through consistent policies and procedures and reliable stewardship of University resources.

#### **IMPLEMENTATION PLAN/DATE**

The proposed regulation will be implemented and effective upon adoption by the Board of Trustees.

#### **FISCAL IMPLICATIONS**

There are no fiscal implications to this proposed board action.

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#### **Supporting Documentation:**

**A- Proposed Regulation Amendment**

**B- Written Comments Received  
(12/29/06)**

**C- Revised Proposed Regulation  
Amendment After Comments Received**

**D- Written Comments Received (1/9/07)**

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**FLORIDA ATLANTIC UNIVERSITY  
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: December 18, 2006

**REGULATION TITLE AND NUMBER:** Student Government and Student Organizations (4.006).

**SUMMARY:** This regulation amendment revises the University's Student Organizations Regulation. It implements comprehensive procedures for funding, formation, discipline, qualifications and registration of student organizations.

**FULL TEXT OF THE REGULATION:** The full text of the proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at [www.fau.edu/regulations](http://www.fau.edu/regulations). In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

**AUTHORITY TO AMEND THE REGULATION:** Article IX of the Florida Constitution, Florida Statute 1001.74 and the Board of Governors Regulation Development Procedure dated July 21, 2005.

**UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:**

Dr. Charles L. Brown, Vice President for Student Affairs

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO THE CONTACT PERSON IDENTIFIED BELOW.** In response, the University may solicit additional written comments, schedule a public hearing, withdraw or modify the proposed regulation amendment in whole or in part after notice, or proceed with adopting the regulation amendment. The comments must identify the regulation(s) on which you are commenting:

**THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT/REPEAL OF REGULATIONS IS:** Valerie Laine, Coordinator, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

# PROPOSED

## Florida Atlantic University

### Regulation 4.006                      Student Government and Student Organizations

~~(1) Procedure for the formation of a registered student organization:~~

~~(a) A student representative of the group wishing to be registered files with the Student Activities Office in the University Center a statement of intent to organize. When approved by the President of the Student Government Association and the Director of Student Activities, the group may then hold and advertise meetings on campus. The privilege is granted for a period of six weeks during which time the group should submit a petition for registration.~~

~~(b) The petition for registration is filed as soon as the membership of the organization is largely complete and should include the names of the members and a list of the officers. All officers and at least a majority of the membership must be registered students of Florida Atlantic University. At this time the group must submit its constitution and bylaws to the Student Activities Office and select an advisor. The advisor must be a full-time faculty or staff member employed by Florida Atlantic University. Special national restrictions on the qualifications for advisors to social fraternities and sororities may prohibit the selection of an FAU faculty or staff member as the advisor. Such cases will be reviewed on an individual basis by the Director of Student Activities and the Dean of Student Affairs. If the organization is affiliated with an off-campus organization, the constitution of the parent organization must also be filed. When these documents have been approved by the President of Student Government, the Director of Student Activities and the Dean of Student Affairs, the group is eligible for the privileges set out below.~~

~~(c) All clubs and organizations must file a status report each term with the Student Activities Office. Any club or organization not filing a status report will be considered inactive and will not be eligible to sponsor activities on campus. Authorized signature cards are also required each term by the Student Activities Office for those organizations establishing a University banking account. Each club is responsible for keeping its own financial records.~~

~~(d) Organizational composition. All officers and at least a majority of the active membership of all student organizations must be registered students of Florida Atlantic University.~~

~~(2) Responsibilities of registered student organizations. Registered student organizations must maintain active files with the Student Activities Office by notification of any changes in the status of the organization and/or any change of officers. In addition, each organization is responsible for:~~

- ~~(a) Complying with local, state, and national laws and University policies and regulations in the functioning of the organization.~~
- ~~(b) Accepting responsibility for sponsoring and supervising their programs.~~
- ~~(c) Assuring that University facilities are used only for the purposes for which they were scheduled by the organization.~~
- ~~(d) Reimbursing the University for damage to University property or facilities, including clean-up costs, which occur in connection with the organization's activities or programs.~~
- ~~(e) Assuring that all promotion and advertising of events involving the use of University facilities shall identify the sponsor of the event.~~
- ~~(f) Failure to comply with any of the responsibilities of registration may result in revocation of the group's status as an FAU student organization.~~
- ~~(3) Use of facilities. Registered student organizations and acknowledged student groups (Student Government and its agencies, housing staff, student advisory~~

(1) Purpose

- (a) Student organizations are an essential part of the Florida Atlantic University community and are an integral part of the total academic program. The presence of a diverse group of organizations is in the best interest of the University and its students. Such organizations foster valuable experiences for students that lead to significant learning and development and create a sense of belonging.
- (b) Student organizations provide a valuable service to the University community by promoting leadership development, community spirit, activism, community service, and social and cultural interaction. Each year more than 300 student organizations sponsor conferences, seminars, lectures, debates, cultural and social events, and fine arts programs. These activities allow FAU students to meet and interact with local, state, nationally, and internationally renowned scholars, artists, politicians, academicians and other professionals. Student organization members spend countless volunteer hours each academic year participating in service projects for campus and community efforts.

(2) Definitions

- (a) Student – as defined by the Student Code of Conduct, Regulation 4.007.
- (b) Student Organizations – The term “Student Organizations” refers to all clubs, organizations, fraternities, sororities, Student Government and all Student Government Agencies.
- (b) Student Development & Activities. The term Student Development & Activities as defined by the Vice President for Student Affairs shall refer to the following:
  - 1. Office of Student Development & Activities on the Boca Raton Campus.
  - 2. Office of Student Development & Activities on the Broward Campuses.
  - 3. Office of Student Development & Activities under the auspices of Student Life & Recreation on the Jupiter Campus.
  - 4. Office of Student Affairs on the Treasure Coast Campus

- (c) Student Affairs. The term Student Affairs shall refer to the Division of Student Affairs represented by the various Dean of Student Affairs offices on each campus.
- (d) Campus Recreation. The term Campus Recreation shall refer to:
  - 1. The Department of Campus Recreation on the Boca Raton Campus, which is responsible for overseeing the sports clubs on the Boca Raton Campus.
  - 2. Student Wellness Center under the Associate Dean of Student Affairs on the Broward Campuses.
  - 3. The Department of Recreation under the auspices of Student Life & Recreation on the John D. MacArthur Campus, which is responsible for overseeing the sports clubs.
- (e) Greek Life. The term Greek Life shall refer to the area of responsibility under the Dean of Student Affairs Office on the Boca Raton Campus that is responsible for overseeing the social Greek letter fraternities and sororities.
- (f) Campus Ministries. The term Campus Ministries shall refer to the area of responsibility under the Dean of Student Affairs Office on the appropriate campus that is responsible for overseeing religious student organizations.
- (g) Student Government. Student Government shall be the representative of all students and is encouraged to function on campus with the recognition that ultimate authority for university affairs rests with the Board of Trustees and the Administration of the University.
- (h) Student Officer Definition. The provisions of this regulation shall apply to:
  - 1. All elected or appointed president, vice-president, treasurer, secretary or other such officer of all student organizations.
  - 2. All elected or appointed Student Government positions.

(3) Student Governance

- (a) The Vice President for Student Affairs is the designated representative of the University President in all matters pertaining to student life and governance.
- (b) The governing organization of the Student Body of Florida Atlantic University is known as the Student Government Association of Florida Atlantic University. Student Government shall be organized and maintained to represent the entire student body of Florida Atlantic University.
- (c) Student Government may adopt a constitution and statutes, establish appointed or elected officers and recommend employment of personnel required to carry out its functions, subject to the approval of the University's Board of Trustees, through the Vice President for Student Affairs or designee.
- (d) Legislation of the Student Government Association shall be subject to the approval of the Vice President for Student Affairs prior to implementation.
- (e) Student Government is authorized to make recommendations through the Vice President for Student Affairs concerning all University policies, regulations, and operating procedures which significantly affect students and is authorized to nominate students to serve on University committees, etc.) ~~may temporarily use~~

or sponsor the temporary use of certain University councils and boards which have student membership or representation.

facilities.

~~(4) Contracts. Students or student organizations may not enter into agreements which purport to bind the University for any purpose.~~

~~(5) Non-discrimination. Campus organizations shall be open to all students without respect to race, creed, or national origin.~~

~~(6) Amplification of sound. Amplified sound may be presented in any facility on campus which is reserved for that purpose, including the outdoor stage and the barbecue complex. Sound may not be amplified out of doors in areas other than the latter two~~

mentioned areas (unless approved)  
(f) Student Government shall be in full compliance with all Federal and State of Florida Laws.

(g) Any elected student government official who pleads guilty, no contest, receives deferred prosecution (or similar disposition) or is convicted of a violation of felony or is found civilly liable for an act of moral turpitude will be immediately suspended from office and temporarily replaced. The University President's designee will appoint a temporary replacement if the succession process is unable to produce a replacement. If the conviction or verdict is not overturned and all rights of judicial appeal have been exercised, waived, or expired, the suspension will become a permanent removal. This procedure is distinct from and in addition to the processes of the Florida Atlantic University Student Code of Conduct.

(h) The Vice President for Student Affairs requires that all Student Government leaders undergo training provided by the Dean of Student Affairs) and must be in within 2 months of assuming office. Failure to undergo training will result in being removed from office.

~~accordance with procedures for management of amplified sound. Complete requirements for the use of amplified sound on campus are available through the office of the Dean of Student Affairs.~~

~~(7) Program registration. Any of the following activities sponsored by student organizations must be registered with the Director of Student Activities at least seven (7) days prior to the date of the proposed event:~~

~~(a) Any activity involving alcoholic beverages.~~

~~(b) Any activity involving sales.~~

~~(c) Any outdoor activity.~~

~~(d) Any activity involving contractual agreements and/or liability insurance.~~

~~(e) Any activity advertised to the public.~~

~~(f) Any activity involving the active participation of non-university people.~~

~~(g) Any activity with an anticipated attendance of 100 people or more (except regular organizational business meetings).~~

~~(h) Any activity requiring police support.~~

~~(i) Any activity projecting a higher non-student than student attendance.~~

(4) Activity and Service (A & S) Fees Fund Management

(a) Purpose.



1. Assures full and complete implementation of Florida Law.
  2. Assures compliance with all applicable laws and regulations are not impeded; and
  3. Facilitates effective interaction between the University staff and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A & S) Fees.
- (b) All Activity and Services Fees shall be maintained in accounts kept by the FAU Controllars Office. All contracts and purchases shall be made in accordance with university regulations and policies and all appointments and payments of personnel shall be made in accordance with University personnel and payment procedures.
- (c) All Student Government purchases, contracts, expenditures and disbursements must be reviewed and approved by the Vice President for Student Affairs designee.
- (d) At the end of each university fiscal year, unexpended Activity and Service Fees shall revert to Student Government for reallocation in the subsequent fiscal year.
- (e) The authority and responsibility to determine the allocation and expenditure of A & S funds initially rests with Student Government. The Vice President for Student Affairs may veto an allocation or expenditure if in the best interest of the student body. Furthermore, Student Government shall be prohibited from:
1. Entering into contractual agreements not otherwise authorized;
  2. Deviating from laws, regulations, and procedures pertaining to budgeting, allocation and/or expenditure of public funds of the State of Florida;
  3. Hiring, supervising, or terminating non Student Government personnel without the Vice President for Student Affairs approval.
  4. Making operational decisions of non Student Government University entities.
- (f) The University Inspector General office shall make arrangements for audits of all accounts which receive and/or expend Activity and Service Fees.
- (g) Depreciation and Reserve Accounts.
1. Campus Recreation and the University Center will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by Boca Campus student statute. The required contribution will be the first priority on self-generated funds from these two departments.
  2. Other Campus Recreation programs, Wellness Centers and/or Student Unions or Student Activity Centers on the Broward, Jupiter, or Treasure Coast Campus will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by their respective Campus student statute. The required contribution will be the first priority on self-generated funds from these two departments.



3. The Vice President for Student Affairs' Office will be required to establish a university wide reserve account for A & S fees. This reserve will be utilized for cash flow needs, enrollment shortfalls, and budgetary emergencies. In order to bring the reserve account for the A & S fees up to the required minimum, it shall have first claim on A & S dollars unencumbered or unexpended on June 30.

(5) Privileges of Student Organizations

Registered Student Organizations are organizations formed by any group of currently enrolled students sharing a common interest and/or goal and who complete the registration process through the Office of Student Development & Activities.

- (a) The privilege to use University facilities for meetings and functions (fees may apply).
- (b) The privilege to request funds from Student Government or its designated student organization.
- (c) The privilege to recruit members on campus.
- (d) The privilege to establish dues and sponsor money-raising projects.
- (e) The privilege to use the name of the University as part of the organization's name.
- (f) The privilege to invite guest speakers to campus.
- (g) The privilege to grant awards and honors to organization members.
- (h) The privilege to have a mailbox on campus and use the University's address for the organization's business.
- (i) The privilege to have an on-campus bank account.
- (j) The privilege to have other services provided by the Office of Student Development & Activities.

(6) General Provisions Regarding Student Organizations

- (a) Florida Atlantic University has no insurance covering the activities of registered student organizations. In accordance with the laws, rules, and regulations of the State of Florida and the Florida Atlantic University Board of Trustees, the university is unable to provide insurance that covers student organizations. If the organization chooses not to purchase commercial insurance coverage for its activities, the organization will be held totally liable for its activities. Any claims that may result will be against the organization, its officers and members and could result in personal liability on the part of the officers and members. Florida Atlantic University cannot defend any organization under its present insurance coverage or defray the costs of defending any lawsuit or claim against an organization, its officers or members. Understanding fully above, the State of Florida and the Florida Atlantic University Board of Trustees and their respective officers, agents and employees are harmless for any activities of an organization.
- (b) The University reserves the right to register all student organizations. The Office of Student Development & Activities on each campus serves as the University registrant of all student organizations and maintains current information on each

- registered and sponsored student organization, its officers or authorized representatives, its purpose and its advisor.
- (c) It is the policy of Florida Atlantic University that registered student organizations shall be in full compliance with all federal and state nondiscrimination and equal opportunity laws, orders and regulations. Registered student organizations will not practice any discrimination against a member or prospective member on the basis of race, color, religion, gender, sexual orientation, national origin, ancestry, age, marital status, disability, unfavorable discharge from the military or status as a disabled veteran of the Vietnam era, except specifically exempted by law.
- (d) All student organizations are under the jurisdiction of the Office of Student Development & Activities. The responsibility for establishing and enforcing policy concerning organizations and activities, including the requirement that they function in accordance with their constitutions, is vested in the Office of Student Development & Activities. All student organizations are subject to the rules and regulations governing the University, including but not limited to the Student Code of Conduct, Honor Code, Alcohol and Drug policy, and all other organizational Handbooks/Manuals.
- (e) Student Organizations or students may not enter into agreements or contracts which purport to bind the University for any purpose.

(7) Procedure for the Formation of a New Student Organization

- (a) Any student(s) wanting to begin a new student organization shall file a “Intent to Organize” form with the Office of Student Development & Activities on the campus on which they wish to form.
1. When approved by the Office of Student Development & Activities, the group may then hold and advertise meetings on campus. This is considered provisional status.
  2. The privilege is granted for a period of six weeks, during which time the group shall submit a “Petition for Registration.”
  3. Failure to submit a “Petition for Registration” within the appropriate deadline shall deactivate the student organization and the group will not be able to function as a student organization.
- (b) Petition for Registration. The “Petition for Registration” shall be filed as soon as the membership of the organization is largely complete and within the six week time frame from the “Intent to Organize.” The Petition for Registration shall include:
1. The names, signatures and student ID numbers of the two founding students. These students must be registered students of Florida Atlantic University.
  2. The names, signatures and student ID numbers of the at least 10 students, including officers (depending on the specific requirements of the campus), who are members of the student organization.
  3. The Student Organization’s Constitution. All registered student organizations are required to have a constitution. A constitution is a

document that defines the long-term purpose of the organization and the structure of the organization. The constitution should only be changed through a clearly defined amendment process. The process should include advance notice, one week discussion and more than a simple majority vote. The Office of Student Development & Activities must approve all constitutional changes. See the Club & Organization Manual for a guideline for writing a constitution.

4. The student organization's bylaws/statutes are required. The bylaws/statutes define how an organization carries out business. The bylaws/statutes should define committee structure or other operational aspects of the organization. When these become firmly established in practice they may be inserted in the constitution by amendment. A division of rules and procedures between the constitution and bylaws permits program, budget and committee structure to develop as the group grows.
5. The name and telephone number of the student organization's selected advisor. The advisor must be a full-time faculty or AMP/SP staff member employed by Florida Atlantic University.
6. If the organization is affiliated with an off-campus organization, the constitution of the parent organization must also be filed.
7. When all of these documents have been reviewed by Student Affairs the group is eligible for the privileges set out in this regulation.
8. The petitioning organization will be notified in writing by the Office of Student Development & Activities or appropriate office of its acceptance or, in cases of denial, the reasons for denial. The petitioning organization may submit an appeal to Student Affairs on the respective campus.

(8) Re-Registration of an Existing Student Organization

Student organizations need to annually re-register each fall semester or if changes occur to the officers and/or advisor of the student organization. On the third Friday of the fall semester, the Office of Student Development & Activities will deactivate all student organizations that have not re-registered. A deactivated organization will not be able to function as a student organization. This includes receiving funds disbursed from Student Government, reserving space on campus or getting a permit to table or hang a banner. The intent of this rule is to ensure that the University has accurate contact information for each group.

- (a) Complete the "Student Organization Status Report" form.
- (b) Complete the "Roster List" form with a minimum of 8 members.
- (c) This shall be considered official registration of the student organization.
- (d) The student organization is responsible for notifying the Office of Student Development and Activities of any updates or changes in the operations of the organization.

(9) Qualifications for Student Leaders

- (a) All FAU students are eligible for membership in any recognized student organization at FAU, provided that membership requirements of the organization are satisfied.
- (b) Each student organization should take steps to ensure that candidates for student office meet the minimum eligibility requirements as stated in this regulation prior to election or appointment.
- (c) The Office of Student Development & Activities and/or the Dean of Student Affairs or designee will verify eligibility on the appointed and elected student officers of all registered student organizations.
- (d) Students not meeting the eligibility requirements as outlined in this regulation will be required to relinquish their office immediately upon notification (subject to appeal).
- (e) The Privilege of Representing our University carries with it the obligation to set a high standard of behavior. It is, therefore, the responsibility of the University President to ensure that student representatives do not continue to represent their institution, when, due to their misconduct, such participation would reflect poorly on their respective institution. Failure to comply with the provision of this section may result in disciplinary action being taken against the student.
- (f) To be eligible to hold elected or appointed office in any student organization, a student must meet University standards. These criteria emphasize the necessary balance that should exist between academic standards and commitment to student development, as described in the University's Mission Statement. To this end, in order for a Florida Atlantic University student, either undergraduate or graduate, to be eligible to hold office/position in a registered student group or organization, a student must:
  - 1. Be enrolled a minimum of six (6) credit hours in the Fall and six (6) credit hours in the Spring semesters, if an undergraduate student;
  - 2. Be enrolled a minimum of three (3) credit hours in the Fall and three (3) credit hours in the Spring semesters, if a graduate student.
  - 3. Maintain a 2.25 or higher Grade Point Average each term and cumulatively on all courses attempted at Florida Atlantic University
  - 4. Be free of any obligation for fees or payments to the University by the end of the Drop/Add period each semester.
  - 5. Be free of any disciplinary sanctions unless an exemption is granted by the Dean of Student Affairs.
  - 6. Student officers must be degree seeking students.
  - 7. Students interested in holding offices who have not completed a full term and do not have a FAU cumulative grade point average must obtain permission from the Office of Student Development and Activities and/or the Dean of Student Affairs Office or designee in order to be eligible.
  - 8. Notwithstanding the other provisions of this section, students in their last semester before graduation are eligible to participate in campus activities if they are enrolled for the required number of credits needed for graduation that semester. This provision shall only apply for one term.

- (g) Appeals. Appeals of non-eligibility decisions must be submitted in writing to the Dean on the appropriate campus or Vice President for Student Affairs within three (3) working days of notification of non-eligibility.
1. The appeal must state the grounds for appealing the decision.
  2. A response to the students appeal will be given within five (5) working days of notification at which time a hearing may be scheduled.
  3. The Eligibility Appeals Board shall be comprised of one student, one faculty member, and one-student affairs staff member. The Vice President for Student Affairs shall appoint this board as needed.
  4. An Eligibility Appeals Board decision will be given within five (5) working days of the scheduled student hearing.
  5. During the appeal process a candidate, on an interim basis, may be appointed to the position in question in order to fulfill obligated duties.
  6. The decision of the Eligibility Appeals Board is final.
- (10) Student Organization's Event Management and Travel Policy  
All activities and trips sponsored by student organizations must be registered with the Office of Student Development & Activities and must comply with policies and procedures set forth in organizational handbooks/manuals.
- (11) Student Organizational Code of Conduct and Discipline
- (a) All student organizations at FAU must adhere to all University regulations and policies including the Student Code of Conduct and the Office of Student Development & Activities Club & Organization Manual and other manuals including but not limited to Greek Life and Campus Recreation on each campus.
  - (b) Any violation of these regulations by a student organization may result in disciplinary sanctions against the organization may include cancellation of the organization's registration.
  - (c) Suspension of a Student Organization's Registration - An organization's registration may be suspended by the Dean of Student Affairs or designee for any one of the following reasons:
    1. Violation of University regulations, policies and procedures and/or state, federal or local laws.
    2. Failure to pay University obligations.
    3. Violation of Student Code of Conduct.
    4. The national organization revokes the student organization's charter or denies affiliation.
    5. Non-compliance with organization registration procedures and constitution requirements.
    6. Falsification of any registration information.
    7. Violation of policies stated in the Campus Club & Organization Manual and other manuals including but not limited to Campus Recreation and Greek Life

(d) Procedures for the Deposition of Student Organizational Code of Conduct Violations

1. Complaints. Any person or entity may request charges be filed against a student organization for alleged violation of federal or state laws, or University regulations or policies. An investigation may take place of the circumstances of the complaint. The complaint regarding a student organization's conduct must be to the Dean of Student Affairs.
2. The Dean of Student Affairs or designee will determine if there are reasonable grounds to believe that the allegations of the complaint are true, and if true, would constitute a violation of the University's Student Organizational Code of Conduct. If appropriate, the Dean of Student Affairs or designee shall prepare notice of formal charges.
  - a. Nothing in this regulation shall prevent the informal mediation of a complaint when deemed appropriate by the University.
  - b. Nothing in this regulation shall prevent the disposition of a complaint administratively by mutual consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings.
  - c. If based on the investigation, the Dean of Student Affairs determines there may be a violation to the Student Organizational Code of Conduct; he may refer the matter to the appropriate administrative department overseeing the student organization or shall prepare a formal Notice of Charges against the student organization.
  - d. If a student organization is suspected of a violation to the Student Organizational Code of Conduct, the appropriate supervising department director or designee, i.e.; Office of Student Development & Activities, Campus Recreation; Dean of Student Affairs; and Greek Life will send to the student organization's president and copied to the advisor a written notice of charges against the organization.
3. The Organization president or designee shall have at least three academic days from receipt of the Notice to meet with appropriate department director or designee to discuss the charges. The advisor will be encouraged to attend.
4. The appropriate department director or designee will decide one of the following after the date set for the meeting with the Organization president or designee:
  - a. Case Dismissal – The respective director or designee may dismiss the case if it is found to not have sufficient facts or evidence to substantiate the claim of misconduct or the misconduct is not a violation of the Student Organization Code of Conduct.
  - b. Administrative Action –In unusual cases, which dictate a decision for the welfare of any individual, the student body, or any part of



- the University or its community, the respective director or designee may take immediate action to resolve the situation.
- c. Dean of Student Affairs - The respective director or designee may refer the case to the Dean of Student Affairs.
  - d. Hearing Board – The respective director or designee may refer the case to a Student Organization Code of Conduct board consisting of one student, one student affairs administrator and one faculty. If it involves a Greek Organization the case will be heard by the appropriate Greek governing organization or the Greek Student Conduct Board.
  - e. Other Appropriate Action. A disciplinary action not specifically set out above, but deemed proper.
- (e) A hearing date before the appropriate University Student Organization Code of Conduct Board will be promptly set but in no event less than three academic days after the date of the initial meeting. The notification of hearing, when needed, shall be in writing and include: The date, time and location of the Student Organization Code of Conduct Board hearing
- (f) Student Organizational Code of Conduct Hearing Procedure
- 1 Review of hearing procedures and charges.
  - 2 Opening statement by charging director, followed by opening statement of charged student organization
  - 3 Questioning of charging director and witnesses by the Board and Student Organization.
  - 4 Questioning of student organization and any witnesses by the Board and Charging Director.
  - 5 Closing statement by charging director, followed by the closing statement of the charged student organization.
  - 6 Deliberation by the Board
  - 7 Decision and suggested sanction
  - 8 The advisor is encouraged to attend the hearing.
  - 9. Decision of the Student Organizational Conduct Board shall determine whether it is more likely than not that the accused student organization violated the Student Organizational Code of Conduct.
- (g) The respective director will send notice to the organization President of the outcome and the sanction within three academic days.
- (h) The student organization may appeal in writing the decision within five academic days to the Vice President for Student Affairs. Appeals must specify the basis for the appeal. The appeal may be based on failure to receive the due process required by this regulation, severity of the sanction and/or new material or information that could not be discovered at the time of the hearing.
- (i) After considering the appeal, the Vice President for Student Affairs may reopen the hearing, order a new hearing with the same or new Student Organizational



Conduct Board, or uphold the prior decision. The Vice President shall provide the student organization written notice of his/her decision.

(j) The appeal determination of the Vice President for Student Affairs is final and binding on all parties. There are no further appeals within the University.

(k) Sanctions

1. Educational Activities. Required attendance at educational programs, meeting with appropriate officials, written research assignments, planning and implementing educational programs or other educational activities at the student organization's own expense.
2. Community/University Service. Required completion of a specified number of hours of service to the campus or general community.
3. Restitution. Payment made for damage or loss caused by the student organization.
4. Restriction or Revocation of Privileges. Temporary or permanent loss of privileges, including but not limited to the use of a particular University facility, resources, equipment or visitation privileges.
5. Social Warning. A disciplinary sanction in writing notifying a student organization that the organization's behavior did not meet University standards. All disciplinary warnings will be taken into consideration if further violations occur.
6. Social Probation. A disciplinary sanction in writing notifying the student organization is in serious violation of University standards and that restrictions are being placed on the organization's activities.
7. Suspension of the Organization's Registration. Mandatory deactivation of the organization. During the period of suspension the organization is barred from conducting any activities on campus and cannot be registered as a student organization at any FAU campus. Once the entire period of suspension has been served, the student organization may seek reactivation by submitting a written request to the Office of Student Development & Activities or appropriate supervising office.
8. Expulsion. Permanent revocation of the student organization's registration with no right for future readmission under any circumstances. A student organization that has been expelled is barred from all campuses.

Specific Authority: Florida Board of Governors Resolution dated January 7, 2003, 1001.74 F.S.; Formerly 6C5-4.07, 6C5-4.007, Amended 11-11-1987, 1-17-2007.

**From:** Michael Hallenstein  
**Sent:** Friday, December 29, 2006 1:32 PM  
**To:** GeneralCounsel@fau.edu  
**Cc:** Austin Jacob Shaw; Nguyen, Kim; Edward H. Fulton; LOWE, PAUL TIMOTHY; Lisa Bardill; Lawrence Glick; Rakibur Joarder; Terry Mena; Joseph Isadore; tmorris9@fau.edu; cmack2@fau.edu; jjoyner1@fau.edu; Peter Torres; Gian Amato; Ian P. Depagnier  
**Subject:** Suggested revisions to Proposed Regulation 4.006

**Importance:** High

**Attachments:** Proposed FLORIDA ATLANTIC UNIVERSITY Reg 4.006 Hallenstein-Mack Revision.doc

Ladies and Gentlemen:

In accordance with the comment period given by the General Counsel's Office I am submitting the attached document which we feel will bring the proposed regulation within our understanding of Florida Statutes, Title XLVIII, §§ 1001.74, 1001.75, 1004.26, and 1009.24.

Our proposed revisions to the document are in red.

Sincerely,

**F. Michael Hallenstein**  
Student Body Controller  
Student Government Association  
Florida Atlantic University  
777 Glades Road  
Boca Raton, FL 33431  
Phone: (561) 297-6777  
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Cell: (561) 756-4391  
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**FLORIDA ATLANTIC UNIVERSITY  
NOTICE OF PROPOSED REGULATION AMENDMENT**

Date: December 18, 2006

**REGULATION TITLE AND NUMBER:** Student Government and Student Organizations (4.006).

**SUMMARY:** This regulation amendment revises the University's Student Organizations Regulation. It implements comprehensive procedures for funding, formation, discipline, qualifications and registration of student organizations.

**FULL TEXT OF THE REGULATION:** The full text of the proposed regulation is attached

below to this Notice. The full text of the existing regulation is posted on FAU's website at

[www.fau.edu/regulations](http://www.fau.edu/regulations). In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

**AUTHORITY TO AMEND THE REGULATION:** Article IX of the Florida Constitution, Florida Statute 1001.74 and the Board of Governors Regulation Development Procedure dated July 21, 2005.

**UNIVERSITY OFFICIAL INITIATING THE REGULATION AMENDMENT:**

Dr. Charles L. Brown, Vice President for Student Affairs

**COMMENTS CONCERNING THE PROPOSED REGULATION AMENDMENT SHOULD BE SUBMITTED WITHIN 14 DAYS OF THE DATE OF THIS NOTICE TO**

**THE CONTACT PERSON IDENTIFIED BELOW.** In response, the University may solicit

additional written comments, schedule a public hearing, withdraw or modify the proposed

regulation amendment in whole or in part after notice, or proceed with adopting the regulation

amendment. The comments must identify the regulation(s) on which you are commenting:

**THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT/REPEAL OF**

**REGULATIONS IS:** Valerie Laine, Coordinator, Office of the General Counsel, 777 Glades

Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

# PROPOSED

## Florida Atlantic University

### Regulation 4.006 Student Government and Student Organizations

~~(1) Procedure for the formation of a registered student organization-~~

~~(a) A student representative of the group wishing to be registered files with the Student Activities Office in the University Center a statement of intent to organize. When approved by the President of the Student Government Association and the Director of Student Activities, the group may then hold and advertise meetings on campus. The privilege is granted for a period of six weeks during which time the group should submit a petition for registration.~~

~~(b) The petition for registration is filed as soon as the membership of the organization is largely complete and should include the names of the members and a list of the officers. All officers and at least a majority of the membership must be registered students of Florida Atlantic University. At this time the group must submit its constitution and bylaws to the Student Activities Office and select an advisor. The advisor must be a full-time faculty or staff member employed by Florida Atlantic University. Special national restrictions on the qualifications for advisors to social fraternities and sororities may prohibit the selection of an FAU faculty or staff member as the advisor. Such cases will be reviewed on an individual basis by the Director of Student Activities and the Dean of Student Affairs. If the organization is affiliated with an offecampus organization, the constitution of the parent organization must also be filed. When these documents have been approved by the President of Student Government, the Director of Student Activities and the Dean of Student Affairs, the group is eligible for the privileges set out below.~~

~~(c) All clubs and organizations must file a status report each term with the Student Activities Office. Any club or organization not filing a status report will be considered inactive and will not be eligible to sponsor activities on campus. Authorized signature cards are also required each term by the Student Activities Office for those organizations establishing a University banking account. Each club is responsible for keeping its own financial records.~~

~~(d) Organizational composition. All officers and at least a majority of the active membership of all student organizations must be registered students of Florida Atlantic University.~~

~~(2) Responsibilities of registered student organizations. Registered student organizations must maintain active files with the Student Activities Office by notification of any changes in the status of the organization and/or any change of officers. In addition, each organization is responsible for:~~

~~(a) Complying with local, state, and national laws and University policies and regulations in the functioning of the organization.~~

~~(b) Accepting responsibility for sponsoring and supervising their programs.~~

~~(c) Assuring that University facilities are used only for the purposes for which they were scheduled by the organization.~~

~~(d) Reimbursing the University for damage to University property or facilities,~~

~~including clean-up costs, which occur in connection with the organization's activities or programs.~~

~~(e) Assuring that all promotion and advertising of events involving the use of University facilities shall identify the sponsor of the event.~~

~~(f) Failure to comply with any of the responsibilities of registration may result in revocation of the group's status as an FAU student organization.~~

~~(3) Use of facilities. Registered student organizations and acknowledged student groups (Student Government and its agencies, housing staff, student advisory~~

(1) Purpose

(a) Student organizations are an essential part of the Florida Atlantic University community and are an integral part of the total academic program. The presence of a diverse group of organizations is in the best interest of the University and its students. Such organizations foster valuable experiences for students that lead to significant learning and development and create a sense of belonging.

(b) Student organizations provide a valuable service to the University community by promoting leadership development, community spirit, activism, community service, and social and cultural interaction. Each year more than 300 student organizations sponsor conferences, seminars, lectures, debates, cultural and social events, and fine arts programs. These activities allow FAU students to meet and interact with local, state, nationally, and internationally renowned scholars, artists, politicians, academicians and other professionals. Student organization members spend countless volunteer hours each academic year participating in service projects for campus and community efforts.

(2) Definitions

(a) Student – as defined by the Student Code of Conduct, Regulation 4.007.

(b) Student Organizations – The term “Student Organizations” refers to all clubs, organizations, fraternities, sororities, Student Government and all Student Government Agencies.

(b) Student Development & Activities. The term Student Development & Activities as defined by the Vice President for Student Affairs shall refer to the following:

1. Office of Student Development & Activities on the Boca Raton Campus.
2. Office of Student Development & Activities on the Broward Campuses.
3. Office of Student Development & Activities under the auspices of Student Life & Recreation on the Jupiter Campus.
4. Office of Student Affairs on the Treasure Coast Campus

(c) Student Affairs. The term Student Affairs shall refer to the Division of Student Affairs represented by the various Dean of Student Affairs offices on each campus.

(d) Campus Recreation. The term Campus Recreation shall refer to:

1. The Department of Campus Recreation on the Boca Raton Campus is an agency of the Student Government Association which is responsible for the operation of on-campus fitness facilities, intramural athletics programs, and overseeing the sports clubs on the Boca Raton Campus.
2. Student Wellness Center under the Associate Dean of Student Affairs on the Broward Campuses.
3. The Department of Recreation under the auspices of Student Life &

Recreation on the John D. MacArthur Campus, which is responsible for overseeing the sports clubs.

(e) Greek Life. The term Greek Life shall refer to the area of responsibility under the Dean of Student Affairs Office on the Boca Raton Campus that is responsible for overseeing the social Greek letter fraternities and sororities.

(f) Campus Ministries. The term Campus Ministries shall refer to the area of responsibility under the Dean of Student Affairs Office on the appropriate campus that is responsible for overseeing religious student organizations.

(g) Student Government. Student Government shall be the representative of all students and is encouraged to function on campus with the recognition that ultimate authority for university affairs rests with the Board of Trustees ~~and the Administration of the University.~~

(h) Student Officer Definition. The provisions of this regulation shall apply to:

1. All elected or appointed president, vice-president, treasurer, secretary or other such officer of all student organizations.

2. All elected or appointed Student Government positions.

(i) Student Government Employee (Personnel) definition: Any person whose salary is paid, in whole or in part, from Activity and Service Fees.

(j) Student Government Entity definition: Any activity which derives greater than or equal to 50% of its funding from Activity & Service fees shall be deemed a Student Government Activity.

### (3) Student Governance

(a) The Vice President for Student Affairs is the designated representative of the University President in all matters pertaining to student life and governance.

(b) The governing organization of the Student Body of Florida Atlantic University is known as the Student Government Association of Florida Atlantic University. Student Government shall be organized and maintained to represent the entire student body of Florida Atlantic University.

(c) Student Government may adopt a constitution and statutes, establish appointed or elected officers and recommend employment of personnel required to carry out its functions, subject to the approval of the University's Board of Trustees, ~~through the Vice President for Student Affairs or designee.~~

~~(d) Legislation of the Student Government Association shall be subject to the approval of the Vice President for Student Affairs prior to implementation.~~

(e) Student Government is authorized to make recommendations through ~~the Vice President for Student Affairs~~ the Student Body President, a member of the Board of Trustees, concerning all University policies, regulations, and operating procedures which significantly affect students and is authorized to nominate students to serve on University committees, etc., may temporarily use or sponsor the ~~temporary~~ use of certain University councils and boards which have student membership or representation.

(f) Student Government shall be in full compliance with all Federal and State of Florida Laws.

(g) Any elected student government official who pleads guilty, no contest, receives deferred prosecution (or similar disposition) or is convicted of a violation of felony or is found civilly liable for an act of moral turpitude will be immediately

suspended from office and temporarily replaced. ~~The University President's designee will appoint a temporary replacement if the succession process is unable to produce a replacement.~~ If the conviction or verdict is not overturned and all

rights of judicial appeal have been exercised, waived, or expired, the suspension will become a permanent removal. This procedure is distinct from and in addition to the processes of the Florida Atlantic University Student Code of Conduct.

(h) The Vice President for Student Affairs requires that all Student Government leaders undergo training provided by the Dean of Student Affairs and must be in within 2 months of assuming office. Failure to undergo training will result in being removed from office.

(4) Contracts. Students or student organizations may not enter into agreements which purport to bind the University for any purpose.

(5) Non-discrimination. Campus organizations shall be open to all students without respect to race, creed, or national origin.

(6) Amplification of sound. Amplified sound may be presented in any facility on campus which is reserved for that purpose, including the outdoor stage and the barbecue complex. Sound may not be amplified out of doors in areas other than the latter two mentioned areas (unless approved in accordance with procedures for management of amplified sound). Complete requirements for the use of amplified sound on campus are available through the office of the Dean of Student Affairs.

(7) Program registration. Any of the following activities sponsored by student organizations must be registered with the Director of Student Activities at least seven (7) days prior to the date of the proposed event:

(a) Any activity involving alcoholic beverages.

(b) Any activity involving sales.

(c) Any outdoor activity.

(d) Any activity involving contractual agreements and/or liability insurance.

(e) Any activity advertised to the public.

(f) Any activity involving the active participation of non-university people.

(g) Any activity with an anticipated attendance of 100 people or more (except regular organizational business meetings).

(h) Any activity requiring police support.

(i) Any activity projecting a higher non-student than student attendance.

(4) Activity and Service (A & S) Fees Fund Management

(a) Purpose.

1. Assures full and complete implementation of Florida Law.

2. Assures compliance with all applicable laws and regulations are not impeded; and

3. Facilitates effective interaction between the University staff and the Student Government Association (SGA) in the allocation and expenditure of funds derived from Activity and Service (A & S) Fees.

(b) All Activity and Services Fees shall be maintained in accounts kept by the FAU Controllers Office. All contracts and purchases shall be made in accordance with university regulations and policies and all appointments and payments of personnel shall be made in accordance with University personnel and payment procedures.



(c) All Student Government purchases, contracts, expenditures and disbursements must be reviewed and approved by the Vice President for Student Affairs designee.

(d) At the end of each university fiscal year, unexpended Activity and Service Fees shall revert to Student Government for reallocation in the subsequent fiscal year.

(e) The authority and responsibility to determine the allocation and expenditure of A & S funds initially rests with Student Government. The Vice President for Student Affairs may ~~veto~~ request a revision of an allocation or expenditure if it is deemed not to be in the best interest of the student body. Furthermore, Student Government shall be prohibited from:

1. Entering into contractual agreements not otherwise authorized;
2. Deviating from laws, regulations, and procedures pertaining to budgeting, allocation and/or expenditure of public funds of the State of Florida;
3. Hiring, supervising, or terminating non Student Government personnel without the Vice President for Student Affairs approval.
4. Making operational decisions of non Student Government University entities.

(f) The University Inspector General office shall make arrangements for audits of all accounts which receive and/or expend Activity and Service Fees.

(g) Depreciation and Reserve Accounts.

1. Campus Recreation and the University Center will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by Boca Campus student statute. The required contribution will be the first priority on self-generated funds from these two departments.

2. Other Campus Recreation programs, Wellness Centers and/or Student Unions or Student Activity Centers on the Broward, Jupiter, or Treasure Coast Campus will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by their respective Campus student statute. The required contribution will be the first priority on self-generated funds from these two departments.

3. The Vice President for Student Affairs' Office will be required to establish a university wide reserve account for A & S fees. This reserve will be utilized for cash flow needs, enrollment shortfalls, and budgetary emergencies. In order to bring the reserve account for the A & S fees up to the required minimum, it shall have first claim on A & S dollars unencumbered or unexpended on June 30.

(5) Privileges of Student Organizations

Registered Student Organizations are organizations formed by any group of currently enrolled students sharing a common interest and/or goal and who complete the registration process through the Office of Student Development & Activities.

(a) The privilege to use University facilities for meetings and functions (fees may apply).

- (b) The privilege to request funds from Student Government or its designated student organization.
- (c) The privilege to recruit members on campus.
- (d) The privilege to establish dues and sponsor money-raising projects.
- (e) The privilege to use the name of the University as part of the organization's name.
- (f) The privilege to invite guest speakers to campus.
- (g) The privilege to grant awards and honors to organization members.
- (h) The privilege to have a mailbox on campus and use the University's address for the organization's business.
- (i) The privilege to have an on-campus bank account.
- (j) The privilege to have other services provided by the Office of Student Development & Activities.

#### (6) General Provisions Regarding Student Organizations

- (a) Florida Atlantic University has no insurance covering the activities of registered student organizations. In accordance with the laws, rules, and regulations of the State of Florida and the Florida Atlantic University Board of Trustees, the university is unable to provide insurance that covers student organizations. If the organization chooses not to purchase commercial insurance coverage for its activities, the organization will be held totally liable for its activities. Any claims that may result will be against the organization, its officers and members and could result in personal liability on the part of the officers and members. Florida Atlantic University cannot defend any organization under its present insurance coverage or defray the costs of defending any lawsuit or claim against an organization, its officers or members. Understanding fully above, the State of Florida and the Florida Atlantic University Board of Trustees and their respective officers, agents and employees are harmless for any activities of an organization.
- (b) The University reserves the right to register all student organizations. The Office of Student Development & Activities on each campus serves as the University registrant of all student organizations and maintains current information on each registered and sponsored student organization, its officers or authorized representatives, its purpose and its advisor.
- (c) It is the policy of Florida Atlantic University that registered student organizations shall be in full compliance with all federal and state nondiscrimination and equal opportunity laws, orders and regulations. Registered student organizations will not practice any discrimination against a member or prospective member on the basis of race, color, religion, gender, sexual orientation, national origin, ancestry, age, marital status, disability, unfavorable discharge from the military or status as a disabled veteran of the Vietnam era, except specifically exempted by law.
- (d) All student organizations are under the jurisdiction of the Office of Student Development & Activities. The responsibility for establishing and enforcing policy concerning organizations and activities, including the requirement that they function in accordance with their constitutions, is vested in the Office of Student Development & Activities. All student organizations are subject to the rules and regulations governing the University, including but not limited to the Student Code of Conduct, Honor Code, Alcohol and Drug policy, and all other organizational Handbooks/Manuals.

(e) Student Organizations or students may not enter into agreements or contracts which purport to bind the University for any purpose.

(7) Procedure for the Formation of a New Student Organization

(a) Any student(s) wanting to begin a new student organization shall file a "Intent to Organize" form with the Office of Student Development & Activities on the campus on which they wish to form.

1. When approved by the Office of Student Development & Activities, the group may then hold and advertise meetings on campus. This is considered provisional status.

2. The privilege is granted for a period of six weeks, during which time the group shall submit a "Petition for Registration."

3. Failure to submit a "Petition for Registration" within the appropriate deadline shall deactivate the student organization and the group will not be able to function as a student organization.

(b) Petition for Registration. The "Petition for Registration" shall be filed as soon as the membership of the organization is largely complete and within the six week time frame from the "Intent to Organize." The Petition for Registration shall include:

1. The names, signatures and student ID numbers of the two founding students. These students must be registered students of Florida Atlantic University.

2. The names, signatures and student ID numbers of the at least 10 students, including officers (depending on the specific requirements of the campus), who are members of the student organization.

3. The Student Organization's Constitution. All registered student organizations are required to have a constitution. A constitution is a document that defines the long-term purpose of the organization and the structure of the organization. The constitution should only be changed through a clearly defined amendment process. The process should include advance notice, one week discussion and more than a simple majority vote. The Office of Student Development & Activities must approve all constitutional changes. See the Club & Organization Manual for a guideline for writing a constitution.

4. The student organization's bylaws/statutes are required. The bylaws/statutes define how an organization carries out business. The bylaws/statutes should define committee structure or other operational aspects of the organization. When these become firmly established in practice they may be inserted in the constitution by amendment. A division of rules and procedures between the constitution and bylaws permits program, budget and committee structure to develop as the group grows.

5. The name and telephone number of the student organization's selected advisor. The advisor must be a full-time faculty or AMP/SP staff member employed by Florida Atlantic University.

6. If the organization is affiliated with an off-campus organization, the constitution of the parent organization must also be filed.

7. When all of these documents have been reviewed by Student Affairs the group is eligible for the privileges set out in this regulation.

8. The petitioning organization will be notified in writing by the Office of Student Development & Activities or appropriate office of its acceptance or, in cases of denial, the reasons for denial. The petitioning organization may submit an appeal to Student Affairs on the respective campus.

(8) Re-Registration of an Existing Student Organization

Student organizations need to annually re-register each fall semester or if changes occur to the officers and/or advisor of the student organization. On the third Friday of the fall semester, the Office of Student Development & Activities will deactivate all student organizations that have not re-registered. A deactivated organization will not be able to function as a student organization. This includes receiving funds disbursed from Student Government, reserving space on campus or getting a permit to table or hang a banner. The intent of this rule is to ensure that the University has accurate contact information for each group.

(a) Complete the “Student Organization Status Report” form.

(b) Complete the “Roster List” form with a minimum of 8 members.

(c) This shall be considered official registration of the student organization.

(d) The student organization is responsible for notifying the Office of Student Development and Activities of any updates or changes in the operations of the organization.

(9) Qualifications for Student Leaders

(a) All FAU students are eligible for membership in any recognized student organization at FAU, provided that membership requirements of the organization are satisfied.

(b) Each student organization should take steps to ensure that candidates for student office meet the minimum eligibility requirements as stated in this regulation prior to election or appointment.

(c) The Office of Student Development & Activities and/or the Dean of Student Affairs or designee will verify eligibility on the appointed and elected student officers of all registered student organizations.

(d) Students not meeting the eligibility requirements as outlined in this regulation will be required to relinquish their office immediately upon notification (subject to appeal).

(e) The Privilege of Representing our University carries with it the obligation to set a high standard of behavior. It is, therefore, the responsibility of the University President to ensure that student representatives do not continue to represent their institution, when, due to their misconduct, such participation would reflect poorly on their respective institution. Failure to comply with the provision of this section may result in disciplinary action being taken against the student.

(f) To be eligible to hold elected or appointed office in any student organization, a student must meet University standards. These criteria emphasize the necessary balance that should exist between academic standards and commitment to student development, as described in the University’s Mission Statement. To this end, in order for a Florida Atlantic University student, either undergraduate or graduate, to be eligible to hold office/position in a registered student group or organization,

a student must:

1. Be enrolled a minimum of six (6) credit hours in the Fall and six (6) credit hours in the Spring semesters, if an undergraduate student;
2. Be enrolled a minimum of three (3) credit hours in the Fall and three (3) credit hours in the Spring semesters, if a graduate student.
3. Maintain a 2.00 (2.50 for University Wide Positions) or higher Grade Point Average ~~each term and~~ cumulatively on all courses attempted at Florida Atlantic University
4. Be free of any obligation for fees or payments to the University or receive a deferment by the end of the Drop/Add period each semester.
5. Be free of any disciplinary sanctions unless an exemption is granted by the Dean of Student Affairs.
6. Student officers must be degree seeking students by the second semester after taking office.
7. Students interested in holding offices who have not completed a full term and do not have a FAU cumulative grade point average must obtain permission from the Office of Student Development and Activities and/or the Dean of Student Affairs Office or designee in order to be eligible.
8. Notwithstanding the other provisions of this section, students in their last semester before graduation are eligible to participate in campus activities if they are enrolled for the required number of credits needed for graduation that semester. This provision shall only apply for one term.

(g) Appeals. Appeals of non-eligibility decisions must be submitted in writing to the Dean on the appropriate campus or Vice President for Student Affairs within three (3) working days of notification of non-eligibility.

1. The appeal must state the grounds for appealing the decision.
2. A response to the students appeal will be given within five (5) working days of notification at which time a hearing may be scheduled.
3. The Eligibility Appeals Board shall be comprised of two students, two faculty members agreed to by the Vice President of Student Affairs and the Student Body President, and one student affairs staff member. The Vice President for Student Affairs and Student Body President shall appoint this board as needed.
4. An Eligibility Appeals Board decision will be given within five (5) working days of the scheduled student hearing.
5. During the appeal process a candidate, on an interim basis, may be appointed to the position in question in order to fulfill obligated duties.
6. The decision of the Eligibility Appeals Board is final.

(10) Student Organization's Event Management and Travel Policy

All activities and trips sponsored by student organizations must be registered with the Office of Student Development & Activities and must comply with policies and procedures set forth in organizational handbooks/manuals.

(11) Student Organizational Code of Conduct and Discipline

(a) All student organizations at FAU must adhere to all University regulations and policies including the Student Code of Conduct and the Office of Student Development & Activities Club & Organization Manual and other manuals including but not limited to Greek Life and Campus Recreation on each campus.

(b) Any violation of these regulations by a student organization may result in



disciplinary sanctions against the organization may include cancellation of the organization's registration.

(c) Suspension of a Student Organization's Registration - An organization's registration may be suspended by the Dean of Student Affairs or designee for any one of the following reasons:

1. Violation of University regulations, policies and procedures and/or state, federal or local laws.
2. Failure to pay University obligations.
3. Violation of Student Code of Conduct.
4. The national organization revokes the student organization's charter or denies affiliation.
5. Non-compliance with organization registration procedures and constitution requirements.
6. Falsification of any registration information.
7. Violation of policies stated in the Campus Club & Organization Manual and other manuals including but not limited to Campus Recreation and Greek Life

(d) Procedures for the Deposition of Student Organizational Code of Conduct Violations

1. Complaints. Any person or entity may request charges be filed against a student organization for alleged violation of federal or state laws, or University regulations or policies. An investigation may take place of the circumstances of the complaint. The complaint regarding a student organization's conduct must be to the Dean of Student Affairs.
2. The Dean of Student Affairs or designee will determine if there are reasonable grounds to believe that the allegations of the complaint are true, and if true, would constitute a violation of the University's Student Organizational Code of Conduct. If appropriate, the Dean of Student Affairs or designee shall prepare notice of formal charges.
  - a. Nothing in this regulation shall prevent the informal mediation of a complaint when deemed appropriate by the University.
  - b. Nothing in this regulation shall prevent the disposition of a complaint administratively by mutual consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings.
  - c. If based on the investigation, the Dean of Student Affairs determines there may be a violation to the Student Organizational Code of Conduct; he may refer the matter to the appropriate administrative department overseeing the student organization or shall prepare a formal Notice of Charges against the student organization.
  - d. If a student organization is suspected of a violation to the Student Organizational Code of Conduct, the appropriate supervising department director or designee, i.e.; Office of Student Development & Activities, Campus Recreation; Dean of Student Affairs; and Greek Life will send to the student organization's

president and copied to the advisor a written notice of charges against the organization.

3. The Organization president or designee shall have at least three academic days from receipt of the Notice to meet with appropriate department director or designee to discuss the charges. The advisor will be encouraged to attend.

4. The appropriate department director or designee will decide one of the following after the date set for the meeting with the Organization president or designee:

a. Case Dismissal – The respective director or designee may dismiss the case if it is found to not have sufficient facts or evidence to substantiate the claim of misconduct or the misconduct is not a violation of the Student Organization Code of Conduct.

b. Administrative Action –In unusual cases, which dictate a decision for the welfare of any individual, the student body, or any part of the University or its community, the respective director or designee may take immediate action to resolve the situation.

c Dean of Student Affairs - The respective director or designee may refer the case to the Dean of Student Affairs.

d. Hearing Board – The respective director or designee may refer the case to a Student Organization Code of Conduct board consisting of **two students**, one student affairs administrator and **two faculty members agreed to by the Vice President of Student Affairs and the Student Body President**. If it involves a Greek Organization the case will be heard by the appropriate Greek governing organization or the Greek Student Conduct Board.

e. Other Appropriate Action. A disciplinary action not specifically set out above, but deemed proper.

(e) A hearing date before the appropriate University Student Organization Code of Conduct Board will be promptly set but in no event less than three academic days after the date of the initial meeting. The notification of hearing, when needed, shall be in writing and include: The date, time and location of the Student Organization Code of Conduct Board hearing

(f) Student Organizational Code of Conduct Hearing Procedure

1 Review of hearing procedures and charges.

2 Opening statement by charging director, followed by opening statement of charged student organization

3 Questioning of charging director and witnesses by the Board and Student Organization.

4 Questioning of student organization and any witnesses by the Board and Charging Director.

5 Closing statement by charging director, followed by the closing statement of the charged student organization.

6 Deliberation by the Board

7 Decision and suggested sanction

8 The advisor is encouraged to attend the hearing.



9. Decision of the Student Organizational Conduct Board shall determine whether it is more likely than not that the accused student organization violated the Student Organizational Code of Conduct.

(g) The respective director will send notice to the organization President of the outcome and the sanction within three academic days.

(h) The student organization may appeal in writing the decision within five academic days to the Vice President for Student Affairs. Appeals must specify the basis for the appeal. The appeal may be based on failure to receive the due process required by this regulation, severity of the sanction and/or new material or information that could not be discovered at the time of the hearing.

(i) After considering the appeal, the Vice President for Student Affairs may reopen the hearing, order a new hearing with the same or new Student Organizational Conduct Board, or uphold the prior decision. The Vice President shall provide the student organization written notice of his/her decision.

(j) The appeal determination of the Vice President for Student Affairs is final and binding on all parties. There are no further appeals within the University.

(k) Sanctions

1. Educational Activities. Required attendance at educational programs, meeting with appropriate officials, written research assignments, planning and implementing educational programs or other educational activities at the student organization's own expense.

2. Community/University Service. Required completion of a specified number of hours of service to the campus or general community.

3. Restitution. Payment made for damage or loss caused by the student organization.

4. Restriction or Revocation of Privileges. Temporary or permanent loss of privileges, including but not limited to the use of a particular University facility, resources, equipment or visitation privileges.

5. Social Warning. A disciplinary sanction in writing notifying a student organization that the organization's behavior did not meet University standards. All disciplinary warnings will be taken into consideration if further violations occur.

6. Social Probation. A disciplinary sanction in writing notifying the student organization is in serious violation of University standards and that restrictions are being placed on the organization's activities.

7. Suspension of the Organization's Registration. Mandatory deactivation of the organization. During the period of suspension the organization is barred from conducting any activities on campus and cannot be registered as a student organization at any FAU campus. Once the entire period of suspension has been served, the student organization may seek reactivation by submitting a written request to the Office of Student Development & Activities or appropriate supervising office.

8. Expulsion. Permanent revocation of the student organization's registration with no right for future readmission under any circumstances. A student organization that has been expelled is barred from all campuses.

~~Specific Authority: Florida Board of Governors Resolution dated January 7, 2003,  
1001.74~~

~~F.S.; Formerly 6C5-4.07, 6C5-4.007, Amended 11-11-1987, 1-17-2007.~~

Specific Authority: Florida Statutes, Title XLVIII, §§ 1001.74, 1001.75, 1004.26, and  
1009.24.

**FLORIDA ATLANTIC UNIVERSITY  
NOTICE OF CHANGE IN PROPOSED REGULATION AMENDMENT**

Date: January 9, 2007

**REGULATION TITLE AND NUMBER:** Student Government and Student Organizations (4.006).

**SUMMARY:** NOTICE IS HEREBY GIVEN that Florida Atlantic University, in response to written comments received following the posting of the Notice of Proposed Regulation Amendment for Regulation 4.006 on December 18, 2006, has changed the following proposed regulation. This change adopts some of the comments submitted, and clarifies the proposed regulation otherwise.

**FULL TEXT OF THE CHANGE IN PROPOSED REGULATION:** The full text of the change in proposed regulation is attached below to this Notice. The full text of the existing regulation is posted on FAU's website at [www.fau.edu/regulations](http://www.fau.edu/regulations). In addition, the full text of the proposed regulation and current regulation are available upon request to the Office of the General Counsel, which can be contacted at (561) 297-3007 or [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

**AUTHORITY TO CHANGE THE PROPOSED REGULATION:** Article IX of the Florida Constitution, Florida Statute 1001.74 and the Board of Governors Regulation Development Procedure dated July 21, 2005.

**UNIVERSITY OFFICIAL INITIATING THE CHANGE TO THE REGULATION AMENDMENT:** Dr. Charles L. Brown, Vice President for Student Affairs

**THE PERSON TO BE CONTACTED REGARDING THE AMENDMENT OF REGULATIONS IS:** Valerie Laine, Coordinator, Office of the General Counsel, 777 Glades Road, Boca Raton, Florida, 33431, (561) 297-3007 (phone), (561) 297-2787 (fax), [GeneralCounsel@fau.edu](mailto:GeneralCounsel@fau.edu).

# PROPOSED AFTER COMMENTS RECEIVED

## Florida Atlantic University

### Regulation 4.006

### Student Government and Student Organizations

#### (1) Purpose

- (a) Student organizations are an essential part of the Florida Atlantic University community and are an integral part of the total academic program. The presence of a diverse group of organizations is in the best interest of the University and its students. Such organizations foster valuable experiences for students that lead to significant learning and development and create a sense of belonging.
- (b) Student organizations provide a valuable service to the University community by promoting leadership development, community spirit, activism, community service, and social and cultural interaction. ~~Each year more than 300 s~~ Student organizations sponsor conferences, seminars, lectures, debates, cultural and social events, and fine arts programs. These activities allow FAU students to meet and interact with local, state, nationally, and internationally renowned scholars, artists, politicians, academicians and other professionals. Student organization members spend countless volunteer hours each academic year participating in service projects for campus and community efforts.

#### (2) Definitions

- (a) Student – as defined by the Student Code of Conduct, Florida Atlantic University Regulation 4.007.
- (b) Student Organizations – The term “Student Organizations” refers to all clubs, organizations, fraternities, sororities, Student Government and all Student Government Agencies.
- ~~(c)~~ Student Development & Activities. The term “Student Development & Activities” ~~as defined by the Vice President for Student Affairs~~ shall refer to the following:
  - 1. Office of Student Development & Activities on the Boca Raton Campus.
  - 2. Office of Student Development & Activities on the Broward Campuses.
  - 3. Office of Student Development & Activities under the auspices of Student Life & Recreation on the Jupiter Campus.
  - 4. Office of Student Affairs on the Treasure Coast Campus
- ~~(d)~~ Student Affairs. The term “Student Affairs” shall refer to the Division of Student Affairs represented by the various Dean of Student Affairs offices on each campus.
- ~~(e)~~ Campus Recreation. The term “Campus Recreation” shall refer to:
  - 1. The Department of Campus Recreation on the Boca Raton Campus, which is responsible for overseeing the sports clubs on the Boca Raton Campus.

2. Student Wellness Center under the Associate Dean of Student Affairs on the Broward Campuses.
3. The Department of Recreation under the auspices of Student Life & Recreation on the John D. MacArthur Campus, which is responsible for overseeing the sports clubs.
- (fe) Greek Life. The term “Greek Life” shall refer to the area of responsibility under the Dean of Student Affairs Office ~~on the Boca Raton Campus~~ that is responsible for overseeing the social Greek letter fraternities and sororities.
- (gf) ~~Campus Ministries. The term Campus Ministries shall refer to the area of responsibility under the Dean of Student Affairs Office on the appropriate campus that is responsible for overseeing religious student organizations.~~
- (g) Student Government. Student Government shall be the representative of all students and is encouraged to function on campus with the recognition that ultimate authority for university affairs rests with the Board of Trustees and the Administration of the University.
- (h) Student Officer Definition. The provisions of this regulation shall apply to:
  1. All elected or appointed presidents, vice-presidents, treasurers, secretaryies or other such officers of all student organizations.
  2. All elected or appointed Student Government positions.

(3) Student Governance

- (a) The Vice President for Student Affairs is the designated representative of the University President in all matters pertaining to student life and governance.
- (b) The governing organization of the Student Body of Florida Atlantic University is known as the Student Government Association of Florida Atlantic University. Student Government shall be organized and maintained to represent the entire student body of Florida Atlantic University.
- (c) Student Government may adopt internal procedures, including a constitution, ~~and~~ statutes, and other legislation; may establish appointed or elected officers; and may recommend employment of personnel required to carry out its functions. ~~All Student Government internal procedures, including but not limited to all constitutions, statutes and other legislative acts, are~~ subject to the approval of the University’s Board of Trustees prior to implementation. The University President may approve Student Government’s annual budget on behalf of the Board of Trustees. , through The Vice President for Student Affairs ~~or designee~~ may approve all other Student Government internal procedures on behalf of the Board of Trustees, other than Student Government’s constitution. Any internal procedures approved by the University President or Vice President for Student Affairs shall be consistent with law, FAU and Florida Board of Governors’ policies and regulations, and the best interests of the FAU student body.
- (d) ~~Legislation of the Student Government Association shall be subject to the approval of the Vice President for Student Affairs prior to implementation.~~
- (e) Student Government is authorized to make recommendations through the ~~Vice President for Student Affairs~~ Student Government President, a member of the Board of Trustees, concerning all University policies, regulations, and operating procedures which significantly affect students, and is authorized to nominate

students to serve on University committees, councils and boards which have student membership or representation.

- (ef) Student Government shall ~~be conduct its activities~~ in full compliance with all Federal and State of Florida Laws.
- (fg) Any elected student government official who pleads guilty, no contest, receives deferred prosecution (or similar disposition) or is convicted of a violation of felony or is found civilly liable for an act of moral turpitude will be immediately suspended from office and temporarily replaced. The University President's designee will appoint a temporary replacement if ~~the Student Government's~~ succession process is unable to produce a replacement within ten (10) University days. If the deferred prosecution, conviction, or verdict is not lifted or overturned, and if all rights of judicial appeal have been exercised, waived, or expired, the suspension will become a permanent removal. This procedure is distinct from and in addition to the processes of the Florida Atlantic University Student Code of Conduct.
- (gh) ~~The Vice President for Student Affairs requires that a~~ All Student Government leaders must undergo training provided by the Dean of Student Affairs within 2 months of assuming office. Failure to undergo training will result in being removed from office.

(4) Activity and Service (A & S) Fees Fund Management

- (a) Purpose.
  - 1. ~~To a~~ Assures full and complete implementation of Florida ~~L~~law and compliance with all applicable laws, policies and regulations-
  - 2. ~~Assures compliance with all applicable laws and regulations are not impeded;~~ and
  - 32. ~~To F~~ facilitates effective interaction between the University staff and the Student Government Association (~~SGA~~) in the allocation and expenditure of funds derived from Activity and Service (A & S) Fees.
- (b) All Activity and Services Fees shall be maintained in accounts kept by the FAU Controllers Office. All contracts and purchases shall be made in accordance with university regulations and policies and all appointments and payments of personnel shall be made in accordance with University personnel and payment procedures.
- (c) All Student Government purchases, contracts, expenditures and disbursements must be reviewed and approved by the Vice President for Student Affairs or his or her designee.
- (d) At the end of each university fiscal year, unexpended Activity and Service Fees shall ~~revert to be carried over and remain in the Activity and Services Fees account for reallocation by~~ Student Government ~~for reallocation~~ in the subsequent fiscal year.
- (e) The authority and responsibility to determine the allocation and expenditure of A & S funds initially rests with Student Government, ~~subject to the right of t~~ The ~~Vice University~~ President ~~for Student Affairs may to~~ veto any allocation or expenditure, ~~if in the best interest of the student body~~. Furthermore, Student Government shall be prohibited from:

1. Entering into contractual agreements not otherwise authorized;
  2. Deviating from laws, regulations, and procedures pertaining to budgeting, allocation and/or expenditure of public funds of the State of Florida;
  3. Hiring, supervising, or terminating non Student Government personnel without the Vice President for Student Affairs approval.
  4. Making operational decisions of non Student Government University entities.
- (f) The University Inspector General office shall make arrangements for audits of all accounts which receive and/or expend Activity and Service Fees.
- (g) Depreciation and Reserve Accounts.
1. Campus Recreation and the University Center/Student Union will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by Boca Campus student statute. ~~The required contribution will be the first priority on self-generated funds from these two departments.~~
  2. Other Campus Recreation programs, Wellness Centers and/or Student Unions or Student Activity Centers on the Broward, Jupiter, or Treasure Coast Campus will be required to establish a depreciation account for repair, replacement, and renovation of physical plant, furniture/equipment, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by their respective Campus student statute. ~~The required contribution will be the first priority on self-generated funds from these two departments.~~
  3. The Vice President for Student Affairs' Office will be required to establish a university wide reserve account for A & S fees. This reserve will be utilized for cash flow needs, enrollment shortfalls, and budgetary emergencies. A minimum annual amount and policies for these accounts will be established by Student Government. In order to bring the reserve account for the A & S fees up to the required minimum, it shall have first claim on A & S dollars unencumbered or unexpended on June 30.

(5) Privileges of Student Organizations

Registered Student Organizations are organizations formed by any group of currently enrolled students sharing a common interest and/or goal and who complete the registration process through the Office of Student Development & Activities.

- (a) The privilege to use University facilities for meetings and functions (fees may apply).
- (b) The privilege to request funds from Student Government or its designated student organization.
- (c) The privilege to recruit members on campus.
- (d) The privilege to establish dues and sponsor money-raising projects.
- (e) The privilege to use the name of the University as part of the organization's name.
- (f) The privilege to invite guest speakers to campus.
- (g) The privilege to grant awards and honors to organization members.



- (h) The privilege to have a mailbox on campus and use the University's address for the organization's business.
- (i) The privilege to have an on-campus bank account.
- (j) The privilege to have other services provided by the Office of Student Development & Activities.

(6) General Provisions Regarding Student Organizations

- (a) ~~Florida Atlantic University has no insurance covering the activities of registered student organizations.~~ In accordance with the laws, rules, and regulations of the State of Florida and the Florida Atlantic University Board of Trustees, the university ~~is unable~~does not to provide insurance ~~that covers to~~ student organizations. ~~If the organization chooses not to purchase commercial insurance coverage for its activities, the organization will be held totally liable for its activities. Any claims that may result will be against the organization, its officers and members and could result in personal liability on the part of the officers and members. Florida Atlantic University cannot defend any organization under its present insurance coverage or defray the costs of defending any lawsuit or claim against an organization, its officers or members. Understanding fully above, the State of Florida and the Florida Atlantic University Board of Trustees and their respective officers, agents and employees are harmless for any activities of an organization.~~
- (b) The University reserves the right to register all student organizations and maintain current information on each registered and sponsored student organization, its officers or authorized representatives, its purpose and its advisor. The Dean of Students will serve as the registrant for Greek organizations. The Office of Student Development & Activities on each campus serves as the University registrant of all other student organizations. ~~and maintains current information on each registered and sponsored student organization, its officers or authorized representatives, its purpose and its advisor.~~
- (c) It is the policy of Florida Atlantic University that registered student organizations shall be in full compliance with all federal and state nondiscrimination and equal opportunity laws, orders and regulations. Registered student organizations will not practice any discrimination against a member or prospective member on the basis of race, color, religion, gender, sexual orientation, national origin, ancestry, age, marital status, disability, unfavorable discharge from the military or status as a disabled veteran of the Vietnam era, except specifically exempted by law.
- (d) All student organizations are under the jurisdiction of the Office of Student Development & ActivitiesAffairs. The responsibility for establishing and enforcing policy concerning organizations and activities, including the requirement that they function in accordance with their constitutions, is vested in the Office of Student Development & ActivitiesAffairs. All student organizations are subject to the rules and regulations governing the University, including but not limited to the Student Code of Conduct, Honor Code, Alcohol and Drug policy, and all other organizational Handbooks/Manuals.
- (e) Student Organizations or students may not enter into agreements or contracts which purport to bind the University for any purpose.

(7) Procedure for the Formation of a New Student Organization

- (a) Any student(s) wanting to begin a new student organization shall file a “Intent to Organize” form with the Office of Student Development & Activities on the campus on which they wish to form.
1. When approved by the Office of Student ~~Development & Activities~~Affairs, the group may then hold and advertise meetings on campus. This is considered provisional status.
  2. The privilege is granted for a period of six weeks, during which time the group shall submit a “Petition for Registration.”
  3. Failure to submit a “Petition for Registration” within the appropriate deadline shall deactivate the student organization and the group will not be able to function as a student organization.
- (b) Petition for Registration. The “Petition for Registration” shall be filed as soon as the membership of the organization is largely complete and within the six week time frame from the “Intent to Organize.” The Petition for Registration shall include:
1. The names, signatures and student ID numbers of the two founding students. These students must be registered students of Florida Atlantic University.
  2. The names, signatures and student ID numbers of the at least 10 students, including officers (depending on the specific requirements of the campus), who are members of the student organization.
  3. The Student Organization’s Constitution. All registered student organizations are required to have a constitution. A constitution is a document that defines the long-term purpose of the organization and the structure of the organization. The constitution should only be changed through a clearly defined amendment process. The process should include advance notice, one week discussion and more than a simple majority vote. The Office of Student Development & Activities must approve all constitutional changes. See the Club & Organization Manual for a guideline for writing a constitution.
  4. The student organization’s bylaws/statutes are required. The bylaws/statutes define how an organization carries out business. The bylaws/statutes should define committee structure or other operational aspects of the organization. When these become firmly established in practice they may be inserted in the constitution by amendment. A division of rules and procedures between the constitution and bylaws permits program, budget and committee structure to develop as the group grows.
  5. The name and telephone number of the student organization’s selected advisor. The advisor must be a full-time faculty or AMP/SP staff member employed by Florida Atlantic University.
  6. If the organization is affiliated with an off-campus organization, the constitution of the parent organization must also be filed.

7. When all of these documents have been reviewed by Student Affairs the group is eligible for the privileges set out in this regulation.
8. The petitioning organization will be notified in writing by the Office of Student Development & Activities or appropriate office of its acceptance or, in cases of denial, the reasons for denial. The petitioning organization may submit an appeal to Student Affairs on the respective campus.

(8) Re-Registration of an Existing Student Organization

Student organizations need to annually re-register each fall semester or if changes occur to the officers and/or advisor of the student organization. On the third Friday of the fall semester, the Office of Student Development & Activities will deactivate all student organizations that have not re-registered. A deactivated organization will not be able to function as a student organization. This includes receiving funds disbursed from Student Government, reserving space on campus or getting a permit to table or hang a banner. The intent of this rule is to ensure that the University has accurate contact information for each group.

- (a) Complete the “Student Organization Status Report” form.
- (b) Complete the “Roster List” form with a minimum of 8 members.
- (c) This shall be considered official registration of the student organization.
- (d) The student organization is responsible for notifying the Office of Student Development and Activities of any updates or changes in the operations of the organization.

(9) Qualifications for Student Leaders

- (a) All FAU students are eligible for membership in any recognized student organization at FAU, provided that membership requirements of the organization are satisfied.
- (b) Each student organization should take steps to ensure that candidates for student office meet the minimum eligibility requirements as stated in this regulation prior to election or appointment.
- (c) The Office of Student Development & Activities and/or the Dean of Student Affairs or designee will verify eligibility on the appointed and elected student officers of all registered student organizations.
- (d) Students not meeting the eligibility requirements as outlined in this regulation will be required to relinquish their office immediately upon notification (subject to appeal).
- (e) The Privilege of Representing our University carries with it the obligation to set a high standard of behavior. It is, therefore, the responsibility of the University President to ensure that student representatives do not continue to represent their institution, when, due to their misconduct, such participation would reflect poorly on their respective institution. Failure to comply with the provision of this section may result in disciplinary action being taken against the student pursuant to the Florida Atlantic University Student Code of Conduct.
- (f) To be eligible to hold elected or appointed office in any student organization, a student must meet University standards. These criteria are separate from and in addition to any criteria for office that a student organization may set for itself, and

emphasize the necessary balance that should exist between academic standards and commitment to student development, as described in the University's Mission Statement. To this end, in order for a Florida Atlantic University student, either undergraduate or graduate, to be eligible to hold office/position in a registered student group or organization, a student must:

1. Be enrolled a minimum of six (6) credit hours in the Fall and six (6) credit hours in the Spring semesters, if an undergraduate student;
2. Be enrolled a minimum of three (3) credit hours in the Fall and three (3) credit hours in the Spring semesters, if a graduate student.
3. Maintain a 2.25 or higher Grade Point Average each term and cumulatively on all courses attempted at Florida Atlantic University
4. Be free of any obligation for fees or payments to the University or receive a deferment by the end of the Drop/Add period each semester.
5. Be free of any disciplinary sanctions unless an exemption is granted by the Dean of Student Affairs.
6. Student officers must be degree seeking students.
7. Students interested in holding offices who have not completed a full term and do not have a FAU cumulative grade point average must obtain permission from the Office of Student Development and Activities and/or the Dean of Student Affairs Office or designee in order to be eligible.
8. Notwithstanding the other provisions of this section, students in their last semester before graduation are eligible to participate in campus activities if they are enrolled for the required number of credits needed for graduation that semester. This provision shall only apply for one term.

(g) Appeals. Appeals of non-eligibility decisions under the University standards must be submitted in writing to the Dean on the appropriate campus or Vice President for Student Affairs within three (3) working days of notification of non-eligibility.

1. The appeal must state the grounds for appealing the decision.
2. A response to the students appeal will be given within five (5) working days of notification at which time a hearing may be scheduled.
3. The Eligibility Appeals Board shall be comprised of ~~one~~two students, ~~two~~one faculty members, and one -student affairs staff member. The Vice President for Student Affairs shall appoint this board as needed.
4. An Eligibility Appeals Board decision will be given within five (5) working days of the scheduled student hearing.
5. During the appeal process a candidate, on an interim basis, may be appointed to the position in question in order to fulfill obligated duties.
6. The decision of the Eligibility Appeals Board is final.

(10) Student Organization's Event Management and Travel Policy

All activities and trips sponsored by student organizations must be registered with the Office of Student Development & Activities and must comply with policies and procedures set forth in organizational handbooks/manuals.

(11) Student Organizational Code of Conduct and Discipline

- (a) All student organizations at FAU must adhere to all University regulations and policies including the Student Code of Conduct and the Office of Student Development & Activities Club & Organization Manual and other manuals including but not limited to Greek Life and Campus Recreation on each campus.
- (b) Any violation of these regulations by a student organization may result in disciplinary sanctions against the organization may include cancellation of the organization's registration.
- (c) Suspension of a Student Organization's Registration - An organization's registration may be suspended by the Dean of Student Affairs or designee for any one of the following reasons:
  - 1. Violation of University regulations, policies and procedures and/or state, federal or local laws.
  - 2. Failure to pay University obligations.
  - 3. Violation of Student Code of Conduct.
  - 4. The national organization revokes the student organization's charter or denies affiliation.
  - 5. Non-compliance with organization registration procedures and constitution requirements.
  - 6. Falsification of any registration information.
  - 7. Violation of policies stated in the Campus Club & Organization Manual and other manuals including but not limited to Campus Recreation and Greek Life
- (d) Procedures for the Deposition of Student Organizational Code of Conduct Violations
  - 1. Complaints. Any person or entity may request charges be filed against a student organization for alleged violation of federal or state laws, or University regulations or policies. An investigation may take place of the circumstances of the complaint. The complaint regarding a student organization's conduct must be to the Dean of Student Affairs.
  - 2. The Dean of Student Affairs or designee will determine if there are reasonable grounds to believe that the allegations of the complaint are true, and if true, would constitute a violation of the University's Student Organizational Code of Conduct. If appropriate, the Dean of Student Affairs or designee shall prepare notice of formal charges.
    - a. Nothing in this regulation shall prevent the informal mediation of a complaint when deemed appropriate by the University.
    - b. Nothing in this regulation shall prevent the disposition of a complaint administratively by mutual consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings.
    - c. If based on the investigation, the Dean of Student Affairs determines there may be a violation to the Student Organizational Code of Conduct; he may refer the matter to the appropriate administrative department overseeing the student organization or shall prepare a formal Notice of Charges against the student organization.

- d. If a student organization is suspected of a violation to the Student Organizational Code of Conduct, the appropriate supervising department director or designee, i.e.; Office of Student Development & Activities, Campus Recreation; Dean of Student Affairs; and Greek Life will send to the student organization's president and copied to the advisor a written notice of charges against the organization.
3. The Organization president or designee shall have at least three academic days from receipt of the Notice to meet with appropriate department director or designee to discuss the charges. The advisor will be encouraged to attend.
4. The appropriate department director or designee will decide one of the following after the date set for the meeting with the Organization president or designee:
  - a. Case Dismissal – The respective director or designee may dismiss the case if it is found to not have sufficient facts or evidence to substantiate the claim of misconduct or the misconduct is not a violation of the Student Organization Code of Conduct.
  - b. Administrative Action –In unusual cases, which dictate a decision for the welfare of any individual, the student body, or any part of the University or its community, the respective director or designee may take immediate action to resolve the situation.
  - c. Dean of Student Affairs - The respective director or designee may refer the case to the Dean of Student Affairs.
  - d. Hearing Board – The respective director or designee may refer the case to a Student Organization Code of Conduct board consisting of ~~one-two~~ students, one student affairs ~~administrator~~ staff member and ~~one-two~~ faculty members. If it involves a Greek Organization the case will be heard by the appropriate Greek governing organization or the Greek Student Conduct Board.
  - e. Other Appropriate Action. A disciplinary action not specifically set out above, but deemed proper.
- (e) A hearing date before the appropriate University Student Organization Code of Conduct Board will be promptly set but in no event less than three academic days after the date of the initial meeting. The notification of hearing, when needed, shall be in writing and include: The date, time and location of the Student Organization Code of Conduct Board hearing
- (f) Student Organizational Code of Conduct Hearing Procedure
  1. Review of hearing procedures and charges.
  2. Opening statement by charging director, followed by opening statement of charged student organization
  3. Questioning of charging director and witnesses by the Board and Student Organization.
  4. Questioning of student organization and any witnesses by the Board and Charging Director.

5. Closing statement by charging director, followed by the closing statement of the charged student organization.
  6. Deliberation by the Board
  7. Decision and suggested sanction
  8. The advisor is encouraged to attend the hearing.
  9. Decision of the Student Organizational Conduct Board shall determine whether it is more likely than not that the accused student organization violated the Student Organizational Code of Conduct.
- (g) The respective director will send notice to the organization President of the outcome and the sanction within three academic days.
  - (h) The student organization may appeal in writing the decision within five academic days to the Vice President for Student Affairs. Appeals must specify the basis for the appeal. The appeal may be based on failure to receive the due process required by this regulation, severity of the sanction and/or new material or information that could not be discovered at the time of the hearing.
  - (i) After considering the appeal, the Vice President for Student Affairs may reopen the hearing, order a new hearing with the same or new Student Organizational Conduct Board, or uphold the prior decision. The Vice President shall provide the student organization written notice of his/her decision.
  - (j) The appeal determination of the Vice President for Student Affairs is final and binding on all parties. There are no further appeals within the University.
  - (k) Sanctions
    1. Educational Activities. Required attendance at educational programs, meeting with appropriate officials, written research assignments, planning and implementing educational programs or other educational activities at the student organization's own expense.
    2. Community/University Service. Required completion of a specified number of hours of service to the campus or general community.
    3. Restitution. Payment made for damage or loss caused by the student organization.
    4. Restriction or Revocation of Privileges. Temporary or permanent loss of privileges, including but not limited to the use of a particular University facility, resources, equipment or visitation privileges.
    5. Social Warning. A disciplinary sanction in writing notifying a student organization that the organization's behavior did not meet University standards. All disciplinary warnings will be taken into consideration if further violations occur.
    6. Social Probation. A disciplinary sanction in writing notifying the student organization is in serious violation of University standards and that restrictions are being placed on the organization's activities.
    7. Suspension of the Organization's Registration. Mandatory deactivation of the organization. During the period of suspension the organization is barred from conducting any activities on campus and cannot be registered as a student organization at any FAU campus. Once the entire period of suspension has been served, the student organization may seek



reactivation by submitting a written request to the Office of Student Development & Activities or appropriate supervising office.

8. Expulsion. Permanent revocation of the student organization's registration with no right for future readmission under any circumstances. A student organization that has been expelled is barred from all campuses.

*Specific Authority: Florida Board of Governors Resolution dated January 7, 2003, 1001.74 F.S.; Formerly 6C5-4.07, 6C5-4.007, Amended 11-11-1987, 1-17-2007.*

**From:** Michael Hallenstein

**Sent:** Tuesday, January 09, 2007 7:04 PM

**To:** GeneralCounsel@fau.edu; lbates@fau.edu; Lisa Bardill; BROWN, CHARLES L; Heather Bishara; Joseph Isadore; Lawrence Glick; Terry Mena

**Cc:** ERICSON, TODD JEFFREY; Austin Jacob Shaw; Jarred Torres (jtorre28@fau.edu); Jeff Clark; cmack2@fau.edu; Nguyen, Kim; Peter Torres; Rakibur Joarder

**Subject:** Comment on Change to Proposed Regulation 4.006

Ladies and Gentlemen:

I would like to explain further my concern with Section 4(e) (4). The Proposed Regulation defines neither the University Center/Student Union nor the future Fitness (Wellness) Center as Student Government activities or entities despite the fact that these facilities are funded greatly or almost entirely with A&S fees.

Under the current language Student Government has no operational influence over these facilities other than through the representation provided by the Student Body President's membership on the Board of Trustees recognized in Section 3 (c) and (d). Section 3 only allows for Student Government to "make recommendations" "regarding policies, regulations, and operating procedures which significantly affect students..."

My argument is that the language of the Proposed Regulation is too vague and does not specify the manner in which the budgeting and operating decisions for these multimillion dollar facilities will be made. The language also drastically reduces the student input into the decision making process.

During the ongoing constitution rewrite process we have suggested the creation of separate boards consisting of students, faculty, Student Affairs and Operations Management or Campus Recreation staff members that will allocate A&S fees for fixed costs during a "first-pass" budget process and make recommendations to campus based budget committees that will subsequently budget any agency based program elements relating to The University Center/Student Union and the future Campus Recreation fitness center. I think that it would be beneficial to formally recognize and establish the authority of these committees by regulation.

Thank you for taking my comments into consideration.

Sincerely,

F. Michael Hallenstein

Student Body Controller

Student Government Association

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