

Appendix II – Administrative Policies Governing Registered Independent Organization (RIOs) at the University of Hawai‘i at Mānoa

1. Purpose

The purpose of these policies is to set forth policies and procedures for authorizing groups of students, faculty, staff, and other campus. This policy is based upon policies and rules established by the UH Board of Regents including BOR Bylaws & Policies, Chapter 7 (Student Affairs); Executive Policy E7.101 (Authority to Approve the Organizational Charters...); administrative Rules 20-2 (Statement of Rights & Responsibilities of the UH Community) and 20- 13 (Use of University Owned Facilities); the UH-Mānoa Student Conduct Code; and Administrative Procedure 1.200 (UHM Facilities Use Practices and Procedures).

2. Applicability

This policy applies to the University of Hawai‘i at Mānoa campus. Separate policies and procedures governing special facilities such as the Campus Center Complex, residence halls, athletic complex, etc. shall apply to the use and scheduling of those facilities.

3. Responsibility

The Co-curricular Activities, Programs & Services department (CAPS), UH-Mānoa, shall exercise overall responsibility for implementation of this policy and shall formulate procedures to implement the policy with input from appropriate campus community members.

4. Objective of Policy

The objective of these policies is to outline the relationship between the University of Hawai‘i-Mānoa and groups of students, faculty, staff, and/or other campus community members who desire to function on campus as a registered organization. This policy regulates the formation, registration, and conduct of Registered Independent Organizations (RIOs).

5. Policy

a. Intent

- 1) The University of Hawai‘i’s educational environment for students and the campus community is enhanced by “associated” organizations which provide educational, social, cultural, recreational, and governance activities. Traditionally, these organizations have taken pride in self-governance because of the potential for personal growth, leadership development and the general pursuit of learning and personal liberty.
- 2) The University encourages such activities by providing organizations the opportunity to become Registered Independent Organizations (RIOs) and receive certain benefits of registration with the University.
- 3) It is the intent of this policy to support and encourage the creation, promotion, and maintenance of an educational environment, which contributes to the quality of student life and the co-curriculum. Specifically, this policy aims to:

- a. support the educational mission of the RIO and the co-curricular development of the RIO's members; and
 - b. promote educational opportunities for the RIO's development as an effective organization and for the leadership development of members of the RIO.
- 4) It is also the intent of this policy to prevent the use of University resources (e.g. facilities, staff, equipment, groups) for exclusive private or personal financial gain to non-campus entities or individuals, without educational benefits accruing to the RIO or its members.

b. Definition of Registered Independent Organization (RIO)

- 1) Any group of UH-Mānoa community members which enters into a relationship with the University to further its educational, social, cultural, recreational and governance activities may become a Registered Independent Organization (RIO). UH-Mānoa community members shall include, but not be limited to: a) current students, staff and/or faculty of UH-Mānoa; b) alumni of UH-Mānoa; and c) tired faculty and/or staff of UH-Mānoa.
- 2) These groups may obtain RIO status by completing the RIO Agreement (see Attachment A) with the University.

c. Relationship of RIO to University

- 1) While the University supports the educational, social, cultural and recreational activities of RIOs and provides safe facilities and proper maintenance of University property for use by organizations, it does not necessarily approve or disapprove the goals and activities of RIOs. RIOs are free to form, exist or disband without University involvement or recognition.
- 2) Responsibility for a RIO's activities is not assumed by the University. All RIOs assume the responsibility for their activities including relationships with third parties, debts incurred, insurance coverage, legal defense as well as attendance at conferences, tournaments, social events, etc.
- 3) As stated in the RIO Agreement (see Attachment A), the RIO must include the following disclaimer in all publications and communication with third parties: "Although this RIO has members who are University of Hawai'i at Mānoa students, faculty, or employees, the RIO is independent of the University which is not responsible for the RIO's contracts, acts or omissions" (section 3).
- 4) Finally, the University views its relationship with RIOs as consistent with the University's philosophy of education and student self-governance. RIO leaders shall assume the responsibility for the organization's activities and conduct of its members. The University shall make available staff resource liaisons to answer further questions regarding the relationship between the University and RIOs and to provide educational services to support the effective functioning of RIOs.

d. Benefits of Registration

- 1) Campus facilities may be made available to RIOs for activities and events related to the function and purposes of the RIO, provided:
 - a. the RIO does not operate in a manner which infringes upon, delays, conflicts or interferes with the customary instructional, research, community service, and/or co-curricular programs and activities of the University;
 - b. the intended usage by the RIO does not conflict with the normal operations of the University;
 - c. the RIO complies with all other University policies and procedures governing the usage of facilities.
- 2) RIOs may request funds from those chartered student organizations that offer grants and other financial support programs for activities and programs to be planned by the RIOs, subject to the application and funding requirements of the respective granting chartered student organizations.
- 3) RIOs may publicize their programs and activities on-campus via handbills, on general bulletin boards, and with banners as described in Section **5i**, **5j**, and **5k** of this policy.
- 4) Work space and mailboxes designated by the University for use by RIOs to plan and develop programs and activities related to their function and purpose may be assigned on a first-come, first-served basis, subject to availability and appropriate charges.
- 5) RIOs may access the educational services offered by the Co-curricular Activities, Programs & Services department to improve their leadership, organizational, and interpersonal skills.

e. Formation & Petition for RIO Status

- 1) Any group of not less than six (6) UH-Mānoa community members may petition the Co-curricular Activities, Programs & Services department to become a RIO.
- 2) Any group in the process of organizing and forming a RIO may schedule up to three meetings per semester strictly for that purpose. If the need arises for more organizational meetings, an exception may be requested from the CAPS Director or designee.
- 3) A group seeking RIO status shall provide in writing to the CAPS department the following information:
 - a. completed RIO Agreement (see Attachment A)
 - b. copy of the RIO's most current constitution which shall include provisions outlining the name and purpose of the group, qualifications for membership, dues to be levied on membership, and a basic structure of the group's operations;

- c. list of all current officers and members, their addresses, their phone numbers, and their campus status;
- d. information about all sources of financial support;
- e. information on affiliation with any other group on or off campus;
- f. statement of acknowledgement and acceptance of, and adherence to all policies, rules and procedures of the University and to the provisions of the RIO Agreement.

f. Registration

- 1) Upon receipt of all necessary documents, the Co-curricular Activities, Programs & Services department will review the petition. Approval by the Co-curricular Activities, Programs & Services department is discretionary and contingent upon the department's determination that the group's petition meets the criteria stated below:
 - a. The proposed RIO is directed and controlled by UH-Mānoa community members;
 - b. The proposed RIO is generally comprised of an active membership of UH-Mānoa community members;
 - c. The purpose of the proposed RIO enhances the educational, social, cultural, recreational, and governance activities of its membership; and
 - d. The proposed RIO has completed the required steps for registration.
- 2) Prior to the department's approval, petitioning groups shall be required to attend orientation sessions as scheduled by the CAPS department.
- 3) Registration of a RIO shall not mean that the University supports or adheres to the views held or positions taken by the RIO.
- 4) Registration of a RIO shall signify the willingness of the RIO to comply with policies, rules and procedures of the University and with the provisions of the RIO Agreement.
- 5) All grants of registration shall expire annually on September 30th.
- 6) While participation in a RIO or its programs may be open, officers and official representatives are restricted to UH-Mānoa community members.
- 7) The grant of registration may be suspended or cancelled by the University for violation of policies and procedures.

g. Responsibilities of RIO Leaders & Members

- 1) The leadership of any RIO which completes and signs the RIO Agreement is responsible for reading, understanding, and communicating to their membership the meaning of the contents of this agreement in order to insure that they and all members of their RIO fully understand the level of their personal responsibility for the group. Therefore, it is critical

for RIO leaders to communicate the need for all organization members to be accountable for their actions on behalf of the group.

- 2) Neither the rights and responsibilities of a UH-Mānoa community member nor the authority of the University regarding the member shall be altered by that member's association with a RIO.
- 3) A RIO shall notify the University within ten (10) calendar days of any changes in the information on record initially provided at the time of petitioning for RIO status.
- 4) Members of the RIO shall adhere to their own constitution and endeavor to fulfill the function and purpose of their RIO. Toward these ends, members of the RIO shall meet as often as necessary to plan and implement relevant programs and activities.
- 5) Members of the RIO shall comply with provisions of the RIO Agreement and with applicable policies, rules and procedures of the University.
- 6) RIOs shall make accessible to all students of the University of Hawai'i-Mānoa campus, any RIO-sponsored program or activity supported in whole or in part by student activities fees, as appropriate. Support includes co-sponsorship by and/or funding grants from chartered student organizations.
- 7) Funds received from student activities fees shall be expended in accordance with the policies, rules and procedures of the respective accounts, may be subject to audit by the University upon demand.

h. Special Registration

- 1) Temporary registration may be granted to groups that will operate for a short period of time or for groups whose registration is pending, usually for a period of time not to exceed two (2) months.
 - a. Examples of groups in this category include those created to support a short-term project, those formed to support a specific candidate for election to chartered student organizations, etc.
 - b. Groups petitioning for short-term RIO status shall follow procedures similarly outlined in Sections **5e** and **5f** of this policy, except that a formal statement of aims, purpose and functions may be substituted for the constitution and the grant of registration shall expire upon completion of the project or in two (2) months, whichever occurs earlier.

i. Handbills

- 1) Handbills may be distributed to publicize projects and programs but shall not contribute to campus litter.

- 2) All handbills shall clearly indicate the organization sponsoring the project and shall comply with provisions of the RIO Agreement.
- 3) The distribution of handbills is permitted in the public forum area and other campus areas provided that such distribution does not interfere with the orderly conduct of University offices, the maintenance of University property, and the free flow of traffic and persons. Other campus policies and procedures governing the distribution of pamphlets and other written materials shall apply.

j. Poster, Flyers and other Written Material

- 1) RIOs are permitted one poster, flyer, and/or other written material on each general bulletin board listed on Attachment B. Such materials may be posted up to two (2) weeks prior to the event, and shall be removed by the RIO within twenty –four (24) hours after the event.
- 2) The posted material must indicate the event, time, date, location, and the sponsoring RIO with the date and name of the sponsoring RIO. For poster monitoring purposes, the date of the event must be in English. Further, publicity materials shall include the following disclaimer: “The RIO is separate, independent and distinct from the University which is not responsible for the RIO’s acts or omissions.”
- 3) The maximum size permitted for posted materials on the general bulletin boards listed on Attachment B is 14 inches by 22 inches. Oversized materials shall be removed unless prior written approval is granted by the CAPS Director or designee.
- 4) Listing of materials on walls, sides of doors of buildings, the surface of walkways or streets, posts, waste receptacles, benches, trees, and plants, or in any place other than the general bulletin boards provided is prohibited.
- 5) The Co-curricular Activities, Programs & Services department is authorized to require individuals and/or RIOs to desist from distributing and/or posting materials which are in violation of University policies. The CAPS department is also authorized to assist in removing materials which have been distributed or posted in violation of policies.

k. Banners, Displays & Large Signs

- 1) Adequately secured banners, displays, and large signs are permitted only in Varney Circle and in the Campus Center Complex to publicize major events, subject to respective policies as follows:
 - a. For Varney Circle, such banners, displays and large signs may be erected not more than two (2) weeks prior to the event, all not exceed 3 feet by 6 feet in size, and shall be removed by the RIO within twenty four (24) hours after the event.
 - b. For Campus Center Complex, such banners, displays and large signs are limited to special events held on the UH-Mānoa campus and open to eligible UH-Mānoa

community or the public. They may be erected not more than fourteen (14) days prior to the event, shall be installed and removed by Campus Center personnel, and may vary in size depending upon location.

- 3) Detailed specifications, regulations, and prior written approval shall be obtained from the Director of the Facilities Planning & Management Office or designee for banners, displays and large signs in Varney Circle, and the CAPS Director or designee for banners, displays and large signs in the Campus Center Complex. Requests for exceptions as to location and size are to be addressed to the respective University officials.

I. Fund-raising

- 1) Fundraising refers to those events scheduled on campus with intent to raise monies for the RIO through selling of goods or services, charging of admission, or soliciting donations. Such fundraising activities shall be sponsored by RIOs for the benefit of the UH-Mānoa campus community.
- 2) RIOs desiring to conduct fundraising activities must receive express prior written approval from the Co-curricular Activities, Programs & Services department, acting on behalf of the Vice President for Student Affairs.
- 3) Applicant RIOs are required to file a written application with the Co-curricular Activities, Programs & Services department indicating the purposes(s) of the funds to be raised and the anticipated income and expenses. Arrangements for fundraising activities must be made at least three (3) weeks in advance. The net proceeds of the fundraising activity must be used for the purposes stated in the written application or for purposes related to the educational mission of the University.
- 4) At the time of scheduling the fundraising activity, the RIO must show evidence of having obtained a State General Excise Tax License or Exemption and a commercial “bank” account to be used exclusively for the financial transactions of the RIO. As specified in the RIO Agreement, the RIO is responsible for payment of any and all excise and income taxes resulting from the fundraising activity. The University will not assume responsibility for any tax liabilities incurred by the RIO as a result of the fundraising event.
- 5) Within ten (10) days of the conclusion of the fundraising activity, the RIO shall file a complete income and expense statement with the Co-curricular Activities, Programs & Services department. The timely completion and submission of this final statement may affect the RIO’s ability to conduct subsequent fundraising activities.
- 6) When admission is charged, numbered tickets shall be used for accountability and financial records shall be held for at least (1) year.

- 7) Where fundraising involves the serving or sale of food products on campus, additional prior written approval must be obtained, (except when the food is to be supplied by the Mānoa Food Service contractor. Any fundraiser which involves the preparation, sale, and handling of food products not supplied and served by the Mānoa Food Service contractor requires clearance and approval from the Sanitation Branch, Environmental Health Division of the State Department of Health. Further, the sale and handling of such food products must be in compliance with state and local health requirements.
- 8) In all phases of conducting the fund raising activity, the RIO shall comply with all applicable federal, state, and local laws and regulations (e.g. taxes, liability, insurance, food preparation, etc.).
- 9) A designated member of the RIO shall be present during any fund raising activities conducted by the RIO. Non-members may participate in fundraising activities; however, members of the RIO must be substantively involved in all phases of the fundraising activity. At no time shall University property be used for fundraising activities which results in the exclusive or predominant financial gain of an individual or commercial enterprise.
- 10) RIOs may petition the University to grant special consideration for the RIO to contract with an outside seller (non-member of the RIO) to sell his/her craft or literature items on campus for a maximum of ten (10) days each semester. A percentage of the profit from outside sellers must be deposited in the RIO's bank account. Costs for setup of these fundraisers may be passed on to the RIO.
- 11) The University reserves the right to disallow use of its facilities for fundraising activities. Reasons for denying use include, but are not limited to:
 - a. inappropriate use;
 - b. past abuses of facilities and of RIO Policies;
 - c. health & safety factors;
 - d. potential property damage;
 - e. public and/or campus nuisance;
 - f. lack of space;
 - g. energy conservation;
 - h. lack of utilities, security, or custodial service;
 - i. potential injury of participants or University community members.
- 12) Events scheduled off campus with intent to raise monies for the RIO shall not be subject to University prior review and facilitation. Or such off campus fundraising events, the provisions of the RIO Agreement and Sections 51.4 and 51.8 of this policy shall apply.

m. Nonhazing Policy

- 1) As part of its role within the University, the CAPS department is charged with the enhancement of student life and fostering safe, healthy environments for student

involvement. Because hazing is seen as contradictory to this objective and to the values inherent in teambuilding, networking and community development, the department has developed policies and procedures which safeguard the rights of students. Further, it is also the intent of this policy to minimize potential liability for RIOs and the University. In developing the nonhazing policy, the department has relied upon statements derived from various national professional organizations in student affairs and interprets hazing in a manner consistent with their statements derived from various national professional organizations in student affairs and interprets hazing in a manner consistent with their statements on Hazing and Pre-initiation activities (copies available upon request).

- 2) The CAPS department is also responsible for providing assistance and educational services to RIOs. In support of this responsibility, the department maintains that an effective nonhazing policy includes educational programs which provide examples and guidance on alternative activities to hazing and that such educational and alternative programs should foster group bonding, team building, group cohesiveness, trust building, etc.
- 3) The University defines hazing as including, but not limited to, any action taken or situation created, intentionally, whether on or off University premises, to produce mental or physical discomfort, embarrassment, harassment or ridicule. Such activities and situations include paddling in any form, creation of excessive fatigue; physical and psychological discomfort; wearing, publicly, apparel which, conspicuous and not normally in good taste; engaging in public stunts and jokes; morally degrading or humiliating games and activities; late night sessions which interfere with scholastic activities; and any other activities which are not consistent with University policies and procedures.
- 4) In respect to this policy, the University defines two possible categories of hazing. These two categories are: Harassment Hazing and Dangerous Hazing. The following is a list of examples of hazing presented according to category. This list is not intended to be all inclusive, but rather, to offer examples which RIOs can use to gauge their own pledging activities.
 - a. **HARASSMENT HAZING** – Anything that causes mental anguish or physical discomfort to the pledge including embarrassment, harassment, or ridicule.
Examples:
 - Any form of abusive questioning under pressure or in an uncomfortable position.
 - Verbal or psychological abuse.
 - Personal servitude such as carrying trays, running personal errands, etc.
 - Requiring pledges to perform embarrassing and/or degrading jingles or plays.
 - Total nudity at any time.
 - b. **DANGEROUS HAZING** – Anything that endangers the life of a pledge or has the potential to cause bodily harm.

Examples:

- Restricting bodily movement in any way including tying feet and/or hands.
 - Requiring pledges to jump from chairs, over anything, or climb anything.
 - Hitting.
 - Requiring walking, standing, sitting in any unpleasant substance or uncomfortable position.
 - Requiring alcoholic consumption or substance abuse.
- 5) In assessing and designing its own pledge/associate/new member activities, the RIO shall abide by the standard that such activities shall uphold and promote the individual's dignity and personal development. Further, whether existing and/or proposed activities for pledges, associates or new members involve hazing shall be determined by the "reasonable person" standard; i.e., is this the kind of activity that any reasonable person would normally and/or voluntarily choose to engage in or perform?
- 6) In cases of violations of this nonhazing policy, the procedures for dealing with individuals and organizations will be consistent with the process outlined in the Student Conduct Code, and Section **5n** of these policies.
- 7) In order to provide a mechanism for dealing with violations of this nonhazing policy by individuals or by organizations, it is presumed that hazing incidents involve only those persons directly participating in the incident or those other persons who may be, present at the time the incident occurs and who do nothing to stop its occurrence. However, a hazing incident may be shown to be an organization's activity, for which the organization itself may be disciplined, if any of the following characteristics are present:
- a. The executive officers of the organization, or the person responsible for the administration of the pledge program (e.g. pledge trainer/educator), or the organization advisor is aware of the incident before it takes place, sufficiently in advance of its occurrence to prohibit its taking place, and does not so prohibit it from taking place.
 - b. The executive officers of the organization, or the person responsible for the administration of the pledge program (e.g. pledge trainer/educator), or the organization advisor, knowing the identity of organization members involved in the incident, refuses to divulge such identity to the appropriate authorities (i.e., the University, the police, the national organization headquarters, etc.).
 - c. The incident involves the expenditure of funds of the organization.
 - d. The incident involves or is actively or passively endorsed by majority of the members of the organization.
- 8) Any violations of this nonhazing policy by an individual will subject the individual to disciplinary action including possible sanctions as generally outlined in the Student Conduct Code. Any violations to this nonhazing policy by a RIO will be subject to review and will subject the organization to disciplinary action as generally outlined in

Section **5n** of these administrative policies. In addition, the offending individual or organization may be subject to any applicable state statutes.

- 9) In consultation and cooperation with the appropriate bodies at the University of Hawai'i at Mānoa, the CAPS department will provide copies of this nonhazing policy and the officers of RIOs which conduct similar pledge/associate/new member rituals and activities shall be responsible for informing all members, pledges, associate members, affiliates of this policy. In addition, educational seminars on the issue of hazing will be sponsored by CAPS as part of a hazing awareness educational program. In order to insure that all members of the RIO are aware of the requirements outlined in this policy, the president of the organization will:
 - a. inform members, in writing, of the requirements;
 - b. review the policy annually with all members;
 - c. distribute copies of this nonhazing policy to each new pledge and review the requirements therein; and
 - d. agree to comply with the requirements of this nonhazing policy by signing Attachment 1 of the RIO agreement for non-Greek RIOs or Attachment 2 of the RIO Agreement for Fraternities and Sororities.
- 10) In consultation and cooperation with the appropriate bodies at the University of Hawai'i at Mānoa, the CAPS department will conduct an annual review and evaluation of its nonhazing policy. This review will include an assessment of hazing awareness education and organization compliance to the policy.

n. Policy Administration & Violations

- 1) The general authority and responsibility for the administration of the policies, rules and procedures governing RIO is delegated by the Vice President for Student Affairs to the Co-curricular Activities, Programs & Services department staff who may further delegate certain authority and responsibility to other organizational units (e.g. interfraternity Council, National Panhellenic Council, Intersorority Council, etc.).
- 2) The Co-curricular Activities, Programs & Services department is responsible for periodically reviewing the conduct of RIOs. Failure to meet criteria specified in Section **5f** of this policy, and/or the failure of members of the RIO to adhere to the policies, rules, and procedures governing RIOs, and/or the failure of members of the RIO to comply with the responsibilities of a RIO as outlined in this policy and in the RIO Agreement may result in review of the registration status and may result in revocation of registration.
- 3) Any RIO alleged to be in violation of policy shall be notified as specified in the RIO Agreement (Section 12). "The RIO will be given the opportunity to meet with a representative of the Co-curricular Activities, Programs & Services department to discuss the specifics of the alleged violation, possible solutions, and potential sanctions.
- 4) Sanctions which may be placed on the RIO include, but not limited to:

- a. placing the group on probation with full benefits;
 - b. placing the group on probation with restricted benefits;
 - c. suspension of registration for a specified period of time;
 - d. revocation of registration;
- 5) Probationary status is may be placed upon a RIO for its violation of University policies, rules, and procedures.
- a. While placed in this probationary status, the benefits granted to RIOs as outlined in Section **5d** of this policy may be partially or totally restricted or withheld.
 - b. Probationary status is place upon a RIO for specified period of time and may be removed only after review and approval of the Co-curricular Activities, Programs & Services department.
- 6) The Vice President for Student Affairs or designee shall hear appeals to administrative action taken under these policies, rules and procedures, and render formal decisions.
- 7) Questions about these policies and subsequent actions, forms, responsibilities may be forwarded to: Director of Co-curricular Activities, Programs & Services, University of Hawai'i at Mānoa, 2465 Campus Rd. CC208, Honolulu, HI 96822. Telephone number is (808) 956-8178. Fax number is (808) 956-4810

Approved by Vice President for Student Affairs: 04/09/02 pursuant to BOR Policies, Section 1–2
Amended: 09/21/92; 07/22/97

**UNIVERSITY OF HAWAI‘I - MĀNOA
AGREEMENT FOR A REGISTERED INDEPENDENT ORGANIZATION**

ATTACHMENT 1 – NON-GREEK RIOS CONDUCTING PLEDGE ACTIVITIES

I. AGREEMENT TO COMPLY:

Having thoroughly read and being in full understanding, agreement and support of the administrative policies governing registered independent organizations including the requirements of non hazing, (Name of RIO) _____ agrees to comply with the requirements and provisions contained therein as affirmed by the below signature of the RIO’s president/officer in charge.

II. IN WITNESS THEREOF, the parties have executed this Agreement below:

NAME OF RIO:

THE PRESIDENT & BOARD OF
REGENTS OF THE UNIVERSITY OF
HAWAI‘I

BY: _____
RIO President’s Printed Name

BY: _____
University Officer’s Printed Name

BY: _____
RIO President’s Signature

BY: _____
University Officer’s Signature

DATE: _____

TITLE: _____

DATE: _____