

A GOOD & FAIR PROCESS FOR NAVIGATING MEMBER ISSUES

What's the process for?

A good & fair process helps organizations uphold specific and reasonable expectations for member requirements. These expectations should:

- be in line with the organization's stated mission, purpose, and activities
- fall within the scope of the organization to address

Per University guidelines, RSOs lack the authority to investigate and adjudicate alleged violations of university policy. More Information can be found at: <https://go.wm.edu/gMWJcg>

What makes a process good & fair?

Genuine & Supportive

The process should be a genuine attempt to resolve the situation, with no pre-determined outcome, officially or unofficially. It should address reasonable, good faith reports, look for root issues, and consider context without playing favorites. The process should demonstrate care for all members (including the member in question) and connect them to supportive resources.

Equitable

Consider the needs and perspectives of all involved. The responding member must have the opportunity to be heard, and it should feel like a fair process to them. Any outcomes from the process should be reasonable and tailored to the situation at hand.

Clear, Transparent & Specific

The organization's governing documents must spell out the steps within the process and be accessible to all members. When the process is initiated, all people involved must know what to expect, and positional leaders know what steps to take.

Shared & Balanced Authority

The process should not rest with just one person. It should involve a small, trusted and designated group. This promotes fairness and guards against bias. The president should not meet one-on-one with members to discuss concerns or make unilateral decisions.

Confidential, Discrete & Documented

These can be complicated and emotionally charged situations, and care should be taken to ensure both confidentiality and discretion (aka don't let it play out in a group chat). A written record of communication and processes should be kept at all steps.



Could the conduct alleged be a violation of university policy, particularly Title IX (sexual misconduct) or Title VI (protected class discrimination or harassment)? Is an organization attempting to find a solution to misconduct that circumvents a university process? Organizations do not have the authority to investigate or adjudicate these matters. Students should report conduct that is a violation of university policy to appropriate university officials.

FIVE STEPS OF A GOOD & FAIR PROCESS

1

Write it in your constitution & bylaws

The process begins LONG before there is an actual situation to address. Your organization's governing documents should lay out the process you use to address concerns. Don't make it up on the fly. Don't deviate from your written governing documents.

2

Consult on-campus offices & resources

Ask for help early! Seek support from the unit/department where you feel the most comfortable. Consult with your advisor, SLD, or another Student Affairs or university partner – there are many support resources on campus designed to help you successfully manage behavior concerns and take accountability actions. This doesn't take away from your organization's ability to self-govern but gives you greater confidence in carrying out sound processes and directs authority to the right W&M official(s) for potential violations of university policy.

3

Notify the member about the concern and provide them with the opportunity to respond

Don't blindside people or make decisions before speaking to the member in question. The member must be notified about the behavior of concern, including the policy or bylaw that is allegedly violated, and invited to respond. Give them sufficient time (at least 48 hours) and information about the concern (no vague texts) so that they can respond thoughtfully. We discourage "anonymous reports" as they may not provide the individual with enough specificity for understanding the concern. Send notice more formally (email works well).

FIVE STEPS OF A GOOD & FAIR PROCESS

4

Convene a meeting to discuss the concern

Hold an in-person meeting to address the reported concerns. A meeting that provides the member with an opportunity to respond and seeks to understand the issues *before* making decisions is key to a process that is AND feels fair to the person on the receiving side of alleged concerns. No decisions can be made until you have heard all sides of the issue. This meeting should include the appropriate leaders (as outlined in your governing documents).

5

Consider a range of supportive & accountable outcomes

Once you've determined that the issues are appropriate for your organization to take action on, consider many possible outcomes. Membership suspension or removal should not be your only or best option – in fact, these should be your last options and used only in severe circumstances. The best response comes out of the discussion with the member and is co-created with them (as much as possible). It should both support the member and appropriately hold them accountable for their actions. There are lots of tools available in the member accountability toolkit to address the situation. You could request a written reflection; assign service/support for an organization event; issue a fine; limit privileges; or create a specific membership agreement that outlines the expectations for the member to continue in good standing with the organization. Your governing documents and your process should not start with the assumption that membership suspension or removal are the only options.

SUPPORT FOR A GOOD & FAIR PROCESS

Who do I go to figure out next steps?

The best first step is to connect with whoever is your group's primary support – usually your advisor or a national organization (if you have one).

Who can help?

Student Leadership Development

- **Helps with:** Reviewing your organization bylaws/constitution and supporting you in next steps; helping leaders and members navigate the process.
- **Contact:** leadership@wm.edu

Conflict Resolution & Education

- **Helps with:** Practical tools and resources for how to have difficult conversations that go well; provides services including coaching, facilitation, and mediation.
- **Contact:** conflictres@wm.edu

The Haven

- **Helps with:** Confidential support and resources for organization leaders and survivors of gender-based violence, including info on policies/procedures & criminal/civil legal options, assistance with class absences, schedules, housing.
- **Contact:** thehaven@wm.edu

Compliance & Equity

- **Helps with:** Responding to Title IX and Title VI reports, assisting with how to navigate allegations, providing interim and supportive measures; has authority to investigate.
- **Contact:** reportconcern@wm.edu

Additional Campus Support can be found at this link;

<https://www.wm.edu/offices/studentleadershipdevelopment/clubsandorganizations/navigating-membership-issues/who-can-help/>