

Student Organizations Policy

Office/Contact: Dean of Students

Sources/Links:

SDBOR Policy 3:18 Recognition and Funding of Student Organizations

<https://www.sdbor.edu/policy/documents/3-18.pdf>

NORTHERN STATE UNIVERSITY

Policies and Guidelines

SUBJECT: Student Organizations

NUMBER: 3:3

1. Purpose

- a. This policy and its procedures implement SDBOR Policy 3:18 and set forth the provisions regarding the formation and funding of recognized student organizations at the University.
- b. This policy is designed to promote a learning environment that exposes and encourages students, faculty, and staff to explore a variety of ideological and political perspectives, events, and services. In order to facilitate a content neutral, but orderly student organizations program, the following regulations are imposed. This policy is consistent with Northern's mission of discovery, inquiry, and engagement for the benefit of our students, faculty, staff, city, state, and region.

2. Definitions

- a. HOLD.

3. Policy

- a. The University encourages students to participate in student organizations to harness the power of social interaction and experience and to prepare students to shoulder the civic and social duties inherent in human society and essential to popular government. Student organizations complement the formal curriculum and help students develop the degrees of principled judgment and applied intelligence they will need to serve as citizenry in a nation in which a free people is to govern itself.
- b. All student organizations at the University provide opportunities for the development of the skills in organizational government and operation. The activities conducted by some student organizations may focus primarily on engaging others in public dialogue, although for many others such engagement may be an isolated or occasional event.
- c. To foster the development of skills in organizational government and operation, student organizations must be directed by student decision-making and student responsibility for those decisions.
- d. The University affirms a policy of non-discrimination, as set forth in SDBOR Policy 1:18, about the formation of organizations and the selection of members. In compliance with SDBOR Policy 1:18, the University will recognize two (2) limited exceptions to the general requirement that organizations not restrict membership or participation on the basis of race, color, creed, religion,

national origin, ancestry, citizenship, gender identity, transgender, sexual orientation, age, disability, genetic information, military service membership, or veteran's status. Consistent with rights guaranteed under state and federal constitutions, SDBOR Policy 1:18 accommodates the distinctive characteristics of intimate associations or expressive associations.

i. Intimate associations involve distinctively personal aspects of life. Factors that suggest an organization should be treated as an intimate association include: (a) the relative smallness of the organization; (b) a high degree of selectivity in choosing and maintaining members of the organization; (c) the personal nature of the organization's purpose; and (d) the exclusion of nonmembers from the central activities of the organization.

1. A student organization that operates a residential facility for its membership would illustrate the kind of organization that might be classified as an intimate association, at least insofar as relates to limiting membership on the basis of gender.

ii. Expressive associations are created for specific expressive purposes, and they would be significantly inhibited in advocating their desired viewpoints if they could not restrict their membership based on race, color, creed, religion, national origin, ancestry, citizenship, gender, transgender, sexual orientation, age, disability, genetic information, military service membership, or veteran's status.

1. A student organization dedicated to the practice of a particular religious faith would illustrate the kind of organization that might be classified as an expressive association, at least insofar as relates to limiting membership on the basis of adherence to the tenants of that faith.

iii. Exceptions from the nondiscrimination policy will be made only to the extent necessary to accommodate the particular circumstance that warrants an exception; the overarching purpose of supporting student organization activities is to prepare students to act as citizens and leaders of a republican form of government, which by its nature permits discrimination against none.

1. By way of illustration, but not limitation, a student organization operating a residential facility for its membership may be allowed to limit membership on the basis of gender, but not on the basis of religion; a student organization dedicated to the practice of a particular religious faith may be allowed to limit membership on the basis of religion, but, absent any contrary doctrine of faith, not on the basis of gender.

e. Students may convert their organization into a recognized University student organization by satisfying the following requirements:

i. Complying with the applicable provisions of the Student Code of Conduct;

ii. Obtaining and complying with the procedures and guidelines set forth in the Organizations Recognition Procedures, which may be obtained from the Office of Student Involvement and Leadership;

iii. Filing with the Office of Student Involvement and Leadership; an,

1. Intent to Charter: a typewritten statement explaining the need for the organization and how the organization proposes to contribute to the quality of NSU student life. This statement should address the criteria outlined below.
 2. Advisor Agreement: a member of the NSU faculty or staff (required) who agrees in writing to advise the proposed organization.
 3. Organization Registration: obtain application from Office of Student Involvement & Leadership.
 4. Organization Constitution: digital copies preferred, but two (2) typewritten may be submitted.
 - a. Sample constitutions should be requested from Assistant Director of Student Involvement and Leadership
 5. Membership Roster: at least five (5) NSU students who are members of the organization.
 6. Special Approvals
 - a. University Media Board: approval required for campus media groups.
 - b. Intramural Director: approval required for recreational and club sports.
- iv. Ensuring constitutional and organization compliance with the regulations and policies as set forth by the SDBOR and the University.
- f. Upon satisfactory completion of the Organizations Recognition Procedures, the Office of Student Involvement and Leadership will assist the potential new organization through the recognition process, which involves review by the Student Organization Recognition Committee (SORC) and the Student Government Association (SGA).
- i. Preliminary Review: The Assistant Director of Student Involvement and Leadership (ADSIL) reviews all paperwork to ensure all is provided and submits to The Student Government Association Student Organization Review Committee (SORC). SORC reviews the completed application, recommends, or requires changes to ensure compliance with university policies, and forwards the application to Student Government Association with recommendations for action.
 - ii. Presentation to the Student Government Association: The Student Government Association (SGA) reviews new charter applications. The Student Government Association must then vote on the application within two weeks or at its next regularly scheduled meeting after receiving a request from the new organization to appear before the Student Senate for approval review.
 1. The SORC notifies the proposed organization that the application has been forwarded to the Student Government Association for action and includes the meeting date and time that the organization is to appear before Student Government Association.
 2. A representative is required to make the presentation to the Student Government Association to explain the need for the organization and how the organization proposes to contribute to the quality of student life at NSU. Additionally, the representative should be prepared to respond to any

questions regarding the application, proposed constitution, or other relevant information.

iii. Student Government Association Approval Procedure: If approved and passed, the Student Government Association forwards its recommendation within one week to the Assistant Director of Student Involvement & Leadership (ADSIL) for final review. The ADSIL sends the newly recognized organization a letter informing it of its status as a recognized organization with all the rights and responsibilities therein. If the Student Government Association recommends denial of recognition, the Student Government Association vice-president shall send a letter to the proposed organization providing specific reasons and the rationale for denial of recognition. The proposed organization may appeal a denial to the Assistant Director of Student Involvement and Leadership.

g. Each organization must have an advisor registered with the Office of Student Involvement and Leadership. Any full-time faculty or staff may serve as an advisor to a recognized student organization.

i. The advisor and the student leadership of the organization will decide on the scope of the advisor's responsibilities, but in no manner will an advisor be given the responsibility or authority to make decisions for the student organization. The advisor will only advise on the exercise of responsibilities by the student leadership and will not have the authority to control the policy of the organization or their expressive activities. The student organization's leadership, with the advice of the advisor, is to monitor and be responsible for the budgeting and expenditure of the organization's funds.

h. To maintain recognition status, all student organizations must comply with the following provisions:

i. Submit a renewal to update contacts, roster, and officers every spring as directed by the Office Student Involvement and Leadership.

ii. Anytime a change in contacts, rosters, and/or officers is made, update appropriate information in immediately to ensure proper communication is held between the organization and the Office of Student Involvement and Leadership.

iii. Appoint or retain a registered advisor.

iv. Refrain from appropriating funds for the enrichment of any officer, member, or associate, and to use its funds for the direct benefit of the organization and in fulfillment of its purpose.

v. Comply with any audit of organizational funds in on-campus accounts by the Finance Office, or if the organization has an account outside the University, any audit authorized by the Student Budget Appropriations Committee (SBAC).

vi. Draft a satisfactory constitution and keep it updated.

vii. Adhere to all applicable federal, state, and local laws, as well as SDBOR and University policies.

viii. Regarding changes in a recognized student organization's constitution:

- i. Any organization that revises its constitution without major changes in name, purpose, structure, or function must submit a copy to the Office of Student Involvement and Leadership.
 - ii. In the event of any major constitutional changes in name, purpose, structure, or function, the organization must submit a copy of the revised constitution to the Office of Student Involvement and Leadership. The constitution will then be forwarded to the Student Organization Recognition Committee (SORC) for their review.
- i. If a renewal form is not provided during the spring renewal period, the Office of Student Involvement and Leadership will contact the lead officer of the recognized student organization to assess its status. If a renewal form has not been received by the end of the renewal period, the organization will be moved to frozen status with temporary loss of privileges associated with active recognized student organizations. If no request for renewal is made within one month following the move to frozen status, the organization will be placed on inactive- status and lose all privileges associated with active recognized student organizations.
 - i. An inactive organization may request reactivation by submitting a copy of an up-to-date constitution and renewal application to the Office of Student Involvement and Leadership.
- j. Any recognized student organization that fails to comply with this policy will be subject to the Student Conduct Code.
- k. Officers and members of the sponsoring recognized student organization are responsible for and will be held accountable in their organizational capacity and as students of the University for proper conduct at social functions and organized events and for any expenses accrued by the recognized student organization against the University. This includes security of persons and property. The University reserves the right to limit admission to events held on campus or in university-controlled facilities.
- l. Recognized student organizations are not agents of the University, are not endorsed by the University, exist outside the control of the University, existed before receiving recognition status, exist independently of their recognition status, and are entirely responsible for contracts entered in the name of the recognized student organization or any liabilities incurred by the recognized student organization and its members acting in their capacity as members of the organization.
- m. Recognized student organizations must include in all of their advertisements and written materials, including contracts, the following disclaimer:
 - i. “[Name of Organization] is not part of, not endorsed by, and exists independently of, the South Dakota Board of Regents and Northern State University. The South Dakota Board of Regents and Northern State University are not responsible for acts, omissions, or contracts of [Name of Organization].”
- n. Recognized student organizations must refrain from using “Northern State University,” “NSU,” in the title of the organization or in any official correspondence, except to denote the group as “[Organization Name] at NSU” or “[Organization Name] of Northern State University.”

- o. The University name, official logos, and marks may not be appropriated by recognized student organizations, except that recognized student organizations are authorized to name their organizations using the convention in Subpart 2.n. above.
- p. University recognized organizations may conduct fundraising events on campus and solicit donations from the community. The Office of Student Involvement and Leadership must be notified of these solicitations and follow all applicable SDBOR policy.
- q. Only recognized student organizations may receive funds apportioned from the general activity fee. The funds may be used to finance the organizations' general operational expenses and to subsidize cultural, social, recreational and information activities and events sponsored by the organizations, provided that:
 - i. No student organization will be eligible for fee subsidies:
 - 1. If the funding is prohibited by Article 6, § 3 of the South Dakota Constitution because it will be used for sectarian ceremonies or exercises;
 - 2. If the funding is prohibited by SDCL § 12-27-20 because it will be used for the promotion or opposition of particular candidates for public office or ballot issues in elections, or financing off-campus lobbying or political activities of non-students;
 - 3. If the organization operates a residential facility for its membership or otherwise generates income from commercial activities for the personal use and benefit of members or on behalf of for-profit entities; or
 - 4. If the organization generates income for the personal use and benefit of the sponsoring organization members or on behalf of for-profit entities.
 - ii. This section does not prohibit a student governance association, recognized by the University, whose leadership is popularly elected by the students, from using funding to communicate its position on behalf of all students through lobbying efforts before legislative and political bodies.
- r. Funding allocated to recognized student organizations shall be distributed in a nondiscriminatory manner in accordance with applicable state and federal authority. Student organizations may not be discriminated against under this policy on the basis of the content or viewpoint of their expressive activity. The University may not prohibit an ideological, political, or religious student organization from requiring its leaders or members of the organization affirm and adhere to the organization's sincerely held beliefs, comply with the organization's standards of conduct, or further the organization's mission or purpose, as defined by the organization.
- s. General Activity Fee budget allocations approved by the Student Budget and appropriations Committee will be posted to the appropriate index code for each funded organization.
- t. Receipt of funds apportioned from the general activity fee subjects the recognized student organization to the discretionary auditing authority of the University, in which the recognized student organization is to account to the University for all disbursements of funds obtained from the general activity fee by showing that the funds were directed to the event or to the operations described in the request for funds.
- u. Recognized student organizations are prohibited from using Northern State University's federal taxpayer identification number to open an off-campus bank account.

- v. Any student organization funds (non-GAF) remaining in on-campus accounts of inactive organizations for a period of eighteen (18) months or longer will be transferred to the General Activity Fee Reserve.

4. Responsible Administrator

The Director of Student Involvement and Leadership responsible for annual review of this policy and its procedures.

5. Source History:

Approved by the Dean of Students and President Schnoor, 01/20/2023.