CSO’s Operating Protocol

Part I: General Provisions

1 – Title
These protocols shall be known as the “Committee on Student Organizations’ Operating Protocol” and may be cited individually by specific Protocol number or collectively by their title.

2 – Scope and Authority
A. These Protocols shall apply to any and all business conducted by the Committee on Student Organizations. Committee members and all persons having business before the CSO shall abide by the provisions of these Protocols, subject to the sanctions of Protocol 6. Should any Protocol or clause of a Protocol be rescinded or otherwise violated, no other Protocols shall be affected.

B. The Committee on Student Organizations shall, at its first meeting of every semester, revise this Operating Protocol as necessary. If the CSO is unable to review and revise the Operating Protocol as necessary, the current version will remain in effect.

3 – Definitions
a. “Appellant” refers to a person/entity who petitions for appeal
b. “Committee” refers to the entire Committee on Student Organizations (CSO), or all of CSO present at an hearing so long as quorum is achieved. Only the Committee may resolve cases where the recommended sanction is suspension or termination.
c. “CfLI” refers to the Center for Leadership & Involvement.
d. “Decision” refers to the action taken by a Hearing Body regarding a report of organization misconduct
e. “Reporter” refers to the person(s) who has/ve filed a report or petition.
f. “Respondent” refers to organization against whom a report or petition is filed.
g. “Hearing” refers to a public or private meeting of a Hearing Body at which reporters and respondents are involved and/or decisions are rendered.
h. “Hearing Body” refers to either Panels or the Committee when convened to resolve reports of organizational misconduct.
i. “Panel” refers to a subset of the Committee, comprised of three students and at least one but no more than two faculty/staff appointed to the Committee, convened to resolve reports of misconduct. May not resolve cases where the recommended sanction includes suspension or termination. Panels will elect a student member to serve as Chair at the beginning of any meeting. Panels will be scheduled at the start of each semester. Ad hoc panels may be convened as needed.
   • All hearing panels will be an option for all student members to attend.
j. “Party” refers to any person/entity having duty before the CSO; multiple parties on the same side of a hearing may be referred to as “co-parties”
k. “Quorum” refers to a majority of the duly appointed members of the CSO, where a student majority is present, which is needed for any business of the committee; Hearings only require a panel to operate.
4 – Open Forum
A. The right of members of the University of Wisconsin-Madison to be heard at all public meetings of the CSO is imperative; as such, Open Forum will be offered at each CSO business meeting.

B. At every public meeting, any member of the University of Wisconsin-Madison may by right communicate on any topic for a period of three minutes; such period may be extended by a majority vote of the CSO. Persons who are not members of the University of Wisconsin-Madison may communicate on any topic by leave of the CSO, done by a majority vote. All open forum topic must be germane to the purview of the Committee.

C. Open forum will be limited to a maximum of forty-five minutes unless extended by a majority vote of the CSO members present.

5 – Formatting Decision Letters
A. Decisions of the Hearing Body shall be included in a letter explaining the positions taken by the Panel or Committee. Every decision shall conform to the provisions of this Protocol. The decision shall include:
   a. background of the case;
   b. a list of the allegation(s) made against the RSO;
   c. decision(s) of the Hearing Body on those allegation(s);
   d. a rationale for each decision, based on a preponderance of the evidence, and the rationale for required sanctions.

B. Sanctions: At the conclusion of the decision, the CSO shall inform the parties involved in the matter of any sanctions that the CSO may deem necessary and appropriate.

C. Other Decisions: The Hearing Chair shall be responsible for authoring the decision letter. The Hearing Chair shall also be responsible for authoring the rationale to be included in the decision letter. Any member of the Hearing Body may by right have their names listed on the decision as having abstained or voted against the rationale and/or the official decision. Any member dissenting with the majority decision may choose to author his or her opinion, and have it be attached to the Hearing Body’s official decision. Dissenting opinions shall follow the same format set forth by the majority decision.

6 – Sanctions
A party’s failure to comply with any of these protocols shall be grounds for such sanctions as the CSO determines to be reasonable and proportionate to the offense, and sufficient to deter further violations.

7 – Suspension
These Protocols may be suspended in a particular instant by a majority vote of the panel or committee members present, excluding committee members recused from the case, in the interest of seeking the facts or greater understandings of the case. No general or indefinite suspension shall be issued; all suspensions must be to remedy specific problems or injustices.
8 – Posting
These Protocols, as well as CSO governing policies of the Center for Leadership & Involvement, shall be posted on the CfLI website and shall be available in the Center for Leadership & Involvement. Copies of CSO Agendas, Minutes, and Decisions may be requested from CfLI or CSO.

Part II: Hearings

9 – Filing of Report
A. Anyone may by right file a report of alleged policy violations or petition for relief against any registered student organization at the University of Wisconsin-Madison. Reports must comply with specifications set forth in the Policy on The Conduct and Discipline of Registered Student Organizations.

B. Once received, the CSO shall follow the procedures set forth in the Policy on The Conduct and Discipline of Registered Student Organizations.

10 – Notification Protocol
A. If a report is deemed to be timely and have potential violations of the codes of conduct, the organization will then receive notice of the report and the potential codes violated within 10 school days from when the CSO received the report.

B. This notice may:
   a. Invite the organization to a mutual resolution if deemed appropriate by the CfLI Director and CSO Chair
   b. Inform the organization of the report, potential violations and that an investigation has commenced and ask the organization to meet to discuss the report
   c. Dismiss the report

C. When notifying the organization, the contact information provided in WIN will be used.

D. The contact that should be notified are:
   - Primary Contact – email is sent to this person – with statement about other notifications to be made and the timelines for these notifications.

E. Once the RSO contact has been notified, notification will also be sent to the following contacts listed in WIN. This notice will occur within 3-5 school days of notice being sent to the RSO.
   - Advisor (if listed) – email is copied to this person
   - House Corporation President (if listed) – email is copied to this person – note: send to this contact only if involves organizational facility
   - Dual Registration Point of Contact – if organization is registered as a dual registration organization such as fraternity/sorority, engineering org, rec sports org, etc.
Note: Primary contacts of the RSOs will continue to be the main point of contact for the inquiry

F. Decision letters would be sent to these points of contacts with the same timelines that were used for reports.

11 – Pre-Hearing Requests
A. Each party may by right make any request deemed relevant to the report. Pre-hearing requests are requests made prior to the start of any hearing; they may be made in writing up to twenty-four hours prior to the start of a hearing, and may be made orally to the entire CSO at any point prior to the actual start of the hearing.

B. The Chair of Committee shall rule on each pre-hearing request up to 24 hours prior to the hearing. The Hearing Chair shall rule on each pre-hearing request brought to the Hearing Body prior to the hearing. Any member of the CSO may by right challenge the Chair’s ruling on requests; the ruling by the Chair shall be sustained by a majority vote of the Hearing Body members present.

12 – Disposition without a hearing
A. When a party fails to appear for a hearing that was properly convened and fails to offer any evidence to the CSO prior to the hearing, the Hearing Body may render a decision based on the information available to it.

B. Withdrawal – A reporter may, at any time prior to the start of the hearing, file a written request with the CSO to withdraw his or her report. Withdrawal of a report shall not result in automatic dismissal of the case, unless it is the only active report pertaining to a particular incident.

C. Multiple reports submitted regarding the same incident shall be considered as part of one case, and be resolved during the same hearing.

D. The Committee may review and approve Mutual Resolutions as set forth in the Policy on The Conduct and Discipline of Registered Student Organizations.

13 – Standard Hearing Agenda
A. All hearing proceedings shall be recorded through closing statements and excluding any Hearing Body deliberations.

B. Each party to a hearing shall be limited to thirty minutes total for opening and closing statements and the presentation of evidence; additional time may be extended by leave of the Hearing Body.

C. Any persons may request for a recess of no more than fifteen minutes, and the Hearing Chair shall rule on all such requests. The Hearing Chair shall have the authority to declare a recess during a meeting should he or she deem that such action is appropriate.
D. The Chair of the Hearing Body shall have the authority to remove any person who interrupts the proceedings.

14 – Information and Objections
A. Each party may by right submit any relevant information to the Hearing Body. Information may be either as an exhibit, police report, or any other forms of relevant information procured through the course of an investigation.

B. Any party may request any relevant information from any person, who shall be obligated to substantially comply. The Hearing Chair shall have the authority to compel information requested by a party, when the custodian of that information refuses to comply with a party’s request. Failure to comply with an order shall lead to sanctions as outlined in Protocol 6.

C. Should verbal statements be offered, opposing parties must have an opportunity to question any witnesses. If questioning a witness is not possible, then that witness may not offer statements. Statements obtained through the course of an investigation may be offered as evidence and/or exhibit, without it being considered as witness testimony. Questioning time shall NOT be included in the total presentation time, and may be done immediately following the initial examination, or during the opposing party’s own time.

D. A party may object to any evidence on the grounds of relevance, or failure to comply with the provisions of these Protocols. Relevant evidence is information that makes a fact necessary to prove a claim more or less likely. A majority of the Hearing Body must agree to sustain any objection, which precludes the use of the objectionable evidence.

15 – Decision
For each report heard, an Hearing Body shall render a decision on behalf of the CSO.

Part III: Appeals

16 – Grounds to Appeal
Sections 14, 15, and 16 of the Policy on The Conduct of Discipline of Registered Student Organizations shall govern appeals from the CSO.

Part IV: Organization Reinstatement Procedure

17 – Terminated Organization Reinstatement Procedure
According to the Policy on the Conduct and Discipline of Registered Student Organizations, termination means the revocation of a student organization’s status and privileges as a Registered Student Organization (RSO) for a length of time and according to terms to be determined by the Committee.
The following steps must be taken if an organization that has been formally terminated by the Committee on Student Organizations (CSO) seeks to have their status as an RSO reinstated.

A. Submit an application to the CSO for review and approval no later than 60 school days prior to the desired date of return. The desired date of return must be after the conclusion of the termination period listed in the termination decision letter.
   a. Within five school days of receiving an application, the CSO Chair or designee will send notice to representatives of the Center for Leadership & Involvement (CfLI) to collect and organize information relevant to the applying organization for review by the CSO.
   b. The applying organization must meet with representatives of CfLI for an orientation on RSO policies and guidelines prior to reinstatement proceedings.
   c. Applications can be submitted once per academic year from organizations that have been terminated.

B. At the formal CSO review, the terminated organization must present an Action Plan that has:
   a. Executive Board or equivalent leadership body roles and expectations within the organization.
   b. A comprehensive transition policy for the organization’s Executive Board or equivalent leadership body.
   c. A detailed description of the organization’s event procedures.
   d. A completed initial RSO application.

C. During this review, the CSO may:
   a. Ask further questions regarding the information provided within the Action Plan and other relevant information, including documented incidents that occurred while the organization was terminated.
   b. Request that the organization demonstrate its knowledge of the Policy on the Conduct and Discipline of Registered Student Organizations by identifying policy implications within provided case studies and effectively articulating how the organization would respond in such scenarios.

D. A decision regarding the reinstatement of the organization’s RSO status should be determined no later than ten school days following the CSO review.
   a. Two-thirds of the CSO must vote to approve the RSO status for this organization.

E. An organization must have complied with all sanctions in the original termination decision letter and an approved RSO application before being reinstated as an RSO.

F. No additional sanctions may be added to those listed in the original termination decisions as a result of this process.

Part V: Business Meetings

18 – Parliamentary Authority
   A. The Committee on Student Organizations shall follow Robert’s Rules of Order in a manner deemed necessary for the purpose of the Committee.
19 – Rights to Communicate
Only CSO members shall usually address the CSO, provided that other persons may communicate pursuant to Protocol 4. CSO members, by a majority vote of the CSO members present or Hearing Body, may yield to a non-CSO member when the issue under discussion involves their area of expertise. The rights of any person to communicate before the CSO, other than rights arising under Protocol 4, may be suspended or revoked by a vote of the majority of the CSO. Nothing in this Protocol shall be constructed so as to allow or require non-CSO member’s entry to a closed session of the CSO.

20 – Closed or Private Sessions
Pursuant to Wisconsin Open Records and Open Meeting Laws, the CSO may meet in closed session when discussing issue of a sensitive nature, or when determining the nature of pending hearing. Before going into closed session, the general nature must be on a previously posted agenda. Any member of the CSO may by right object to said closed session, and such objection shall be sustained by a majority vote of the CSO members present.

21 – Voting
A. Voting shall be done consistent with the parliamentary authority noted in Protocol 17, provided that, voting shall be by roll-call vote when (1) the question requires two-thirds majority to pass; (2) the CSO is deciding on a pending case.

B. Voting for the election of CSO Chair shall be done by secret ballot.

C. Voting by Unanimous Consent: any member of the CSO may by right request a Unanimous Consent on any matter he or she wishes, provided the matter is germane to the topic under consideration by the CSO. Any member of the CSO may by right choose to object to any Unanimous Consent request, at which point, any member of the CSO may by right request a roll-call vote on the same question.

22 – Standardized Forms
The CSO may, by majority vote, adopt and amend standardized forms for the submission of reports and other petitions or requests before the CSO. Any forms adopted pursuant to this Protocol shall be made publically available pursuant to Protocol 8.

23 – Amending the CSO’s Operating Protocol
Any Protocol included in the CSO’s Operating Protocol may be amended by a two-thirds vote of the CSO.