

Registered Student Organization Handbook



@FairmontStateSA



FAIRMONT STATE
UNIVERSITY™

Office of Residential and
Student Life

Table of Contents

IMPORTANT INFORMATION.....	4
OFFICE OF RESIDENTIAL AND STUDENT LIFE (ORSL).....	5
STUDENT LIFE VISION.....	5
STUDENT LIFE MISSION.....	5
REGISTRATION & RECOGNITION.....	6
AUTHORITY OF REGISTRATION & POLICY.....	6
BENEFITS OF BECOMING A REGISTERED STUDENT ORGANIZATION (RSO).....	8
REGISTRATION PROCESS.....	8
REGISTERING A NEW ORGANIZATION.....	8
HOW TO REMAIN A REGISTERED STUDENT ORGANIZATION (RSO).....	10
CONSTITUTION & BY-LAWS.....	10
RSO ADVISORS.....	11
WHAT IS AN RSO ADVISOR?.....	11
WHO CAN BECOME AN RSO ADVISOR?.....	11
HOW TO BECOME AN RSO ADVISOR.....	12
CHANGING ADVISORS.....	12
LACK OF RSO ADVISOR POLICY.....	13
MEMBERSHIP REQUIREMENTS.....	13
ACADEMIC PROBATION.....	15
FINANCIAL.....	15
EXTERNAL BANK ACCOUNTS.....	16
OBTAINING AN EIN FOR YOUR STUDENT ORGANIZATION.....	18
FUNDRAISING ACTIVITIES AND GUIDELINES.....	19
REQUESTING FUNDS THROUGH THE STUDENT GOVERNMENT ASSOCIATION (SGA).....	20
SOLICITATION POLICY.....	22
USE OF THE FAIRMONT STATE UNIVERISTY NAME OR LOGO.....	23
RSO COMMUNICATIONS.....	23
EMAIL.....	23
ADVISORY COUNCIL MEETINGS: MANDATORY FOR ALL RSOs.....	23

COMMUNITY BULLETIN BOARDS.....	24
STUDENT GOVERNMENT ASSOCIATION.....	24
PAINTING THE BELL POLICY.....	24
EVENT PLANNING & PUBLICITY.....	26
MEETING AND EVENT ROOM GUIDELINES.....	27
“THE COMMON HOUR” - TIME PERIODS FOR CAMPUS MEETINGS.....	28
RSO MEETING ROOMS AND STORAGE.....	28
RESERVABLE FACILITIES.....	29
ROOM DESCRIPTIONS & PRICING.....	30
CANCELTION POLICY.....	32
CATERING.....	32
ALCOHOL POLICY.....	32
SECURITY.....	32
RISK MANAGEMENT PLAN.....	33
CO-SPONSORSHIPS.....	33
ADVERTISING / FLYER POLICY.....	34
RSO TRAVEL POLICY.....	35
ADDITIONAL IMPORTANT INFORMATION.....	35
CAMPUS EVENTS & CONFERENCES FOR RSOs.....	35
MAILBOXES.....	36
STUDENT ORGANIZATION STANDARDS OF CONDUCT.....	37
STUDENT CODE OF CONDUCT AND CAMPUS POLICIES.....	46
NONDISCRIMINATION POLICY.....	46
WEST VIRGINIA STATE HAZING POLICY.....	46
HAZING POLICY.....	47
SEXUAL MISCONDUCT POLICY.....	48
FAIRMONT STATE UNIVERSITY SEXUAL HARASSMENT POLICY.....	50
TITLE IX COORDINATOR.....	61
SEXUAL MISCONDUCT AND OTHER IMPORTANT DEFINITIONS.....	62
CONFIDENTIALITY.....	66
CREATING A CONSTITUTION AND BYLAWS FOR REGISTERED STUDENT ORGANIZATIONS.....	66
SAMPLE CONSTITUTION.....	68

IMPORTANT INFORMATION

This handbook, along with the Greek Life Handbook is not intended to be printed. These documents frequently change and develop over time. Please feel free to bookmark them on your internet browser for easy access.

OFFICE OF RESIDENTIAL AND STUDENT LIFE (ORSL)

Office of Residential and Student Life

3rd Floor Turley Center

Email: StudentActivities@FairmontState.edu

Coordinator of Student Organizations & Greek Life

Sara Davis

317 Turley Center

Office: 304.333.3629

Sara.Davis@FairmontState.edu

Assistant Director of Student Life

Justin Rader

317 Turley Center

Office: 304.333.3647

Justin.Rader@FairmontState.edu

Associate Vice President of Enrollment & Student Services

Alicia Kalka

317 Turley Center

Office: 304.367.4754

[Email:Alicia.Kalka@FairmontState.edu](mailto:Alicia.Kalka@FairmontState.edu)

[Click here to view the Registered Student Organization Directory](#)

Student Life Vision

The Student Life Office at Fairmont State University will be renowned for providing a transformative collegiate experience beyond the classroom.

Student Life Mission

The mission of the Student Life Office is to promote student success & retention through co-curricular involvement. The office provides enriching and impactful opportunities that help to build an inclusive community and further student development.

REGISTRATION & RECOGNITION

AUTHORITY OF REGISTRATION & POLICY

- 1. Fairmont State University's President, Vice President of Student Affairs, Associate Vice President of Enrollment & Student Services, Coordinator of Student Organizations & Greek Life, and Assistant Director of Student Life have the authority to make exceptions or changes to any policy, procedure, rule, or regulation in this handbook or that is overseen by the department at any time.**
- 2. The ORSL reserves the right to register all student organizations.** The ORSL serves as Fairmont State University's registrant of all student organizations. It also maintains current information on each registered student organization, its officers or authorized representatives, its purpose, and its advisor.
- 3.** It is the policy of Fairmont State 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 at Fairmont State University will not practice any discrimination on the basis of age, color, disability, national origin, race, religion, sex, gender, gender identity, sexual orientation, citizenship status, genetic information, status as a veteran, or any other characteristic that is protected by applicable state or federal law in its operations, employment opportunities, educational programs and related activities.
- 4.** 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 ORSL. All student organizations are subject to the rules and regulations governing Fairmont State University, including, but not limited to the Student

Handbook and the Student Conduct Code. Information from the Student Codes are used and referred to throughout this handbook. The ORSL strongly recommends that all student leaders and student organizations become familiar with these documents.

5. Anyone wanting to contact an organization should reach out to the Coordinator of Student Organizations & Greek Life. A directory listing of currently registered student organizations can be found on the Student Organization website by navigating through the following path:

Fairmont State Homepage ► Student Organizations



BENEFITS OF BECOMING A REGISTERED STUDENT ORGANIZATION (RSO)

The privilege to:

- Reserve campus facilities
- Post signs and other advertisements of organizational activities in compliance with Fairmont State University Flyer Hanging Policy.
- Use an RSO Mailbox for receiving and sending inter-campus communications. See Mailbox section for further details.
- Compete in annual events (e.g. sponsor a candidate for the Homecoming Court).
- Participate in Student Organization Fairs.(Highly Recommended)
- Send representatives to leadership retreats and training (e.g. Falcon Lead – Highly Recommended)
- Apply for conference registration funding (Subject to other eligibility criteria – Please contact the Assistant Director of Student Life for additional information).
- Apply for funding with required documentation from the Student Government Association(Subject to other eligibility criteria; See SGA Funding for further details).

REGISTRATION PROCESS

All Fairmont State students are free to join and participate in the 45+ Registered Student Organizations (RSOs). Student formed groups are encouraged to register in order to take full advantage of available institutional resources.

REGISTERING A NEW ORGANIZATION

1. Qualifications:

- a.Potential New Student Organizations must register each academic year as early in the semester as possible.
- b.Must have at least 5 qualifying members, each member must:
 - i.Be a currently enrolled student at Fairmont State University
 - ii.Be in good standing with the institution
 - iii.Have a minimum C.G.P.A. of **2.50** (Spring 2020 onward) at the time of petitioning, unless stipulated higher by the organization's by-laws
- c.Must have an RSO Advisor who is in a full-time faculty or staff position of Fairmont State University. An advisor can serve only (2) student organization at any given time, unless approved by the ORSL.
- d.Part-time Fairmont State University students can be members unless stipulated otherwise by the national or local organization's.

e.No student organization may have the same name/mission/purpose of a currently registered student organization.

2. Procedure:

a.Ensure all qualifications are met before submitting any forms.

b.A representative of the organization must submit a New Organization Start-up Form on Presence. (Fairmont State Presence ► Forms ► New Organization Start-up Form

c.The ORSL will conduct an RSO Review and be in contact to-discuss the organization's purpose, vision,and any other details as well as next steps.

d.After th RSO Review with the Coordinator of Student Organizations & Greek Life has been completed and they have received written approval to proceed with registration, a representative of the organization must submit an Organization Registration Form on-line (Fairmont State Presence ► Forms ► Organization Registration

e.The organization shall be recognized and considered ACTIVE by the ORSL only after it has:

i.Completed and submitted the Organization Registration Form

ii.Submitted their student organizations constitution & by-laws

iii.Received an Official Instatement Notice

f. All student organizations must complete a **Change of Leadership** form annually after elections to maintain ACTIVE status on campus. This keeps the line of communication open during a transition of power.

g. All student organizations must maintain a full-time faculty or staff advisor to remain ACTIVE on campus. (See Lack of Advisor Policy)

h. Once all ORSL requirements have been met, the student org must attend an SGA meeting to announce their formation and ask for recognition from SGA for funding purposes. Student orgs can also have the Coordinator of Student Organizations & Greek Life represent them at the SGA meeting.



HOW TO REMAIN A REGISTERED STUDENT ORGANIZATION (RSO)

1. Each organization must fully complete and resubmit their **Organization Registration Form** within each academic year. No club/organization is exempt from filling out this registration form.
 - a. Please complete the form as early in the semester as possible
2. Keep an updated roster both with the RSO and the ORSL (Any changes to the roster must be reported within 48 hours of the change).
3. Attend all Advisory Council Meetings by sending one (1) representative to each scheduled meeting (two to three per semester).
4. The RSO must notify the ORSL of any changes in leadership positions (e.g. Advisor, President, etc.) by submitting a Change of Leadership form.
5. RSOs will remain active throughout the summer if they were active in the Spring term.
6. All organizations that have not completed the Change of Leadership form for the coming academic year by the closing date will go inactive status. **(The Assistant Director of Student Life and the Coordinator of Student Organizations & Greek Life has the authority to make exceptions to this policy on a case by case basis.)**
7. Organizations that have gone inactive can regain active status by completing the Organization Registration Form during the next registration cycle.

CONSTITUTION & BY-LAWS

All registered student organizations are required to have a constitution that meets the ORSL's requirements. A constitution is a document that defines the long-term purpose of the organization and the structure of the organization. The ORSL requires all RSOs to submit their updated constitutions when submitting their Change of Leadership Form every year regardless if there are changes or not. (See Sample Constitution.)

RSO ADVISORS

WHAT IS AN RSO ADVISOR?

An RSO Advisor is a full-time Fairmont State University faculty/staff member who serves as a model for students. By providing leadership, the advisor is an educator, helping students to learn by doing. The advisor provides a sense of direction for the student organization and promotes student and faculty/staff interaction in and out of the classroom. An RSO Advisor also provides the support necessary for the student leader to build and maintain a successful organization.

WHO CAN BECOME AN RSO ADVISOR?

Each RSO must have an advisor who is approved by the ORSL. An advisor serves to provide advice and assistance to the RSO. Each RSO can only have one advisor, unless there is a need and special permission is given by the ORSL. Each advisor must be a full-time faculty or staff member of Fairmont State University. All RSOs must maintain a full-time faculty or staff advisor to remain ACTIVE on campus. A faculty or staff member can be an advisor for up to two (2) separate student organizations.

HOW TO BECOME AN RSO ADVISOR

Request assignment: You may request an advising assignment by sending written notification to the Coordinator of Student Organizations & Greek Life whose contact information you can find under "Resources" within this document.

Be Requested: A student organization may approach you and ask you to serve as their advisor. Upon your acceptance of their request, it is the organization's responsibility to update the Coordinator of Student Organizations & Greek Life with this advising update. In turn, the ORSL will reach out to you to provide additional information.

Any full-time faculty or staff member interested in being an RSO Advisor should contact the Coordinator of Student Organizations & Greek Life for more information and to receive an RSO Advisors Manual.

CHANGING ADVISORS

When changing and declaring a new approved advisor, an organization will need to notify the Coordinator of Student Organizations & Greek Life and/or submit a Change of Leadership Form.

LACK OF RSO ADVISOR POLICY

When an RSO is without an RSO Advisor:

The RSO must meet with the Coordinator of Student Organizations & Greek Life to select or find a new RSO Advisor.

It is highly encouraged that the RSO takes proactive steps to find a new RSO Advisor on their own or provide a list of staff/faculty members that they would like to request to be their new RSO Advisor to the Coordinator of Student Organizations & Greek Life.

After two (2) weeks of being without an RSO Advisor:

1. On campus reservation and events will be denied,
2. Any Bulletin board space will be revoked,
3. All fundraising activities and requests will be denied,
4. Participation in the recruitment and intake process will be denied(*Social Greek Chapters*)
5. No new members will be added to the Official roster.

After one (1) month:

1. The RSO will go INACTIVE and will lose all privileges afforded to them.
2. The RSO will stay INACTIVE until the following RSO Registration period.

MEMBERSHIP REQUIREMENTS

All potential and current members must:

1. Be a currently enrolled, Fairmont State University student.

RSOs may accept part-time students into their organizations unless *it is clearly stated otherwise in the RSOs By-Laws.*

2. Be listed on the Official RSO Membership Roster that resides with the Coordinator of Student Organizations & Greek Life. The Official RSO Membership Roster may be updated at any time by submitting a Change of Leadership form.

3. Maintain the following minimum C.G.P.A to retain status of good standing through the ORSL: 2.50 (Spring 2020 and onward)

* First semester Freshmen must start their second semester with the above C.G.P.A.

***If a member falls below the minimum academic requirement of the organization or of the ORSL, they shall be placed on ACADEMIC PROBATION status which is outlined below:**

ACADEMIC PROBATION

If any member falls below the minimum C.G.P.A requirement, either that of the chapters by-laws or the ORSL, the following policy will be enforced:

***Minimum C.G.P.A. requirement: 2.50 (Spring 2020 onward)**

The member:

1. Will be placed on academic probation through the ORSL.

2. Cannot hold an executive/leadership role unless otherwise stated under Special Conditions within the RSO By-Laws

3. Will not be allowed to participate in any RSO specified competition that the ORSL oversees. (ex. Homecoming Candidacy, Spirit Stick Competition, etc.)

***Additional restrictions/policies may be mandated by each organization**

If the member's C.G.P.A rises above the minimum C.G.P.A, the academic probation will be lifted.

If the member's C.G.P.A falls below a 2.0, removal or short-term disaffiliation is strongly encouraged by the ORSL. Disaffiliation means that the individual cannot be involved within the organization whatsoever. Disaffiliation is encouraged until the member's C.G.P.A. rises above a 2.0.

Failure to maintain minimum academic requirements for more than one consecutive semester may result in loss of all privileges, subject to a hearing with the Coordinator of Student Organizations & Greek Life.

***RSOs that have higher academic standards than that of the ORSL for their members, will operate according to their constitutions and by-laws when it comes to their memberships. The ORSL only enforces minimum requirements.**



FINANCIAL

EXTERNAL BANK ACCOUNTS

- 1.** RSOs that do any sort of fundraising or requests funding from the institution or the Student Government Association **MUST** have an external bank account.
- 2.** The RSO's Advisor has the full authority to request any and all financial records of the RSO.
- 3.** RSOs may, if they wish, maintain an external checking or savings account in the name of their organization, but such accounts are subject to audit by the business office or the ORSL.
- 4. The name Fairmont State, Fairmont State College, or Fairmont State University may not be used on the bank account of any club or organization.**The account name should be the name of the student organization itself.
- 5.** The RSO's Advisor must have their name listed as the primary account holder. The RSO Advisor must receive a copy of the RSO's monthly bank statement. Statements should be mailed directly to the ORSL to be placed in the RSO's mailbox. (See Mailbox for mailing address)
- 6.** The RSO's Advisor, President, or Treasurer should be the **ONLY** people that can withdraw physical money from the account.
- 7.** It is highly recommended that bank checks with carbon copies are used when making purchases. This method will assist with financial record keeping and identify who is making purchases.

Most banks typically require a federal identification number in order to open a bank account. RSOs may apply for a federal identification number in the same manner that they would apply for a tax-exempt status.

Do not attempt to use any federal identification number or tax-exempt number associated with Fairmont State, Fairmont State College, or Fairmont State University.

OBTAINING AN EIN FOR YOUR STUDENT ORGANIZATION

What is a Federal Tax ID Number/EIN?

The Federal Tax ID Number (also known as the Employer Identification Number or EIN) is a number used to identify a business or other organization. Student organizations wishing to open a bank account must apply for an Employee Identification Number (EIN).

Organizations should **not** open a checking account using an individual's social security number. The financial burden of that account then rests with that individual and they become responsible for claiming any interest accrued on that account on their own taxes. They also become responsible for the account if there is a problem with it.

Why do I need a Federal Tax ID Number?

If your organization applies for funding through any university granting body or you do a fundraiser with an outside business like a restaurant, you need a tax ID number to receive money or in-kind donations. You will also need this number to open a bank account with the bank. Additionally, obtaining an EIN helps to ensure the IRS will not make any of an organization's members personally responsible for taxes on revenue that the organization has earned.

Can we just use the University's EIN?

Recognition by the University does not imply tax-exempt status and student organizations are not allowed to use the University's EIN number or non-profit status.

Student organizations are independent entities responsible for their own finances and establishing and maintaining their tax status with the IRS.

Is the Federal Tax ID Number the same as being a non-profit organization?

No. Student organizations are not Federally Tax-Exempt Non-profit Organizations. Only the federal government can confer charitable status on an organization. Filing for charitable status (501(c)(3) status) is a lengthy legal procedure that commits the organization to the rigorous annual reporting procedures required by the IRS. Because of the annual reporting requirements and the frequent turnover of student leadership, we do not encourage student organizations to file for charitable status.

How do I get a Federal Tax ID Number?

The easiest way to apply is online through the IRS website. You will be walked through the application and receive your number immediately. You can also apply by mail or over the phone.

To apply online:

Go to the **IRS' Apply for an Employer Identification Number (EIN)**

Online Web site:

<https://www.irs.gov/businesses/small-businesses-self-employed/apply-for-an-employer-identification-number-ein-online>

- 1.** Click the **APPLY ONLINE NOW** link at the bottom of the page.
- 2.** Once you have read the instructions on the page, click the **Begin Application** button.
- 3.** Select the **View Additional Types, Including Tax-Exempt and Governmental Organizations** option for the "What type of legal structure is applying for an EIN?" question and then click the **Continue** button.
- 4.** Any of the following options may describe your type of organization: **1)** Political Organization; **2)** Church-Controlled Organization; **3)** Community or Volunteer Group; **4)** Social or Savings Club; or **5)** Sports Teams (community). Once your selection is made, click on the **Continue** button.
- 5.** To confirm your selection, click the **Continue** button.
- 6.** Enter your first name, last name, and SSN/ITIN. While the online SS-4 form requires the individual to enter his/her Social Security Number (SSN), it is still the EIN that is used to open a checking account, not any individual's SSN.
- 7.** Select whether you are an officer or member of the organization or whether you are applying for the EIN as a third party on behalf of the organization and then click the **Continue** button.
- 8.** Enter the address information for your organization and click the **Continue** button when you are done. (See Mailbox for address)

9. Enter the requested information about your organization and click the **Continue** button when you are done. Repeat this step for the next screen requesting additional organizational information.

10. Select the **Other** option for the question “What does your business or organization do?” and click the **Continue** button.

11. Select the **Organization** option for the question regarding your business activity and click the **Continue** button.

12. From the list of organizational activities select the activity that best describes what your organization does and click the **Continue** button.

13. Select whether you would like to receive your EIN confirmation letter online or by mail and click the **Continue** button.

Once you receive the information, please provide the ORSL with your original documents for safe keeping for current and future leadership. Your RSO and RSO Advisor may keep copies if they wish to do so.

You will also need a copy of this form to open an account at the bank or credit union.

Who do I contact if I have questions or have trouble filling out the online form?

For assistance you should contact the IRS directly. They can be reached at **1-800-829-4933**.

FUNDRAISING ACTIVITIES AND GUIDELINES

RSOs wishing to conduct any fundraising activities must:

-Submit an Event Registration Form **no later than (2) weeks before the request date.**

-RSOs wanting to request just a table in a designated area for their fundraiser may make their request within (1) week. An Event Registration Form must still be submitted before they are approved.

-Be approved by the ORSL (An email will be sent back to the requesters email)

-Fully complete and submit an activity report on Volunteer MTC.org within (1) week after completing their fundraiser.

·Failure to submit (3) of your RSO's Activity Report on time or not at all, will result in loss of fundraising and facilities requests for the remainder of the semester.

REQUESTING FUNDS THROUGH THE STUDENT GOVERNMENT ASSOCIATION (SGA)

Eligible Student Organizations

Only those student organizations that have been recognized by the Student Government Association and are registered and considered "Active" through the ORSL are eligible to apply for funding through the Club Funding Request on Presence.

Qualifying Student Clubs and Organizations may use the SGA money to:

- Provide an event/item/activity, which benefits/entertains the community and/or student body while maintaining relevance to Club/Organization/Fairmont State University mission and purpose.
- When requesting funds from SGA, a detailed summary or itemized list of what the money will be used on must be provided before funds will be approved. The deadline for these funding requests are on the first day of Midterms for both Fall and Spring Semesters.

Qualifying Student Clubs and Organizations may **not** use the SGA money to:

- Purchase drugs, alcohol, or weapons.
- Purchase foods outside of those provided by Aladdin Food Services for on-campus events.
- Support a partisan political individual, group, and/or event.
- Support or purchase items of a religious nature.
- Pay for items or events that do not comply with Federal, State, or Fairmont State University policies and procedures.

Student Government Association meetings are held every Thursday from 12:30PM - 1:30PM in Hardway Hall, room 128.

SOLICITATION POLICY

[Click here to be directed to Fairmont State University Policy on Campus Solicitation.](#)

On-Campus Sales (General)

RSOs must submit a fundraising request form at least (2) weeks in advance for approval. An email will be sent back to the requester informing them if the request was approved or denied. (Event Registration Form may be found on the Student Organizations web page under Important Forms). Sales are permitted only in approved Fairmont State University residence hall lobbies, designated areas in the Falcon Center, academic building lobbies, and approved outdoor locations. Door-to-door solicitation is prohibited. A facilities request must also be completed with the proper administrator in order to guarantee a location on campus for your fundraiser. (See section Facility Reservations for Meetings and Events for further information)

On-Campus Sales (Food Sales)

RSOs must submit a fundraising request form at least (2) weeks in advance for approval. An email will be sent back to the requester informing them if the request was approved or denied. (Event Registration Form may be found on the Student Organizations web page under Important Forms). Bake sales may be approved simultaneously for different locations on campus and for "multiple day" bake sales with no limit on the number of allowable days so long as there is no conflict with another group in the same location. Bake Sales by two different groups will not be allowed on the same day in the same location. Any student group conducting an unauthorized sale will be subject to disciplinary action or loss of benefits or membership. Bake sales are permitted only in approved Fairmont State University residence hall lobbies, designated areas in the Falcon Center, academic building lobbies, and approved outdoor locations. Door-to-door solicitation is prohibited. A facilities request must also be completed with the proper administrator in order to guarantee a location on campus for your fundraiser. (See section Facility Reservations for Meetings and Events for further information).

Off-Campus Sales

Student organizations wishing to solicit off campus must first consult with the Coordinator of Student Organizations & Greek Life to review their plans to be orientated to local solicitation

regulations. The City of Fairmont requires that all groups seeking solicitation permits in the city must file a registration statement giving the group's name, national, state or local chapter, address, date established, names of officers and director, a copy of the group's financial statement, and a copy of forms establishing the group's tax-exempt status. Also, the general purpose of the fundraising, along with the names of the persons in charge of collection and distribution of proceeds need to be provided when applying for a permit.

Funds and Gifts

No individual, firm, group, organization or corporation is permitted to solicit funds through sales, services, or donations on the Fairmont State University campus for either commercial or charitable purpose without authorization from the Fairmont State Foundation.

No student of Fairmont State University has the authority to participate in the solicitation of funds by sales or through donations, with the intention stated or implied, that funds so received are to be used for the benefit of Fairmont State University or the students of Fairmont State University without written authorization of the Fairmont State Foundation. This limitation applies to activities, either on or off campus.

No individual, firm, group, organization, or other agency has the authority to use the name of Fairmont State University to secure funds for any purpose, by any means, without the written permission of the Fairmont State Foundation.

Lotteries and Raffles

Raising funds using lotteries, raffles, or any other form of wagering is restricted by West Virginia State Law and the Fairmont State University Regulations. Any on-campus lottery must first be approved by the ORSL; student organizations contemplating an off-campus lottery should contact the Fairmont State Foundation.

A price charged for an item for sale or admission to the event must entitle the purchaser to something of full value for their money. The practice of offering for sale some item of little value whereby the holder may participate in a lottery drawing or other game of chance is prohibited.

The use of "door prizes" at dances or other social events is legal as long as those paying the price of admission are provided with full value entertainment for the price paid, and as long as the door prize drawing is incidental and uses only as a minor feature of the occasion.

“Door prizes” may be solicited from local business firms.

Notwithstanding any other provisions of this article to the contrary, any charitable or public service organization which has been in existence in this state for at least one year is hereby authorized to conduct raffles without compliance with the licensing provisions of this article: Provided, That any prize awarded in any single raffle at a raffle occasion may not exceed in value the sum of four thousand dollars: Provided, however, That the cumulative gross proceeds derived from the conduct of raffle occasions by any such charitable or public service organization shall not exceed fifteen thousand dollars during any calendar year: Provided further, That any such organization shall not be subject to the record keeping provisions of section sixteen of this article but shall maintain a separate accounting for the operation of raffles. All records required by this section shall be maintained for at least three calendar years and shall be available for reasonable inspection by the commissioner.

Credit Card Sign-Ups

Credit card companies and cell phone providers periodically contact Fairmont State University seeking authorization to sign up students for credit cards and cell phone plans. Requests from credit card and cell phone companies or student organizations to sponsor such solicitation activities will be denied.

USE OF THE FAIRMONT STATE UNIVERSITY NAME OR LOGO

- 1.** Student organizations are not permitted to use the Fairmont State University name or logo on any promotional material, clothing item, or club membership memorabilia without first being approved by the Office of University Relations and Marketing by submitting documentation to Approvals@fairmontstate.edu
- 2.** The name Fairmont State, Fairmont State College, Fairmont State University may not be used on any bank account for any club or organization. The bank account should be under the RSO's registered name.

RSO COMMUNICATIONS

EMAIL

Email is the primary method of communication for RSO updates and notices. Communications will be sent to the RSO president and campus advisor on file, so please ensure these contacts are up to date and checking their emails regularly. **The ORSL will only use a Fairmont State University campus email for all communications.** Personal emails will not be used. If you need help with setting up Email Forwarding on your email account, please stop by the IT Commons located on the 1st floor of the library.

ADVISORY COUNCIL MEETINGS: MANDATORY FOR ALL RSOs

The purpose of the Advisory Council Meetings is to:

- Provide ORSL updates
- Communicate upcoming events and activities. (Homecoming, etc.)
- Provide information on community service opportunities for RSOs.
- Give representatives the opportunity to voice their RSO upcoming events, comments, and concerns.

These meetings will be held once a month during the Fall and Spring semesters. RSOs are required to send one (1) representative or their RSO Advisor. Two (2) unexcused absences will result in the RSO going inactive for the remainder of the semester and until the RSO re-registers during the next registration period. The times and dates will be posted and sent out in the beginning of the semester.

Unexcused Absence = Not e-mailing the ORSL at Sara.Davis@FairmontState.edu one (1) hour before the scheduled meeting that no representative or RSO Advisor is available to attend.

COMMUNITY BULLETIN BOARDS

The ORSL maintains a list of all designated campus bulletin boards and can help distribute approved flyers/marketing & promotion materials. Please contact Student.Activites@fairmontstate.edu or the Assistant Director of Student Life if you have anything you need posted.

STUDENT GOVERNMENT ASSOCIATION

RSO announcements and upcoming events are often communicated during SGA meetings, which take place every Thursday at 12:30 pm in 128 Hardway.

PAINTING THE BELL POLICY

It is the responsibility of all Fairmont State University and the campus community to adhere to the following guidelines regarding to Painting the Bell on the Education Quad.

- Those wishing to paint the bell must complete the [Paint the Bell Request form](#) on Presence 24 hours prior to painting the bell and receive an email confirming their reservation.
- An email confirmation giving approval must be received in order to move forward with Painting the Bell.
- A maximum of three (3) consecutive days may be reserved unless special permission is given by the ORSL.
- RSOs that wish to Paint the Bell must have completed their registration paperwork every semester and be in good standing with the institution and the ORSL.
- Painting profanity, rude or inappropriate graffiti on the Bell is strictly prohibited.
- Bringing anything to the Bell other than paint is strictly prohibited (food products, weapons, water guns, buckets of paint, etc.)
- Guarding the Bell in any way is not permitted. (Circling around the Bell, new members guarding, etc.)
- If an RSO is Painting the Bell, at least one active member must participate in Painting the Bell.
- Painting the Bell is permitted ONLY between the hours of 8PM-8AM.
- Only one RSO can Paint the Bell in any given 24-hour period.

·If you arrive to Paint the Bell, and someone else is already painting it, or it is obvious the Bell was just painted/the paint is still wet, you must wait until the following evening to Paint the Bell provided you have it reserved.

·Any violation can result in multiple sanctions including sanctions of the Code of Student Conduct.

·Excessive violations (3 violations in one academic year) of the Bell policy will result in the organization being suspended.

The Bell located in the Education quad area is the property of Fairmont State University, therefore Fairmont State University has the right to paint the Bell at any given time.

Every attempt to notify the Registered Student Organization of the reservation change will be made.

The Bell will be painted over in the event any of the following occurs:

·An RSO or campus constituent Paints the Bell without making a reservation.

·An RSO that is currently INACTIVE or is disbanded Paints the Bell.

·Profanity, rude or inappropriate words or images painted on the Bell.

·Violating any of the policies stated previously in this section.



EVENT PLANNING & PUBLICITY

Any RSO, committee, board, or department of Fairmont State University may plan an activity and publicize an event on campus. In such cases, a Fairmont State University facility may be reserved by that organization or department for such activities. Advanced planning and scheduling are necessary to avoid several organizations requesting to use a facility at the same time. Fairmont State University has established policies and procedures for those wishing to schedule activities on campus.

Only Club Presidents and/or Club Advisors, or a designated member of a recognized student organization on campus should make requests for any facilities on campus. This can be done by utilizing the **Booking Request Form** that can be found on Presence. Please submit this form at least **one week prior** to any event/meeting.

Requests for space/equipment reservations should include:

- Name of RSO reserving room
- Name, email & phone number of primary contact
- Building name and room number being requested
- Date & Time of meeting/event (example: 01/01/2018; 8:00AM-11:30AM)

Please include setup and tear down times for your event.

- Purpose of reserving the room
- A complete description of your function and event needs. (Tables, chairs, etc.)

For larger events, submitting a floor plan / diagram for set-up needs is highly encouraged.

- If your reserved classroom or facility is locked upon arrival, please contact campus security at 304.367.4157 to have the room opened for you.

There are fees associated with reserving some campus facilities. For a complete listing of facility costs for student organizations see [Rooms Descriptions and Pricing](#). There are several “free locations” available on campus for recognized student organizations to host events or set up informational booths/tables.

MEETING AND EVENT ROOM GUIDELINES

1. All RSOs using campus facilities for a meeting or event must reserve the space or facility through the ORSL by using the **Booking Request Form** on Presence.
2. Booking Requests must be made at least **one week prior** to the event/meeting date
3. Only RSO Advisors, Presidents, or a designated member should make requests for any facilities on campus.
4. All organizations are requested to keep their meeting or event to the scheduled times.
5. No food or drinks are to be served in classrooms. If you plan to have refreshments for your meeting or event, please reserve spaces other than a classroom.
6. Because of fire regulations, lighted candles or smoking are not allowed in campus facilities.
7. Organizations that do not clean their meeting or event rooms will be subject to a cleaning fee and possible loss of the room.
8. Meetings or events need to be finished before the campus facility or building closes. (Unless the RSO's Advisor or a Fairmont State University Full-Time staff/faculty member is present. The facilities manager should also be informed.)
9. Any time you move tables or chairs in any room, you must put them back in their original order when your event is over. Failure to do this creates an inconvenience for the next group or class using that room. You must clean up after your events and keep to the times and dates you specified when reserving the rooms. We also ask that you are courteous with your noise levels.
10. When submitting a request for space, please be prepared to describe room arrangement. For example, be prepared to include the preferred room setup; the number of tables and chairs; request of a podium; audio visual needs; and catering needs for your specific meeting or event. As a reminder, when requesting detailed room setups, your student organization may be assessed a fee. Simple rooms set ups, such as a few tables and chairs, will not incur a fee.
11. It is the RSO's responsibility, along with their RSO Advisors oversight, to request a quote from Aladdin Catering and Food Services for any fees assessed for their event. RSOs are responsible for paying all fees charged.

"THE COMMON HOUR" - TIME PERIODS FOR CAMPUS MEETINGS

Tuesdays and Thursdays from 12:30 to 1:30p.m. shall be designated as the "Common Hour.

There will be no classes, tests or laboratory periods scheduled during this time. These twice-a-week periods are primarily for meetings and activities of RSOs, although they may be scheduled at other times at the discretion of the RSO.

RSO MEETING ROOMS AND STORAGE

Limited space is available on campus for student organizations to meet and/or store items. Please utilize the Booking Request Form or contact the ORSL if you need to reserve a space. Because of the limited number of meeting rooms, it is institutional policy to limit meeting times to one hour. **If there is an administrative need for the space at any time, the RSO's reservation may be removed.**

Any RSO that has designated/reserved Meeting Rooms or Storage Spaces must comply with the following conditions:

- Random and unannounced inspections will be conducted at the will of the University.
- Storage units, closets, or any other storage container is subject to unannounced inspections.
- If a lock has been used for security reasons, a spare key must be kept with the Coordinator of Student Organizations & Greek Life

Failure to provide a spare key or provide notice of a new lock will result with the lock being removed.

The University is not liable for reported missing or stolen items.

- Meeting/Storage spaces must be kept clean, organized, and arranged in the same way it was found.
- Costs of any damages and/or cleaning that are reported will be the responsibility of the RSO.

Failure to cover costs may result in sanctioning including but not limited to being suspended or being removed from campus.

RESERVABLE FACILITIES

- Campus Classrooms
- Folklife Center
- Library Multimedia A or Multimedia B
- Falcon Center / Colebank Gym:
 - oColebank Gym
 - oFalcon Center Conference Rooms (1-3)
 - oFalcon Center Board Room
 - oFalcon Center Main Street area(s) (3 slots)
 - oFalcon Center 1st Floor Foyer
 - oFalcon Center Gym 1 & 2
 - oFalcon Center Pool (Partial Reservation)
- Feaster Center** or **Duvall-Rosier Field**: Availability dependent on athletic department usage

***Any community or non-Fairmont State groups wishing to reserve a facility on campus, please call the Event-Reservation Line at (304) 333-3777 or email event services at: reservations@fairmontstate.edu.*



ROOM DESCRIPTIONS & PRICING

Classrooms - FREE for Registered Student Organizations

·There are a variety of different class sizes and technological devices in each classroom on campus. All classrooms should be available to reserve during the Common Hour and weekday evenings from 4PM-10PM. Special exceptions may be made for weekends upon approval. Hardway Hall is the most common building used for classroom meeting spaces.

Library Multimedia A & B Rooms in the Library - FREE for Registered Student Organizations

·Both rooms have tiered style lecture rooms with state-of-the-art audio and visual equipment that is easy to use. Multimedia A has a seating capacity of 136, and Multimedia B has a seating capacity of 67. Available during Common Hour and weekend library hours.

Colebank Gym: \$35.00 per hour / Full - \$300

·Equipped with carpet floor and it is located adjacent to the Falcon Center. It is 8,000 square feet and has a banquet style capacity of 450. **Student organizations may also be assessed a fee for Room Setup for Colebank Gym.**

Falcon Center Conference Rooms:

·Conference Rooms 1, 2, or 3 (RESERVED SEPARATELY)

Full Day - \$70.00 each / Partial Day - \$50.00 each

·All 3 Conference Rooms (RESERVED TOGETHER)

Full Day - \$200.00 / Partial Day - \$140.00

(FULL DAY: 4 hours or more / PARTIAL DAY: 4 hours or less)

The Conference Center is comprised of 6,900 total square feet. The conference center can be divided into three separate conference rooms (2,300 sq. ft. per room) with soundproof walls. It can also be opened to be one large room.

·Conference Room 301 – 2,300 square feet, capacity 40

·Conference Room 302 – 2,300 square feet, capacity 40

·Conference Room 303 – 2,300 square feet, capacity 40 Conference Rooms opened as 1 – 6,900 square feet, capacity 140

·Falcon Center Board Room: Full Day - \$70.00 / Partial Day - \$50.00

·The Falcon Center Board Room is comprised of 1,042 total square feet and has a seating capacity of 40. The board room is equipped with state-of-the-art audio and visual equipment that is easy to use.

All Falcon Center Main Street areas (plus tables and chairs): **FREE** for Registered Student Organizations

·The Falcon Center's Main Street is a high traffic area that seems to be one of the most popular areas on campus. Table space can be reserved in the front, middle, or back of the main street area. In general, each area will accommodate two 8 feet tables with 4 chairs at each table. Setup and take down of the tables are included in the reservation.

Falcon Center 1st Floor Foyer: **FREE** for Registered Student Organizations

·The Falcon Center 1st Floor is the area before the help desk of the Falcon Center on the 1st floor. In general, the area will accommodate two 8 feet tables with 4 chairs at each table. Setup and take down of the tables are included in the reservation.

Gym 1 or 2 of the Falcon Center: \$27.50 per court per hour / Full \$350.00 each

·Each gym is equipped with 2 full basketball courts. Both gyms have rubber flooring for multipurpose use. Gym 1 is in front of the Falcon Center and it is 14,000 square feet. It has a banquet style capacity of 700. Gym 2 is in the back of the Falcon Center and it is 11,000 square feet. It has a banquet style capacity of 500, but there is no covering for the floor. **Student organizations may be assessed a fee for Room Setup for Gym 1 or 2 of the Falcon Center.**

Feaster Center or Duvall-Rosier Field

·Due to the number of athletic events on campus, please contact Dalene Horner **(304) 367-4220** or the Athletic Department for more information and availability.

CANCELATION POLICY

Catering and facilities requests need to be cancelled 48 hours or more prior to the event in order not to be charge any fees. The RSO will be held responsible to pay all fees accrued.

CATERING

All refreshments served at your student organization event must be catered through the campus Dining Services Food Provider, Aladdin. If you would like to file for an exemption to this policy, you must contact Jennie Rowand, the Catering Manager, at (304) 367-4090 or email jennie.rowand@fairmontstate.edu.

ALCOHOL POLICY

The advertisement of alcohol for all on/off campus events or activities, whether verbal, electronic or printed, is prohibited on Fairmont State University's property, unless granted permission from the ORSL, the Vice President of Student-Affairs and the President of Fairmont State University.

RSOs must complete the [Permit For Use of Alcoholic Beverages](#) and submit it to the Coordinator of Student Organizations & Greek Life in 317 Turley Center. Alcohol is strictly prohibited at all on-campus events and functions unless permission from the ORSL, the Vice President of Student Success and the President of Fairmont State University is given.

SECURITY

In the event of an emergency or crisis, you may reach Campus Police officers by calling (304) 367-HELP (4357) or just HELP (4357) from a campus phone. Please use this number for emergencies only.

For questions, information, or locked facilities, call the Department of Public Safety at (304) 367-4157.

If you know of any student who has been involved in a crisis, please refer them to the Office of Student Affairs at (304) 367-4215.

RISK MANAGEMENT PLAN

All student organizations should plan their events carefully in order to minimize the possibility of accidents and injuries during their events. Make sure you inspect the premise before the event begins.

If you are planning an outdoor event, please have a backup plan for bad weather. It is advised to have a room reserved in such cases.

CO-SPONSORSHIPS

The ORSL highly encourages RSOs to collaborate with other RSOs, institutional departments, city public services and off campus organizations to enhance their planned events and activities. Collaboration creates a stronger sense of community whether that is on or off campus.



ADVERTISING/ FLYER POLICY

Approval Process:

Before posting, all RSO marketing/promotional material must be reviewed by the ORSL Marketing Team for approval. Submit material(s) by emailing reslife@fairmontstate.edu or visiting the 317 Turley Center Suite. The ORSL Marketing Team reserves the right to make any necessary adjustments to the material to ensure that it meets URM branding guidelines. Please allow at least 3-5 business days for approval.

Falcon Center:

Persons wishing to post marketing/promotional materials in the Falcon Center must follow their Flyer Hanging Policy, which can be found here:

<https://www.fairmontstate.edu/falconcenter/flyer-hanging-policies>

A few things we want to highlight from the policy are that no material may be posted on glass doors or windows at any entrance, or on any painted columns in the building on any floor level. The bulletin board located on the 2nd floor entrance by the bookstore is for RSOs only. Material related to (internal) school events, opportunities, information, etc. may be posted on the bulletin boards located directly outside the Bookstore door and next to the elevator on the second floor (Main Street); and across from the Men's & Women's locker room located on the first floor.

Any material posted inappropriately (incorrectly) will be immediately removed and discarded.

Campus Wide:

1. All flyers and advertising are to be posted on public bulletin boards and designated areas for flyers.
2. Do not post on academic or departmental bulletin boards unless that department's manager has given permission.
3. Do not post on windows/doors/walls of any facility unless given written permission from the ORSL.

RSOs violating these policies will face RSO conduct procedures which may result in, but is not limited to, the RSO losing ACTIVE status and/or losing RSO privileges.

RSO TRAVEL POLICY

If any RSO plans to participate in group travel on behalf or as a representative of any campus organization, they must complete the RSO Travel Form found on the Student Organizations website. This includes attendance at all conferences and/or regional or national events. The ORSL must be notified of the group's travel plans and provided with details so that in the case of emergency the proper parties can be notified.

ADDITIONAL IMPORTANT INFORMATION

CAMPUS EVENTS & CONFERENCES FOR RSOs

RSOs are given the opportunity throughout the year to attend conferences and special events aimed to support, enhance, and increase memberships for their RSOs. The following is a non-comprehensive list of events and conferences that may either be required or highly encouraged for their respective RSOs to attend:

·Move-In Volunteering / Welcome Weekend Events (FALL): **Highly Encouraged**

-Freshman Move-In: Must sign-up with the Housing Office:

<https://www.fairmontstate.edu/forms/nest-builder-volunteer-sign>

·Falcon Lead (FALL) – E-Board members-Highly Encouraged

·Homecoming Court & Parade (FALL): **Highly Encouraged**

·Student Organization/Club Fairs (each FALL/SPRING semester): **Highly Encouraged**

·Maroon & White Day (each semester): **Highly Encouraged**

·RSOs are encouraged to seek out and attend national conferences that will enhance their respective organizations. Financial assistance may be available; please contact the Assistant Director of Student Life for additional information.

·Sending a representative to Student Government Association (SGA) meetings every Thursday at 12:30-1:30p.m. in Hardway Hall 128 is a great way to find out more about what is happening and how to get your RSO more active on campus. (Please visit SGA's [website](#) for more information.)

MAILBOXES

Student Organization's Name

1201 Locust Ave.

ATTN: Suite 317 Turley Center

Fairmont, WV 26554

·Please assign someone to check your RSOs mailbox regularly.

·No personal mail should be address to the RSOs mailbox.

·If a mailbox has not been checked on for some time, the RSOs President/RSO Advisor will be notified.

If no action is taken, the mail will be marked RTS (Return to Sender) and the RSO will lose Mailbox privileges until otherwise decided by the Coordinator of Student Organizations & Greek Life.



APPENDIX A:

STUDENT ORGANIZATION

STANDARDS OF CONDUCT

Introduction

Fairmont State University is committed to supporting student organizations which permit and foster the student's ability to freely associate and express themselves. The support is formalized through a registration system, placed to serve the interest of both Fairmont State and the student organizations. Student organizations that choose to be registered by Fairmont State University, accept the rights and responsibilities outlined in this policy. Within Fairmont State, schools, colleges, funding sources, student governing bodies or other entities have developed policies regarding the operation of student organizations. The Standards of Conduct for registered Student Organizations do not replace those standards, limit the procedures and sanctions provided by those policies, federal, state, or local laws, nor contradict or lessen those standards.

Purpose

The Standards of Conduct for Student Organizations registered under Fairmont State University protects the interest of both Fairmont State University, Student Organizations, the campus community, and those outside the institution by fostering a safe environment through expectations to act consistently with the values of Fairmont State University's Code of Conduct. Code of Conduct refers to the Student Code of Conduct issued by the Office of Student Conduct under Fairmont State University.

Standards of Conduct

Student organizations are collectively responsible for any action committed by members on behalf of the organization that violates University Code of Conduct. Disciplinary action against student organizations is separate from action taken against individuals. Facts of incidents may necessitate action against both a student organization and the individual members of that organization who were found to have violated the University policy.

Criteria used to determine whether the allegation is an organization violation; a student organization may be charged with violating a University policy when:

1. One or more officers, acting within the scope of their duties, commit a violation;

2. One or more members commit a violation as part of an activity or assignment voted on by the organization and/or approved by the local, regional, or national leadership;
3. The violation is committed at an activity funded by the organization or by an individual in the name of the organization;
4. The violation is committed by members attending a function as a representative of the University, including, but not limited to, competitions, conferences, and conventions;
5. Members or officers permit, encourage, aid, or assist, in committing a violation;
6. Members or officers fail to report to appropriate University authorities' knowledge or information about a violation(s);
7. Members or alumni commit a violation in the name of the organization;

Prohibited Conduct

Any registered student organization found to have committed or having attempted to commit the following misconduct is subject to the disciplinary sanctions.

Alcohol Possession/Use: Use, possession, manufacturing, furnishing, or distribution of alcoholic beverages (except as expressly permitted by University regulations), or public intoxication. Student organizations may not furnish alcohol to a person under the age of twenty-one. Student organizations may not operate a motor vehicle under the influence of alcohol or while impaired by the consumption of alcohol.

Drug Possession/Use: Students may not possess, use, or distribute controlled substances. Students may not possess or use drug paraphernalia. Students may not use any prescribed drug in a manner inconsistent with the prescription, nor may a student distribute drugs to others. Students may not intentionally or recklessly inhale or ingest substances (e.g., nitrous oxide, glue, paint, etc.) that will alter one's mental state, or use products in a manner inconsistent with their intended and lawful use.

Failure to Comply/Uncooperative Behavior: Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify to these persons when requested to do so.

Disorderly Conduct: Conduct which is disorderly, lewd, or indecent; breach of peace.

Disruption and/or Noise: Leading or inciting others to disrupt or obstruct, teaching, research, administration, disciplinary proceedings, other University activities, including their public-service functions on or off campus, or other authorized activities occurring on the campus but are not under the direct control of the University.

Fire Safety: Actions which cause or attempt to cause a fire or explosion, falsely reporting a fire, explosion or an explosive device, tampering with fire safety equipment, or intentionally failing to evacuate university buildings during a fire alarm.

Federal, State, or Local Law Violations: A violation of any federal, state, or local law.

Forgery, Misrepresentation, or Fraud: Forging or altering, or causing to be altered, the record of any grade in a grade book or other educational record;

- a) Use of university documents or instruments of identification with intent to defraud;
- b) Presenting false data or intentionally misrepresenting one's records for admission, registration, or withdrawal from the university or from a university course;
- c) Knowingly presenting false data or intentionally misrepresenting one's records for personal gain;
- d) Knowingly furnishing the results of research projects or experiments for the inclusion in another's work without proper citation;
- e) Knowingly furnishing false statements in any university academic proceeding

Hazing: No student shall, individually or by joining with one or more other persons, engage in any act of hazing involving another member of the institutional community.

Hazing may be defined as follows:

a. To subject to cruel horseplay

b. To harass or punish by the imposition of disagreeable tasks

c. To frighten, scold, beat, or annoy by playing abusing tricks upon an individual

Fairmont State University prohibit any action, which subjects a new member, initiate, or member of a student organization to activities, which are personally demeaning or involve a substantial risk of physical injury. This includes both organized rites of initiations, and informal activities. Hazing may also include but is not limited to any brutality such as:

- a. Paddling
- b. Whipping
- c. Forced calisthenics
- d. Exposure to the elements
- e. Forced consumption of food, liquor, or other substance
- f. Any other forced physical activity which could adversely affect the physical health or safety of the individual
- g. Any activity which would subject the individual to extreme mental stress such as: sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment or adversely affect the individual. *Students involved in hazing activities are subject to institutional disciplinary action and criminal prosecution.*

Financial Stewardship: Student Organizations may not use or account for student organization funds

in violation of university financial and accounting procedures. Violations include but are not limited to:

1. Breaching contractual obligations.
2. Using student organization funds for purposes not authorized by the student organization and/or not in accordance with the University Policy
3. Failing to provide accounting of all contribution and reporting said contribution to the proper University official.
4. Failing to follow Fairmont State University governing board policies on allocations and student fee usage.
5. Monies must be maintained in an account at Fairmont State University's Office of Student Activities
6. Misuse of Student Fees.

Health and Safety: Student Organizations may not foster, promote, or participate in activities that unreasonably threaten the safety and well-being of their members, other people, or animals.

Theft or Property Damage: The unauthorized taking, misappropriation or possession of any real, personal, or intellectual property owned or maintained by the University or any person both on and off campus.

Violation of Student Organization's Constitution and/or governing documents: including but not limited to:

1. *Student Organization Constitution*
2. *Student Organization Bylaws*

Harassment: Repeated, unwelcomed, verbal, written, physical, or any other conduct that disrupts or interferes with a student organization's rights to a healthy environment.

Jurisdiction and Authority

The Office of Student Conduct will oversee the process for addressing cases of Student Organizations misconduct that involve violations of written University policies. Students whose actions in the alleged incident may violate University policy or federal, state, or local law or municipal laws may also be subject to individual disciplinary action under procedures set for in the Fairmont State University Code of Conduct.

Student Organization's Rights in the Conduct Process

Registered Student Organizations have a right to expect that all disciplinary proceedings will be handled fairly. Fairmont State University grants registered student organizations the following rights in the conduct process:

1. Organizations have the right to have their complaint heard by unbiased individuals. Organizations can object to a conduct case manager, hearing officer or hearing board member with cause. The validity of the objection will be determined by the Campus Judicial Officer or his/her designee.
2. Organizations have the right to have an advisor present at all disciplinary meetings or hearings. The advisor may not actively participate in any proceedings. It is the responsibility of the organization to ensure attendance of the advisor at any proceeding, as meetings and hearings will not be rescheduled to accommodate advisers.
3. Organizations' have the right to written notice of the charges placed against them and the time and place of any meeting or hearing. Proper notification is defined as delivery of mail to the organization's address or mailbox. Notice will be also be sent through email to the president's established student email account.
4. Organizations have the right to receive a copy of all information to be used against them at hearings. This information will be provided to the organization at least two business days prior to a hearing.
5. Organizations have the right to present information and witnesses on their behalf. Character statements and witness statements should be submitted in writing before the hearing. Character statements will not be considered when determining a violation.
6. Organizations have the right to written notification of the results of the hearing no later than five business days after the hearing.
7. Organizations have the right to appeal the outcome of the hearing no later than five business days after notification of the decision. Holidays and University breaks will be the only exception.

Interim Disciplinary Action for Student Organizations:

In certain circumstances, it may become necessary to impose interim action(s) against an organization while a conduct matter is being addressed. Interim action will be imposed:

1. To ensure the continued safety and well-being of members of the University community or preservation of the University or;
2. The organization's continued presence posed a threat to the safety and well-being on members of the University community.

Types of Interim Actions:

1. Suspension of Organization Activity:the organization is prohibited from participating in any University activity and promoting University programs without express permission from the Campus Judicial Officer or his/her designee.
2. Suspension of the New Member Program:All meetings and activities of the New Member program must cease. Chapter officers and all members are restricted from communicating with the New Members.

*** Please Note: Any violation of these directives may lead to further sanctioning. This is inclusive of violations from the organization's leadership outside of the University community (i.e. local and national offices). ***

Student Organization Sanctions

When an organization violates University policies, sanctions are put in place to inform the organization that the behavior(s) exhibited are unacceptable and are not aligned with the values of the University. Where possible (and necessary), sanctions put in place can be a combination of punitive, educational, and/or restorative. Failure to complete these sanctions may result in fines.

University Warning

A notice in writing to the student organization that the student organization is violating or has violated Board of Governors policies, institutional rules and regulations, or the Student Code of Conduct. Any further prohibited conduct may result in more severe disciplinary action.

Written plan for reconstruction of the organization

A plan of action, which outlines various actions the organization must take in order to enhance itself and be a benefit to the University community.

Restitution:

Required compensation for loss, damage, or injury to the appropriate party in the form of service, money, or material replacement.

Class/Workshop Attendance:

Attendance and completion of a class or workshop that will assist the student organization avoid future non-compliance with the Standards of Conduct.

Educational Project:

Completion of a project specifically designed to assist the organization avoid future non-compliance with the Standards of Conduct.

Community Service:

Performance of a task, or tasks, designed to benefit the community and that also assists the student organization avoid future non-compliance with the Standards of Conduct. These hours must be done at any non-profit agency. Verification of hours complete must be faxed to the Student Conduct Office. Failure to complete your service hours will result in a \$20 per hour fine.

Inability to access University Funds:

This includes generated revenue as well as student fees allocated to the organization. In addition, the organization may not participate in fundraising or request funds provided by SGA. *This sanction is typically imposed when there are concerns regarding the appropriate use of funds by the organization.*

Restricted Activities:

Restricting the student organization's ability to access University controlled benefits and resources.

Disciplinary Probation:

A formal written notice that the organization is not in good standing with the University and its actions will be monitored for a period no less than one semester. During this period, any further violations of the Standards of Conduct may result in further sanctioning.

Disciplinary Probation II:

A formal written notice that the organization is not in good standing with the University and has now lost certain privileges for a period no less than one semester. During this period, any further violations of the Standards of Conduct may result in Disciplinary Suspension. During this period members of the organization may be restricted from holding leadership roles within their respective governing organizations (i.e. Interfraternity Council, Panhellenic Council).

Disciplinary Suspension:

Separation of the organization from the University for a period no less than one semester. During this period, any further violations of the Standards of Conduct may result in further sanctioning.

Loss of Registration:

Temporary separation of a student organization from the University. Organizations are not eligible to apply for a period up to five years. The length of time is determined at the discretion of the Office of Student Conduct. During this period, any further violations of the Standards of Conduct may result in further sanctioning.

Permanent Loss of Registration:

Permanent separation of a student organization from the University. Organizations that are permanently de-registered are not eligible to apply for registration. Any change to this must be approved by the Vice President of Student Affairs or his/her designee.

Drug or Alcohol Education:

Student organizations will be required to complete Alcohol or Drug Education/E Checkup online course. Failure to complete this sanction will result in a \$150 fine.

Record Keeping:

The Office of Student Conduct will maintain records regarding all actions taken under the Standards of Conduct for Registered Student Organizations for a period of seven years, after which they will be destroyed to protect the identities of all parties involved.

Administrative Hearing:

This hearing is led by a University Official (i.e. Executive Director of Student Life/Campus Judicial Officer), known as the Campus Judicial Officer. This format for this hearing is similar to the Disciplinary Conduct Hearings. Organizations charged with hazing, or other violations of the Code of Conduct, especially those that may lead to suspension or removal of University recognition, will be required to utilize this process.

An Administrative Hearing is a formal administrative meeting between an accused organization, the Coordinator for Student Activities and Greek Life, and the Campus Judicial Officer. The Campus Judicial Officer will consider information from both parties and determine whether the organization is responsible for the charges. The Campus Judicial Officer will also determine sanction(s) if the organization is found to be responsible.

The format for the Administrative Hearing is as follows:

1. All participants are assembled and the Campus Judicial Officer explains the procedures to be followed.
2. The Campus Judicial Officer reads the charges and asks the accused organization to answer each charge with "responsible" or "not responsible."
3. The Coordinator for Student Activities and Greek Life presents their report summarizing the review and introduces any physical evidence.
4. The accused student organization introduces their narrative and any physical evidence
5. The Campus Judicial Officer questions both parties, then allow the Coordinator for Student Activities and Greek Life and the accused student organization to ask questions of one another.

6. IF there are any factual witnesses, they are called one at a time. Each witness gives a narrative, describing his or her knowledge of the event in question. The Campus Judicial Officer questions the witnesses, then the accused organization and finally the Coordinator for Student Activities and Greek Life. *If a witness cannot appear at the conference, he or she may submit a written statement. However, this statement can be used only to supplement or explain other information; it cannot support a finding by itself.*

7. In the event the accused organization is found responsible, the Campus Judicial Officer determines the recommended sanctions.

8. The Campus Judicial Officer notifies the parties of the outcome of the Administrative Hearing in writing. The organization will be notified within 48 business hours.

9. Accused organizations have the right to appeal the outcome of an Administrative Hearing (see appeals process).

Appeal Process:

An accused organization has the right to appeal all disciplinary findings and/or sanctions. The organization must submit a letter of appeal and any supporting documentation to the Vice President (VP) of Student Affairs within five (5) business days of the imposed sanctions. The complaint party, Campus Judicial Officer, and Hearing Officer (if applicable) have the right to submit a response to the appeal. Once the appeal is filed the following actions will take place:

The VP of student affairs will meet to consider the organization's appeal:

If the organization accepts the findings and appeals only the sanction, the VP may:

1. Uphold the original sanction; or
2. Modify the sanction

If the organization appeals both the finding and the sanction, the VP may:

1. Uphold both finding and sanction;
2. Uphold the finding and modify the sanction; or
3. Dismiss the finding and send the case to the Campus Judicial Officer for re-evaluation.

Please Note: a new Hearing is only granted if

1. The finding of responsibility is not supported by the facts of the case
2. There is significant new evidence that was not available at the time of the original proceeding; or
3. There was a procedural error so significant that it deprived the organization of a fair disciplinary process.

The VP will modify a sanction only if it is found to be severely disproportionate to the offense. The organization is notified in writing of the committee's decision.

APPENDIX B:

STUDENT CODE OF CONDUCT AND CAMPUS POLICIES

NONDISCRIMINATION POLICY

Fairmont State University neither affiliates knowingly with nor grants recognition to any individual, group, or organization that has policies in place or takes action that discriminates on the basis of race, color, gender, sex, sexual orientation, gender identity, gender expression/association, national origin, age, height, weight, religion, creed, genetic information, disability or veteran's status, as identified and defined by law in employment, admissions, and educational programs and activities.

WEST VIRGINIA STATE HAZING POLICY

Chapter 18. Education.

Article 16. Antihazing Law.

§18-16-2. Definitions.

(a) "Hazing" means to cause any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons or causes another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual or individuals, and includes any activity which would subject the individual or individuals to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual or individuals, or any willful destruction or removal of public or private property: *Provided*, That the implied or expressed consent or willingness of a person or persons to hazing shall not be a defense under this section.

(b) "Institution of higher education" or "institution" means any public or private institution as defined in section two, article one, chapter eighteen-b of this code.

§18-16-3. Hazing prohibited.

Any person or persons who causes hazing is guilty of a misdemeanor, and, upon conviction thereof, shall be fined not less than one hundred dollars nor more than one thousand dollars, or confined in a

county or regional jail, not more than nine months, or both fined and imprisoned: *Provided*, That if the act would otherwise be deemed a felony as defined in this code, the person committing such act may be found guilty of such felony and be subject to penalties provided for such felony.

§18-16-4. Enforcement by institution.

(a) *Antihazing policy.* --The University of West Virginia board of trustees created pursuant to article two, chapter eighteen-b of this code and the board of directors of the state college system created pursuant to article three of said chapter shall by the first day of August, one thousand nine hundred ninety-five, promulgate guidelines for antihazing policies.

(b) Enforcement and penalties.

(1) Each institution shall provide a program for the enforcement of such rules and shall adopt appropriate penalties for violations of such rules to be administered by the person or agency at the institution responsible for the sanctioning or recognition of such organizations.

(2) In the case of an organization which authorizes hazing in blatant disregard of such rules, penalties may also include recession of permission for that organization to operate on campus property or to otherwise operate under the sanction or recognition of the institution.

(3) All penalties imposed under the authority of this section shall be in addition to any penalty imposed for violation of section three of this article or of any of the criminal laws of this state or for violation of any other institutional rule to which the violator may be subject.

(4) Rules adopted pursuant hereto apply to acts conducted on or off campus whenever such acts are deemed to constitute hazing.

Punishment: Misdemeanor

Fine of \$100 - \$1,000 or confinement to jail, not more than 9 months, or both fine and imprisonment.

(§18-16-3)

HAZING POLICY

No student shall, individually or by joining with one or more other persons, engage in any act of hazing involving another member of the institutional community.

Hazing may be defined as follows:

- To subject to cruel horseplay
- To harass or punish by the imposition of disagreeable tasks
- To frighten, scold, beat, or annoy by playing abusive tricks upon an individual

Fairmont State University prohibits any action, which subjects a new member, initiate, or member of a student organization to activities, which are personally demeaning or involve a substantial risk of physical injury. This includes both organized rites of initiations, and informal activities.

Hazing may also include but is not limited to any brutality such as:

- paddling
- whipping
- forced calisthenics
- exposure to the elements
- forced consumption of any food, liquor, or other substance
- or any other forced physical activity which could adversely affect the physical
- health or safety of the individual

and shall include any activity which would subject the individual to extreme mental stress such as:

- sleep deprivation
- forced exclusion from social contact
- forced conduct which could result in extreme embarrassment or adversely affect

Students involved in hazing activities are subject to institutional disciplinary action and criminal prosecution.

SEXUAL MISCONDUCT POLICY

Notice of Non-Discrimination:

Fairmont State University is committed to equal opportunity and does not discriminate on the basis of age, color, disability, national origin, race, religion, sex, gender, gender identity, sexual orientation, citizenship status, genetic information, status as a veteran, or any other characteristic that is protected by applicable state or federal law in its operations, employment opportunities, educational programs and related activities.

The Fairmont State University Policy for Sexual Misconduct and Harassment ("Sexual Misconduct

Policy”) applies to all applicants, students, faculty, administrators’ staff, guests and third parties.

Furthermore, the institutions forbids retaliation and/or any form of harassment against an individual as a result of filing a complaint of discrimination or harassment or as a result of participating in an investigation of a complaint of discrimination or harassment.

The Human Resources Director has been designated to handle discrimination or harassment inquiries concerning the non-discrimination policy.

Title IX of the Educational Amendments of 1972 provides that “No person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving federal financial assistance.”

The Title IX Coordinator has been designated to handle sex or gender-based inquiries regarding the non-discrimination policy.

Policy Statement – Sexual Misconduct:

Discrimination on the basis of sex or gender to include sexual misconduct (sexual harassment, non-consensual sexual contact, non-consensual sexual intercourse, sexual violence and sexual exploitation), domestic violence, dating violence, stalking, or other forms of sexual violence or sex or gender-based harassment is a violation of The Sexual Misconduct Policy and will not be tolerated by the institutions. Furthermore, the institutions forbids retaliation and/or any form of harassment against an individual as a result of filing a complaint of discrimination or harassment or participating in an investigation of a complaint of discrimination or harassment.

This Sexual Misconduct Policy applies to all applicants, students, faculty, staff, and third parties and applies regardless of the sexual orientation or gender identity of the parties. If you believe you have been subjected to sexual misconduct, you may report such conduct or file a complaint with the Title IX Coordinator.

FAIRMONT STATE UNIVERSITY SEXUAL HARASSMENT POLICY

TITLE: SEXUAL HARASSMENT

SECTION 1. GENERAL

1. SCOPE

This rule defines sexual harassment and sex and gender discrimination and provides guidelines for filing complaints regarding sexual harassment and sex and gender discrimination.

2. AUTHORITY

This policy complies with federal, state, and local laws and regulations. Specifically, this policy upholds: West Virginia Code § 18B-1-6; Title IX of the Education Amendments of 1972, including accompanying regulations and guidance provided by the U.S. Department of Education' Office for Civil Rights; Title VII of the Civil Rights Act of 1964, including accompanying regulations and guidance provided by the Equal Employment Opportunity Commission (EEOC); Applicable federal court decisions. This policy replaces policies 09, "Sexual Harassment," and 42, "Consensual Romantic or Sexual Relationships."

3. INVESTIGATION AND RESOLUTION

All alleged violations of this policy will be promptly, thoroughly, and impartially addressed using the Fairmont State University Title IX Investigation and Resolution Procedures.

4. EFFECTIVE DATE May 1, 2017, or upon passage

SECTION 2. POLICY

It is the policy of the Fairmont State University Board of Governors to maintain a work and educational environment free from all forms of sexual harassment and sex or gender discrimination of any employee, applicant for employment, student, guest, or visitor. Sexual harassment is expressly prohibited. It is the responsibility of Fairmont State University to strive to maintain an environment free of such conduct and to take prompt, thorough and impartial measures to stop the harassment, remedy its effects and prevent its recurrence once the institution receives notice of sexual harassment or sex or gender based discrimination.

SECTION 3. DEFINITIONS

1. SEXUAL HARASSMENT

Sexual harassment is:

- unwelcome, sexual, sex-based and/or gender-based verbal, written, online and/or physical conduct.

Anyone experiencing sexual harassment in any University program is encouraged to report it immediately to the Title IX Coordinator, Title IX Investigator, or a deputy. Remedies, education and/or training will be provided in response.

Sexual harassment may be disciplined when it takes the form of *quid pro quo* harassment, retaliatory harassment and/or creates a hostile environment.

A hostile environment is created when sexual harassment is:

- sufficiently severe, or

- persistent or pervasive, and

- objectively offensive that it:

- o unreasonably interferes with, denies, or limits someone's ability to participate in or benefit from the University's educational [and/or employment], social and/or residential program.

Quid Pro Quo Harassment is:

- Unwelcome sexual advances, requests for sexual favors, and other verbal or physical conduct of a sexual nature

- By a person having power or authority over another constitutes sexual harassment when

- Submission to such sexual conduct is made either explicitly or implicitly a term or condition of rating or evaluating an individual's educational [or employment] progress, development, or performance.

- This includes when submission to such conduct would be a condition for access to receiving the benefits of any educational [or employment] program.

Examples include: an attempt to coerce an unwilling person into a sexual relationship; to repeatedly subject a person to egregious, unwelcome sexual attention; to punish a refusal to comply with a sexual based request; to condition a benefit on submitting to sexual advances; sexual violence; intimate partner violence, stalking; gender-based bullying.

Romantic or sexual relationships between a faculty member and current student, or between a supervisor and employee or between two people where one has authority or power over the other are

by their nature discriminatory and are prohibited.

Exceptions are recognized for employees or students in established marriages, partnerships, or relationships.

Some examples of possible Sexual Harassment include:

- A professor insists that a student have sex with him/her in exchange for a good grade. This is harassment regardless of whether the student accedes to the request.
- A student repeatedly sends sexually oriented jokes around on an email list s/he created, even when asked to stop, causing one recipient to avoid the sender on campus and in the residence hall in which they both live.
- Explicit sexual pictures are displayed in an employee's office or on the exterior of a residence hall door
- Two supervisors frequently 'rate' several employees' bodies and sex appeal, commenting suggestively about their clothing and appearance.
- A professor engages students in her class in discussions about their past sexual experiences, yet the conversation is not in any way germane to the subject matter of the class. She probes for explicit details, and demands that students answer her, though they are clearly uncomfortable and hesitant.
- An ex-girlfriend widely spreads false stories about her sex life with her former boyfriend to the clear discomfort of the boyfriend, turning him into a social pariah on campus
- A student grabbed another student by the hair, then grabbed her breast and put his mouth on it. While this is sexual harassment, it is also a form of sexual violence.

2. NON-CONSENSUAL SEXUAL CONTACT

Non-Consensual Sexual Contact is:

Any intentional sexual touching, however slight, with any object, by a person upon another person, that is without consent and/or by force.

Sexual Contact includes:

Intentional contact with the breasts, buttocks, groin, or genitals, or touching another with any of these body parts, or making another touch you or themselves with or on any of these body parts; or 1 The use of force is not "worse" than the subjective experience of violation of someone who has sex without consent. However, the use of physical force constitutes a stand-alone non-sexual offense as well, as it is our expectation that those who use physical force (restrict, battery, etc.) would face not

just the sexual misconduct charge, but charges under the code for the additional assaultive behavior.

- Any other intentional bodily contact in a sexual manner.

3. NON-CONSENSUAL SEXUAL INTERCOURSE

Non-Consensual Sexual Intercourse is:

·any sexual intercourse however slight, with any object, by a person upon another person, that is without consent and/or by force.

Intercourse includes:

·Vaginal or anal penetration by a penis, object, tongue or finger, and oral copulation (mouth to genital contact), no matter how slight the penetration or contact.

4. SEXUAL EXPLOITATION

Sexual exploitation occurs when one person takes non-consensual or abusive sexual advantage of another for his/her own advantage or benefit, or to benefit or advantage anyone other than the one being exploited, and that behavior does not otherwise constitute one of other sexual misconduct offenses. Examples of sexual exploitation include, but are not limited to:

·Invasion of sexual privacy;

·Prostituting another person;

·Non-consensual digital, video or audio recording of nudity or sexual activity;

·Unauthorized sharing or distribution of digital, video or audio recording of nudity or sexual activity;

·Engaging in voyeurism;

·Going beyond the boundaries of consent (such as letting your friend hide in the closet to watch you having consensual sex);

·Knowingly exposing someone to or transmitting an STI, STD or HIV to another person;

·Intentionally or recklessly exposing one's genitals in non-consensual circumstances; inducing another to expose their genitals;

·Sexually-based stalking and/or bullying may also be forms of sexual

·Exploitation

5. ADDITIONAL APPLICABLE DEFINITIONS:

•Consent is:

- o clear, and
 - o knowing, and
 - o voluntary, affirmative, and conscious,
 - o words or actions,
 - o that give permission for specific sexual activity.
 - o Consent is active, not passive.
 - o Silence, in and of itself, cannot be interpreted as consent.
 - o Consent can be given by words or actions, as long as those words or actions create mutually understandable permission regarding willingness to engage in (and the conditions of) sexual activity.
 - o Consent to any one form of sexual activity cannot automatically imply consent to any other forms of sexual activity.
 - o Previous relationships or prior consent cannot imply consent to future sexual acts.
 - o Consent can be withdrawn once given, as long as that withdrawal is clearly communicated.
 - o In order to give consent, one must be of legal age.
 - o Sexual activity with someone you know to be or should know to be incapacitated constitutes a violation of this policy.
- Incapacitation can occur mentally or physically, from developmental disability, by alcohol or other drug use, or blackout.
- The question of what the responding party should have known is objectively based on what a reasonable person in the place of the responding party, sober and exercising good judgment, would have known about the condition of the reporting party.
- Incapacitation is a state where someone cannot make rational, reasonable decisions because they lack the capacity to give knowing consent (e.g., to understand the “who, what, when, where, why or how” of their sexual interaction).

- This policy also covers a person whose incapacity results from mental disability, sleep, unconsciousness, involuntary physical restraint, or from the taking of rape drugs. [Possession, use and/or distribution of any of these substances, including Rohypnol, Ketamine, GHB, Burundanga, etc., is prohibited, and administering one of these drugs to another student is a violation of this policy.]
- Force: Force is the use of physical violence and/or imposing on someone physically to gain sexual access. Force also includes threats, intimidation (implied threats) and coercion that overcomes free will or resistance or that produces consent (“Have sex with me or I’ll hit you.” “Okay, don’t hit me, I’ll do what you want.”).
- Coercion is unreasonable pressure for sexual activity. When someone makes clear to you that they do not want sex, that they want to stop, or that they do not want to go past a certain point of sexual interaction, continued pressure beyond that point can be coercive.
- NOTE: There is no requirement for a party to resist the sexual advance or request, but resistance is a clear demonstration of non-consent. The presence of force is not demonstrated by the absence of resistance. Sexual activity that is forced is by definition non-consensual, but non consensual sexual activity is not by definition forced.
- Use of alcohol or other drugs will never function to excuse any behavior that violates this policy.
- This policy is applicable regardless of the sexual orientation and/or gender identity of individuals engaging in sexual activity.
- For reference to the pertinent state statutes on sex offenses, please see Appendix.

6. RELATED MISCONDUCT OFFENSES (WILL FALL UNDER THIS POLICY WHEN SEX OR GENDER-BASED)

- Threatening or causing physical harm, extreme verbal abuse, or other conduct which threatens or endangers the health or safety of any person;
- Discrimination, defined as actions that deprive other members of the community of educational or employment access, benefits or opportunities on the basis of sex or gender;
- Intimidation, defined as implied threats or acts that cause an unreasonable fear of harm in another;
- Hazing, defined as acts likely to cause physical or psychological harm or social ostracism to any person within the University community, when related to the admission, initiation, pledging, joining, or any other group-affiliation activity (as defined further in the Hazing Policy);

•Bullying, defined as

- o Repeated and/or severe
- o Aggressive behavior
- o Likely to intimidate or intentionally hurt, control or diminish another person, physically or mentally
- o That is not speech or conduct otherwise protected by the 1st Amendment.

•Intimate Partner Violence, defined as violence or abuse between those in an intimate relationship to each other:

- o A boyfriend shoves his girlfriend into a wall upon seeing her talking to a male friend. This physical assault based in jealousy is a violation of the Intimate Partner Violence policy.
- o An ex-girlfriend shames her female partner, threatening to out her as a lesbian if she doesn't give the ex another chance. Psychological abuse is a form of Intimate Partner Violence.
- o A graduate student refuses to wear a condom and forces his girlfriend to take hormonal birth control though it makes her ill, in order to prevent pregnancy.
- o Married employees are witnessed in the parking garage, with one partner slapping and scratching the other in the midst of an argument.

•Stalking

- o Repetitive and menacing,
- o Pursuit, following, harassing, and/or interfering with the peace and/or safety of another.
- o Any other University policies may fall within this section when a violation is motivated by the actual or perceived membership of the reporting party's sex or gender.

7. RETALIATION

Retaliation is defined as any adverse action taken against a person participating in a protected activity because of their participation in that protected activity. Retaliation against an individual for an allegation, for supporting a reporting party or for assisting in providing information relevant to an allegation is a serious violation of University policy.

SECTION 4. SANCTIONS

The following sanctions may be imposed upon any member of the community found to have violated the Sex/Gender Harassment, Discrimination and Misconduct Policy. Factors considered in sanctioning are defined in [as appropriate] the Student Handbook,

<http://www.fairmontstate.edu/files/institutionalforms/formrepo/2016-2017%20Student%20Handbook.pdf>;

the Faculty Handbook,

<http://www.fairmontstate.edu/files/institutionalforms/formrepo/16-17%20Faculty%20Handbook.pdf>;

and the Staff Handbook,

<https://www.fairmontstate.edu/publications/campushandbooks/employeehandbook.pdf>.

The following are the typical sanctions that may be imposed upon students or organizations singly or in combination:

1. STUDENT SANCTIONS(LISTED BELOW AND DEFINED IN STUDENT HANDBOOK)

- Warning
- Probation
- Suspension
- Expulsion
- Withholding Diploma
- Revocation of Degree
- Transcript Notation
- Organizational Sanctions
- Other Actions

2. EMPLOYEE SANCTIONS (LISTED BELOW AND DEFINED IN FACULTY AND EMPLOYEE HANDBOOKS)

- Warning – Written or Verbal
- Performance Improvement Plan
- Required Counseling

- Required Training or Education
- Demotion
- Loss of/Ineligibility for Raise or Pay Increase
- Suspension without Pay
- Suspension with Pay
- Revocation of Tenure
- Termination

3. SANCTIONING FOR SEXUAL MISCONDUCT

Any person found responsible for violating the Non-Consensual Sexual Contact policy (where no intercourse has occurred) will likely receive a sanction ranging from probation to expulsion, depending on the severity of the incident, and taking into account any previous disciplinary violations.*

Any person found responsible for violating the Non-Consensual Sexual Intercourse policy will likely face a recommended sanction of suspension or expulsion (student) or suspension or termination (employee).*

Any person found responsible for violating the Sexual Exploitation or Sexual Harassment policies will likely receive a recommended sanction ranging from warning to expulsion or termination, depending on the severity of the incident, and taking into account any previous disciplinary violations.*

*The decision-making body reserves the right to broaden or lessen any range of recommended sanctions in the case of serious mitigating circumstances or egregiously offensive behavior. Neither the initial hearing officers nor any appeals body or officer will

deviate from the range of recommended sanctions unless compelling justification exists to do so.

SECTION 5. ADDITIONAL POLICY PROVISIONS

1.ATTEMPTED VIOLATIONS

In most circumstances, the University will treat attempts to commit any of the violations listed in this policy as if those attempts had been completed.

2.FALSE REPORTS

The University will not tolerate intentional false reporting of incidents. It is a violation of the *Student Code of Conduct* and the Faculty and Staff handbooks to make an intentionally false report of any

policy violation, and it may also violate state criminal statutes and civil defamation laws.

3. AMNESTY FOR VICTIMS AND WITNESSES

The University community encourages the reporting of misconduct and crimes by victims and witnesses. Sometimes, victims or witnesses are hesitant to report to University officials or participate in resolution processes because they fear that they themselves may be accused of policy violations, such as underage drinking at the time of the incident. It is in the best interests of this community that as many victims as possible choose to report to University officials, and that witnesses come forward to share what they know. To encourage reporting, the University pursues a policy of offering victims of misconduct and witnesses amnesty from minor policy violations related to the incident.

Sometimes, students are hesitant to offer assistance to others for fear that they may get themselves in trouble (for example, a student who has been drinking underage might hesitate to help take a sexual misconduct victim to the Campus Police). The University pursues a policy of amnesty for students who offer help to others in need. While policy violations cannot be overlooked, the University will provide educational options, rather than punishment, to those who offer their assistance to others in need.

4. PARENTAL NOTIFICATION

The University reserves the right to notify parents/guardians of dependent students regarding any health or safety risk, change in student status or conduct situation, particularly alcohol and other drug violations. The University may also notify parents/guardians of non-dependent students who are under age 21 of alcohol and/or drug policy violations. Where a student is non-dependent, the University will contact parents/guardians to inform them of situations in which there is a significant and articulable health and/or safety risk. The University also reserves the right to designate which University officials have a need to know about individual conduct reports pursuant to the Family Educational Rights and Privacy Act.

SECTION 6. REPORTING AND FILING COMPLAINTS

1. REPORTING REQUIREMENTS

All University employees (faculty, staff, administrators) are expected to immediately report actual or suspected discrimination or harassment to appropriate officials, though there are some limited exceptions. On campus, some resources may maintain confidentiality – meaning they are not required to report actual or suspected discrimination or harassment to appropriate University officials - thereby offering options and advice without any obligation to inform an outside agency or individual unless a victim has requested information to be shared. Other resources exist for a victim to report crimes and policy violations and these resources will take action when an incident is reported to them. The

following describes the two reporting options at the University:

2. CONFIDENTIAL REPORTING

If a reporting party would like the details of an incident to be kept confidential, the reporting party may speak with:

- On-campus licensed professional psychologists, counselors, and staff
- On-campus health service providers and staff
- On-campus Victim Advocate
- Off-campus:
 - o Licensed professional counselors
 - o Local rape crisis counselors
 - o Domestic violence resources,
 - o Local or state assistance agencies,
 - o Clergy/Chaplains

All the above employees will maintain confidentiality except in extreme cases of immediate threat or danger, or abuse of a minor. Campus counselors are available to help free of charge and can be seen on an emergency basis during normal business hours. These employees will submit timely anonymous, aggregate statistical information for Clery Act purposes unless they believe it would be harmful to a specific client or patient.

3. MANDATORY REPORTING

All University employees have a duty to report sexual harassment or discrimination of which they become aware, unless they fall under the “Confidential Reporting” section below. Employees must share all details of the reports they receive. Generally, climate surveys, classroom writing assignments, human subjects research, or events such as Take Back the Night marches or speak-outs do not provide notice that must be reported to the Coordinator by employees. Remedial actions may result without formal University action.

If a victim does not wish for their name to be shared, does not wish for an investigation to take place, or does not want a formal resolution to be pursued, the victim may make such a request to the Title IX Coordinator, Title IX Investigator or Deputy Coordinators, who will evaluate that request in light of the duty to ensure the safety of the campus and comply with federal law. In cases indicating pattern, predation, threat, weapons and/or violence, the University will likely be unable to honor a request for

confidentiality. In cases where the victim requests confidentiality and the circumstances allow the University to honor that request, the University will offer interim supports and remedies to the victim and the community but will not otherwise pursue formal action. A reporting party has the right, and can expect, to have reports taken seriously by the University when formally reported, and to have those incidents investigated and properly resolved through these procedures.

Formal reporting still affords privacy to the reporter, and only a small group of officials who need to know will be told. Information will also be shared as necessary with investigators, witnesses, and the responding party. The circle of people with this knowledge will be kept as tight as possible to preserve a reporting party's rights and privacy

Reports or complaints may be filed with, as appropriate, the Title IX Coordinator or Title IX Investigator. Reports can be made via email, phone, in writing or in person. Reports may also be made online at:

<https://www.fairmontstate.edu/adminfiscalaffairs/humanresources/title-ix-information-report-sexual-discrimination-assault-or-misconduct>.

TITLE IX COORDINATOR

The Title IX Coordinator oversees the University's compliance with Title IX, including the resolution process described in the *Title IX Investigation and Resolution Process*. Inquiries about and reports regarding sexual harassment issues and/or these procedures may be made internally to:

Jessica Kropog-Furgason, Chief Title IX Investigator

Title IX Coordinator

Wallman Hall 102

1201 Locust Avenue

Fairmont, WV 26554

Jessica.Kropog@fairmontstate.edu

Individuals may also contact the Department of Education's Office for Civil Rights, who oversees enforcement of Title IX:

Office for Civil Rights (OCR)

U.S. Department of Education

400 Maryland Avenue, SW

Washington, DC 20202-1100

Customer Service Hotline #: (800) 421-3481

Phone: (877) 521-2172

Fax: (202) 453-6012

Email: OCR@ed.gov

Web: <http://www.ed.gov/ocr>

Employees may also contact the Equal Employment Opportunity Commission (EEOC)

Contact: <http://www.eeoc.gov/contact/>

U.S. Equal Employment Opportunity Commission

Pittsburgh Area Office

William S. Moorhead Federal Building

1000 Liberty Avenue, Suite 1112

Pittsburgh, PA 15222

Phone: 412-395-5902, Fax: 412-395-5749

SEXUAL MISCONDUCT AND OTHER IMPORTANT DEFINITIONS

Fairmont State University reaffirms its commitment to a campus community free from sexual misconduct in all its forms. This commitment involves continuing efforts to eliminate all forms of harassment, sexual misconduct, and interpersonal violence. These efforts include education and preventative programming, personnel training, establishment of procedures which ensure the protection of individual rights, and resources for those who believe they have experienced such conduct. Sexual misconduct may occur across a broad spectrum and between persons of the same or opposite sex. The institution prohibits all variations of sexual misconduct.

The following is a non-exhaustive list of prohibited sexual misconduct, as well as important definitions.

Sexual Harassment:

Sexual Harassment includes “sex-based harassment” and “gender-based harassment” and is any unwelcome conduct of a sexual nature, including, but not limited to, unwelcome sexual advances; requests for sexual favors; or other verbal or nonverbal conduct of a sexual nature, including rape, sexual assault, and sexual exploitation. In addition, depending on the facts, dating violence, domestic violence, and stalking may also be forms of sexual harassment.

Unwelcome Conduct:

Conduct is considered “unwelcome” if a person did not request or invite it and considered the conduct to be undesirable or offensive. Unwelcome conduct may take various forms, including name-calling, graphic or written statements (including the use of cell phones or the Internet), or other conduct that may be physically threatening, harmful, or humiliating. Unwelcome conduct does not have to include intent to harm, be directed at a specific target, or involve repeated incidents.

Hostile Environment:

Hostile Environment exists when sexual harassment/misconduct is sufficiently serious to deny or limit a person’s ability to participate in or benefit from the College’s programs or activities. A hostile environment can be created by anyone involved in the College’s programs or activities. The College will work to make a reasonable determination if a hostile environment exists.

Quid Pro Quo Harassment:

Quid Pro Quo Harassment may occur when anyone in a position of power or authority over another uses any academic or supervisory reward to subject such other person to unwanted sexual attention or subject such other person to verbal or physical conduct of a sexual nature. In general, quid pro quo sexual harassment means unwelcome sexual advances, requests for sexual favors, or other verbal and physical conduct of a sexual nature by one in a position of power or influence when:

1. Submission by an individual is made either as an explicit or implicit term of condition of employment or of academic standing; or
2. Submission to or rejection of such conduct is used as the basis for academic or employment decisions affecting that student or employee.

Sexual Assault:

Sexual Assault involves actual or attempted sexual contact with another person without that person’s consent. Sexual assault includes, but is not limited to: intentional touching of another person’s

intimate parts without that person's consent; or other intentional sexual contact with another person without that person's consent; or coercing, forcing, or attempting to coerce or force a person to touch another person's intimate parts without that person's consent; or rape, which consists of penetration, no matter how slight, of the vagina or anus with any body part or object, or oral penetration by a sex organ of another person, without the consent of the victim.

Sexual assault can be committed by persons of the same sex as well as those of the opposite sex.

Students, faculty members and staff members should understand that forced or unwanted sexual intercourse or sexual contact (as defined above), whether it involves a stranger or an acquaintance, is sexual assault.

Sexual Exploitation and Intimidation:

Sexual Exploitation and Intimidation occurs when a person takes sexual advantage of another person for the benefit of anyone other than that person without that person's consent. Examples could include prostitution, recording and/or distributing and/or viewing of images/audio of another person without their consent, and voyeurism. Anyone who engages in a sexual relationship with a person over whom he or she has any degree of power or authority must understand that the validity of the consent involved can and may be questioned. Students, faculty members and staff members should understand that apparently consensual sexual relationships, particularly those between individuals of unequal status, may be (or may become) a violation of the Sexual Misconduct Policy.

Stalking:

Stalking is defined as engaging in a course of conduct directed at a specific person that would cause a reasonable person to fear for his/her safety or the safety of others or suffer substantial emotional distress.

Domestic and Intimate Partner Violence:

Domestic and Intimate Partner Violence is a felony or misdemeanor crime of violence committed by a current or former spouse or intimate partner of the victim, a person with whom the victim shares a child in common, a person who is cohabitating with or has cohabitated with the victim as a spouse or intimate partner, a person similarly situated to a spouse of the victim under the domestic or family violence laws of Texas, or by any other person against an adult or youth victim who is protected from that person's acts under the domestic or family violence laws of the State of Texas.

Dating Violence:

Dating Violence is violence committed by a person who is or has been in a social relationship of a romantic nature or intimate nature with the victim; and, whereas the existence of such a relationship shall be determined based on the reporting party's statement and with consideration of the length of the relationship, and the frequency of interaction between the persons involved in the relationship.

Consent:

Consent is knowing, voluntary, and clear permission to engage in sexual activity or contact. Each party is responsible for making certain consent is given and continued throughout the encounter. A person can withdraw consent at any time, through words or actions. Silence or absence of resistance does not constitute consent. Past consent does not confirm future consent; consent to specific activity does not imply consent to other activity; and consent with one person does not constitute consent with another person. Current or past relationships do not sufficiently constitute consent. Texas State law requires persons be 17 years of age to give consent. Consent cannot be given if force or threat of force has been used to coerce sexual activity or if a party is incapacitated.

Incapacitation:

A person is mentally or physically incapacitated when that person lacks the ability to make or act on considered decisions to engage in sexual activity. Such reasons for incapacitation include the use of drugs or alcohol either voluntarily or involuntarily, being asleep or unconscious, or an intellectual or other disability that prevents a party from having the capacity to consent. Engaging in sexual activity with a person whom you know – or reasonably should know – to be incapacitated constitutes sexual misconduct.

False Accusations:

A false complaint of sexual misconduct can place a permanent stigma on a member of the Fairmont State University regardless of the outcome of an investigation. Therefore, false accusations are prohibited and are violations of College policy. The College reserves the right to redress through appropriate College protocol any complaint, accusation, or testimony found through an investigation to be brought in bad faith or knowingly false. This provision does not apply to reports made in good faith, even if the allegations in the report are not substantiated through an investigation.

Retaliation:

Retaliation is defined as any adverse action taken against a person either bringing a complaint of misconduct or accused of misconduct. Retaliation could include, but is not limited to, threats, intimidation, coercion, or discriminatory action. Retaliation against an individual who brings a

complaint, participates in an investigation, or pursues a criminal charge is prohibited, and will not be tolerated. Retaliation against those accused of sexual misconduct is also prohibited.

CONFIDENTIALITY

Fairmont State University is committed to protecting the privacy of any individual(s) involved in allegations of sexual misconduct. Should a reporter/complainant choose to make a report/bring a formal complaint, investigations of sexual misconduct are done so with respect for confidentiality. Every effort will be made to ensure confidentiality to the extent feasible in order to allow the institutions to conduct a thorough review of allegation(s). Names and details of the incident will not be shared with anyone outside of the investigative effort, hearing process, and will only be shared with those who must know in order to assist in the review, investigation, or resolution of a report. If the complainant requests confidentiality, the Title IX Coordinator will weigh the request for confidentiality or no investigation against the institution's ability to conduct an investigation without revealing identifiable information, the seriousness of the alleged conduct, and the threat to the campus community.

It is important to remember when sharing an incident that different employees have different responsibilities regarding confidentiality. As noted herein, responsible employees are required to report all details of an incident (including the identities of both the complainant and the alleged perpetrator) to the Title IX Coordinator.

CREATING A CONSTITUTION AND BYLAWS FOR REGISTERED STUDENT ORGANIZATIONS

What is a constitution?

A constitution contains the fundamental principles that outline the purpose, structure, and limits of an organization. Essentially, the constitution provides a foundation upon which an organization operates.

Why are RSOs required to have a Constitution?

A student organization constitution:

- o Clarifies the purpose of the organization and outlines the basic structure of the organization
- o Provides the cornerstone for building an effective organization/group
- o Allows members and potential members to have a better understanding of what the organization is all about and how it functions.

What are Bylaws?

Bylaws are secondary principles that govern the internal affairs of an organization. Bylaws are essentially an expansion of the articles or sections of the constitution. They describe in detail the procedures and steps the organization must follow in order to conduct business effectively and efficiently.

Why are student organizations required to have Bylaws?

Bylaws can be helpful in the organization's operations. The constitution covers the fundamental principles but does not provide specific procedures for operating your organization. Bylaws should set forth in detail the procedures your group must follow to conduct business in an orderly manner. They provide further definition to the provisions contained in the constitution and can be changed more easily as the needs of the organization change.

Creating a Constitution and Bylaws

A constitution and bylaws typically have the following items. Feel free to use the checklist below and the sample constitution and bylaws that follow to assist you in developing your own.

Bylaws Checklist

- Article 1 – Officers
- Article 2 – Powers and duties of officers
- Article 3 – Qualifications to hold office
- Article 4 – Elections
- Article 5 – Executive Board/Committee
- Article 6 – Campus Advisor(s)
- Article 7 – Meetings/Voting
- Article 8 – Special Committees
- Article 9 – Finances
- Article 10 – Discipline of Members
- Article 11 – Dissolution
- Article 12 – Non-Hazing Clause
- Article 13 – Impeachment
- Article 14 – Vacancy of Office
- Article 15 – Amendments

Constitution Checklist

- Article 1 – Name of organization
- Article 2 – Purpose of organization
- Article 3 – Authority
- Article 4 – Membership
- Article 5 – Officers
- Article 6 – Meetings
- Article 7 – Campus Advisor
- Article 8 – Finances
- Article 9 – Discipline
- Article 10 – Amendments and Ratification

APPENDIX C:

SAMPLE CONSTITUTION

CONSTITUTION

[Name of Organization] at
Fairmont State University

ARTICLE I NAME

Section 1 The name of this organization shall be the [Name of Organization] at Fairmont State University [Optional: Include chapter designation if part of a national organization and/or the organization's founding date]

ARTICE II PURPOSE

Section 1 The purpose of this organization is to [insert organization's mission or purpose statement].

ARTICLE III AUTHORITY

Section 1 This organization is a recognized student organization at Fairmont State University and adheres to all campus policies as set forth in the *Fairmont State University Code of Student Conduct and the Student Organization Handbook*..

Section 2 [If applicable]: This organization is affiliated with [Name of National or Affiliated Organization] and adheres to the [National of Affiliated Organization Bylaws or Governing Document(s)].

Section 3 This organization will establish bylaws to govern administrative and procedural matters (such as time and location of meetings, etc.). Bylaws shall not conflict with this constitution. Bylaws may be adopted, amended, or temporarily suspended by a majority vote present at an organization meeting where a quorum is present (advance notice is not required).

ARTICLE IV MEMBERSHIP

Section 1 Membership in the organization shall be open to those regularly enrolled Fairmont State University students who [State eligibility criteria or qualifications for membership].

Section 2 Eligibility for membership or appointed or elected student officer positions may not be limited on the basis of race, religion, national origin, ethnicity, color, age, gender, gender identity,

marital status, citizenship, sexual orientation, or disability. The organization shall have no rules or policies that discriminate on the basis of race, religion, national origin, ethnicity, color, age, gender, gender identity, marital status, citizenship, sexual orientation, or disability.

Section 3 [Optional]: Some organizations have additional categories of membership, such as honorary membership. If this applies, include the categories of membership along with associated requirements and privileges.

Section 4 [Optional]: Membership in some organizations is by invitation. If this applies, indicate who is authorized to extend an invitation to join and, the selection process and vote required.

Section 5 [Optional]: Some organizations have a probationary period for new members before they become full members. If this applies, state the length of the probationary period, privileges and voting rights of probationary members, requirements and process to obtain full membership, the process and vote required to dismiss a probationary member, and the vote required to obtain full membership.

Article V OFFICERS

Section 1 The officers of the [insert name of student organization] shall be a PRESIDENT, VICE PRESIDENT, SECRETARY AND TREASURER **[Optional]: insert the name of additional officer's if there are more or change the name to make them reflect what the organization will call them.**

Section 2 In order to run for office in in the [insert name of student organization], members must have a minimum cumulative grade point average (C.G.P.A) of 2.25.

Section 3 While in office officers must maintain a 2.0 C.G.P.A. and must not have below 2.0 for more than one semester.

Section 4 Officers must be a matriculated student and be in good standing with his or her college.

Section 5 All officers serve for a term of ONE (1) YEAR or until their successors shall be duly elected and qualified.

Section 6 Any officer who, during the term of his/her office, ceases to be a voting member, or fails to maintain his/ her status as a matriculating undergraduate/graduate student maintaining a 2.3 C.G.P.A., in good academic and disciplinary standing with their respective college, shall be removed from his/her office and a replacement shall he elected.

Article VI MEETINGS

Section 1 Regular meetings shall be held [insert when meeting times; i.e. weekly, bi-weekly, monthly] during the academic year.

Section 2 Special meetings may be called by the President or a majority of the Executive Committee. All

members must be given a minimum of 24 hours' notice prior to the meeting time.

Section 3 [Optional]: Business cannot be conducted unless a quorum of the membership is present. A quorum for this organization is defined as a majority of the voting membership. [Note: Organizations may choose to have a lower quorum, such as one-third, or a specific number of members.]

Section 4 Members must be present to vote.

Section 5 In order to vote a member must be in good standing. [State what constitutes "good standing."

This may include payment of dues, meeting attendance requirement, academic requirement, etc. If there is an attendance requirement, specify the number of excused and/or unexcused absences that results in loss of voting privileges, and define what constitutes an excused absence, if applicable.]

ARTICLE VII CAMPUS ADVISOR(S)

Section 1 The [insert student organization name] shall have a Campus Advisor who will be a full-time Fairmont State University faculty, staff, or administration member. The advisor will fulfill the responsibilities specified in the Advisor Handbook. Advisors shall serve on an academic year basis or until their successor has been selected.

ARTICLE VIII FINANCES

Section 1 [Optional]: Membership dues shall be [insert amount, i.e. \$XX per semester or year].

Section 2 [Optional]: Dues shall be paid by [Specify due date, such as "second week of each semester."]

Section 3 [Optional]: Members who have not paid their dues or special assessments by the due date shall be considered as not being in good standing and shall lose all membership privileges, including voting, until the dues are paid.

Section 4 Organization funds shall not be used to purchase or reimburse members for alcoholic beverages.

ARTICE IX DISCIPLINE OF MEMBERS

Section 1 All members of the [insert organization name] are expected to uphold the rules and regulations

of the Fairmont State University Student Code of Conduct and adhere to the policies and procedures set for in the Fairmont State University Student Organization Policies.

Section 2 Members that violate the Student Code of Conduct and Student Organization policies may face disciplinary action.

ARTICLE X AMENDMENTS

Section 1 Proposed amendments to this constitution shall be presented to the membership, in writing,

one meeting prior to the meeting where the amendment will be voted upon. **[Optional]: The**

Executive Committee and/or Bylaws Committee shall review and make recommendations on all bylaw revisions prior to consideration by the membership.

Section 2 Constitution amendments require approval by two-thirds of the voting members present at a regular meeting. The amendment shall be effective immediately unless otherwise stipulated in the amendment.

Section 3 A copy of any amendments to this constitution must be submitted to the Office of Student Activities within two weeks after adoption.

BYLAWS

[Name of Organization] at Fairmont State University

Section I The officers of the [insert student organization name] shall be the:

- a. [insert titles of officer]
- b. [insert titles of officer]
- c. [insert titles of officer]
- d. [insert titles of officer]

Section II Powers and Duties of Officers:

a. The President shall serve as the chief executive officer of the organization, shall preside at all meetings of the organization, and shall prepare the agenda for meetings. The President shall appoint all committees and committee chairs. The President shall have other powers and duties as may be prescribed by the organization. The President shall participate in the yearly President's Training offered by the Student Life Office.

b. The Vice President shall preside at organization meetings in the absence of the President. The Vice President shall perform all legal duties assigned by the President. The Vice President shall assume the office of President if the office becomes vacant.

c. The Treasurer shall handle all financial affairs and budgeting of the organization, maintain all necessary accounting records, and prepare financial reports for the membership.

d. The Secretary shall take minutes at all meetings of the organization, keep these on file, and submit copies to organization members upon request. The Secretary shall be responsible for all organization correspondence and shall keep copies on file. The Secretary shall maintain membership records for the organization.

e. [Optional]: List duties of any additional elected or appointed officers

Section III Qualifications necessary to hold office in the [insert name of the organization] are as follows:

a. The Office of Student Activities policies require that to be eligible for office, candidates must be in good academic and disciplinary standing and regularly enrolled students at the Fairmont State University. Additionally, students must have at least a 2.25 C.G.P.A. to be eligible to hold an office.

b. No member may hold more than one office. No member may serve more than two years in the same office.

Section IV Elections

a. Elections are held near the end of spring semester and shall take place at a regularly scheduled meeting of the organization at which a quorum is present. At least one week's notice shall be provided for any meeting at which an election is to be held.

b. Nominations for officers shall be made at the regular meeting immediately preceding the election. Nominations may also be made from the floor immediately prior to the election for each office. Members may nominate themselves for an office.

c. Officers shall be elected by majority vote. If no candidate receives a majority vote, a runoff election shall be held between the two candidates receiving the highest number of votes.

d.Votes shall be cast by secret ballot; however, when there is only one candidate for an office, a motion may be made to elect the candidate.

Section V Executive Board/Committee

a.The Executive Committee shall consist of the elected and appointed officers, with the advisor(s) serving as non-voting member(s).

b.The Executive Committee shall have general supervision of the affairs of the organization between meetings and is authorized to take action when action must be taken prior to the next meeting.

c.The Executive Committee shall report to the membership all actions taken between meetings. Except when it is too late to do so (such as when a contract has been executed), any actions taken by the Executive Committee may be rescinded or modified by the membership by a majority vote.

Section VI Campus Advisor

a.The advisor shall fulfill the responsibilities specified in the Advisors Handbook provided by the Office of Student Activities. Advisors shall serve on an academic year basis or until their successor has been selected.

Section VII Meetings and Voting

a.Regular meetings shall be scheduled [insert day if you know it, otherwise just say during the academic year] during the academic year.

b.Special meetings may be called by the President or a majority of the Executive Committee. All members must be given a minimum of 24 hours' notice prior to the meeting time.

c.Business cannot be conducted unless a quorum of the membership is present. A quorum for this organization is defined as a majority of the voting membership.

d.Members must be present to vote. Absentee or proxy voting is not permitted.

e.In order to vote a member must be in good standing.[State what constitutes "good standing." This may include payment of dues, meeting attendance requirement, academic requirement, etc. If there is an attendance requirement, specify the number of excused and/or unexcused absences that results in loss of voting privileges, and define what constitutes an excused absence, if applicable.]

Section VIII Special Committees

a.[OPTIONAL]: IF YOU HAVE SPECIAL COMMITTEES, LIST THEIR NAMES AND DUTIES; OTHERWISE DELETE THE FIRST LINE AND LEAVE THE LAST TWO].

b.Special Committees may be established by the Executive Board and shall perform such duties as defined in their establishment.

c.The Executive Board shall appoint, and may remove, committee members and a Chairperson for each committee.

Section IX Finances

a.[Optional/if applicable]: Membership dues shall be [\$XX per semester or year].

b.[Optional/if applicable]: Dues shall be paid by [Specify due date, such as "second week of each semester."]

c.[Optional/if applicable]: Members who have not paid their dues or special assessments by the due date shall be considered as not being in good standing and shall lose all membership privileges, including voting, until the dues are paid.

d.Occasionally the [insert name of organization]may need to assess a fee or collect money from the membership for special events/purposes. The amount of money collected shall be determined by a majority of the membership at a regularly scheduled meeting.

e.Organization funds shall not be used to purchase or reimburse members for alcoholic beverages.

Section X Discipline of members

a.When a member believes that another member has engaged in conduct that is detrimental to the organization, a conversation should be held with either the Campus Adviser or the Coordinator of Student Activities.

b.If warranted, a written charge may be filed with the Coordinator of Student Activities. The Coordinator of Student Activities shall review the charge(s) and may conduct a preliminary investigation if deemed appropriate. If the preliminary investigation concludes that misconduct appears to have occurred, the Coordinator of Student Activities work with the Executive Committee to determine if any sanctions are warranted. Possible sanctions may include expulsion, suspension, or lesser sanction(s) including, but not limited to, a reprimand, removal from office, a fine or other corrective remedies.

Section XI Dissolution

a.Upon the dissolution of the [insert student organization name] for any reason, all work, funds, and property controlled by the organization will be (action that will be taken).

Section XII Non-Hazing Clause

a. The laws of the state of West Virginia concerning hazing shall be observed.

b. Hazing shall be defined as any action or situation which recklessly or intentionally endangers the mental or physical health or safety of another person or persons or causes another person or persons to destroy or remove public or private property for the purpose of initiation or admission into or affiliation with, or as a condition for continued membership in, any organization operating under the sanction of or recognized as an organization by an institution of higher education. The term includes, but is not limited to, any brutality of a physical nature, such as whipping, beating, branding, forced consumption of any food, liquor, drug or other substance, or any other forced physical activity which could adversely affect the physical health and safety of the individual or individuals, and includes any activity which would subject the individual or individuals to extreme mental stress, such as sleep deprivation, forced exclusion from social contact, forced conduct which could result in extreme embarrassment, or any other forced activity which could adversely affect the mental health or dignity of the individual or individuals, or any willful destruction or removal of public or private property: *Provided*, That the implied or expressed consent or willingness of a person or persons to hazing shall not be a defense under this section.

c. Actions and activities, which are explicitly prohibited, include, but shall not be limited to the following:

I. Any activity that creates a substantial risk of physical or mental harm.

II. Paddling, beating, or hitting individuals.

III. Wearing anything designed to be degrading or to cause discomfort.

IV. Depriving individuals of the opportunity to obtain a minimum of six hours of sleep per day, proper and adequate means, or access to means, of maintaining body cleanliness.

V. Activities that interfere with an individual's academic efforts by causing exhaustion or loss of reasonable study time.

Section XIII Impeachment

ANY MEMBER MAY INITIATE OFFICERS REMOVAL BY THE FOLLOWING PROCEDURE.

a. Petition Executive Board with signatures of 1/3 of all voting members petition should state reason for removal.

b. Executive Board shall then notify officers and call for removal vote within fourteen days of the filing of the petition.

c. Memberships shall be notified at least one week prior to removal vote meeting.

d. At the meeting for removal, the petition's stated grievances shall be made public and the officer charged shall be allowed to respond to the charges of the petition.

e. Removal from office shall require a vote of 2/3 of all voting members.

Section XIII Vacancy of Office

a. In case of resignation or removal of any officer, the Executive Board shall appoint an interim acting officer.

b. The President shall call for an election within fourteen days after vacancy of any office.

c. Elections shall be conducted as stated in the bylaws.

d. Should the office of President become vacant, the Vice-President should complete the President's unexpired term and call for an election for Vice-President consistent with elections process set forth in the bylaws.

Section XV Amendments

a. Proposed amendments to these bylaws shall be presented to the membership, in writing, one meeting prior to the meeting where the amendment will be voted upon. **[Optional]: The Executive Committee and/or Bylaws Committee shall review and make recommendations on all bylaw revisions prior to consideration by the membership.**

b. Bylaw amendments require approval by two-thirds of the voting members present at a regular meeting. The amendment shall be effective immediately unless otherwise stipulated in the amendment.

c. A copy of any amendments to these bylaws must be submitted to the Office of Student Activities within two weeks after adoption.

These bylaws were adopted on [insert date that you make edits] and most recently revised on [insert date of latest edits].