

To be included in the College Life Manual Section VII – Disciplinary Proceedings

G. Greek Council Judicial Board Disciplinary Procedures

Through the oversight of the Dean of Students, the Judicial Board of the Greek Council will adjudicate allegations against Greek organizations for violations of the Greek Regulations, the Student Code and other principles adopted subsequently by the College or the Greek Council. The Greek Council Judicial Board will be advised by the Dean of Students, or designee, and will include at least five students from the Greek Council and four FSA advisers of Greek organizations. The maximum participation for a hearing will be five students from the Greek Council and four FSA advisers of Greek organizations and the minimum will be three students from the Greek Council and two FSA advisers of Greek organizations.

The College retains the right to address issues with both organizations and individuals specifically, but not limited to, those regarding standards for health and safety of students, new member education programs, and abiding by state laws and College Policy concerning alcohol use.

It is in a Greek organization's best interest to participate in the Greek Council Judicial Board Review process and to be truthful in all communications. Organizations who fail to participate in the process risk a decision based upon the information available to the Greek Council Judicial Board.

These procedures or guidelines should not be followed mechanically without consideration of the circumstances. Failure to follow these procedures will not be a basis to change an outcome or a sanction, unless it is a result to a prejudice to the individual or individuals involved.

Upon receipt of information regarding an allegation, the Dean of Students will, if appropriate, seek additional information and/or ask that the matter be investigated more fully following the usual investigative procedures. At this point, the Dean of Students will inform the Greek Council Judicial Board Chair that allegations against a Greek organization have been made and that either an investigation is under way or a case will be referred. If a further investigation is necessary, that information will then be summarized and communicated to the Dean of Students.

Once a decision has been made to refer a matter for the Review of the Greek Council Judicial Board, these procedures will be followed:

1. The Dean of Students, or designee, will meet with the Greek organization Chapter President and Chapter Advisor to discuss the alleged misconduct prior to Board Review. At this meeting, the Chapter President will be advised of the charges against the organization and the procedures that will be followed by the Board, and the President's responsibility in the Review process. If the Chapter President wishes to accept responsibility

for the charges and be sanctioned by the Dean of Students or Designee, forgoing a hearing before the Board, she/may indicate so at the this time.

2. The Greek organization President will be informed in writing of the allegations/charges against the Chapter and that it is the officer's responsibility to present the case before the Board. This written charge will arrive at least five (5) working days before the scheduled Review date to insure the opportunity to prepare for the Review meeting. Specific time and location of the meeting will be stated in the notice.
3. Statements and investigative reports submitted to the Dean of Students Office based on the allegations will be shared with the Chapter President prior to the Review.
4. The Greek President will be informed of his/her right to choose and be assisted in the Review by an adviser, who must be a member of the College community, the adviser may be present at the Review and will be given copies of the documents that were given to the Chapter President.
5. If a member of the Greek Council Judicial Board is a member of the Greek organization that is coming before it for Review, or feels that he or she cannot be impartial or has an immediate interest in the particular case, that member will be excused from the Hearing proceedings.
6. The Chapter President may question the impartiality of the member of the Greek Council Judiciary Board prior to the Review. To do so, they must state their concerns in writing to the Dean of Students Office. The Dean, or designee, will then consult with the member in question. The following decision rests with the Dean and the Chair of the Board.
7. Reviews are normally closed meetings, open only to the Board, the Board's adviser, the Chapter President, the selected adviser, person(s) presenting the case and approved witnesses. However, the Chapter President can request, in writing at least three (3) business days prior to the Review that the Review be open. If the Dean of Students grants this request then the Review will be open to all members of the College Community.
8. The Greek Council Judicial Board will not consider written or oral statements unless the Chapter President has been made fully aware of their content and of the names of those who made them, and unless the Chapter President has been given the opportunity to rebut unfavorable inferences which might otherwise be drawn. At the Review witnesses may be called by the Board, by those who referred the matter to the Board, and by the accused Chapter. The Board has the discretion to determine which witnesses and what evidence it will hear to provide the charged with a fair

Review. The Chapter's list of requested witnesses and any written information being submitted by Chapter for the Board's consideration must be submitted to the Dean of Students or his designee at least two (2) working days prior to the Review.

9. As the Review begins, witnesses to fact are heard. The Chapter President then gives an accounting of the circumstances leading to the allegations. The Board queries witnesses and then the Chapter President, who has the right to question the witnesses after the Board.
10. The Board deliberates in private after hearing all, information being careful not to violate the procedures of this document. In making its final decision the Board will consider all of the information and determine whether it is "more likely than not" that the accused student is in violation of any part of the Student Code and or Greek Regulations. The Board must first determine if the Chapter is in violation. If the Chapter is found in violation, the Board will decide on an appropriate sanction to recommend to the Dean of Students. At this time, background information may be brought to the Board's attention to assist it in determining an appropriate sanction. In determining the appropriate sanction, the Chapter's record may be considered.
11. The Board makes its recommendation to the Dean of Student who will then prepare a formal letter of the outcome to the President of the Chapter, the Chapter adviser, the President of the Chapter's Alumni Advisory Board and the National Office.
12. The sanction goes into effect as determined by the Board and ordinarily remains in effect during the appeal process. The President may request that the sanction be postponed during the period of the appeal.
13. The Greek Council Judicial Board has the authority to recommend sanctions to the Dean of Students for implementation including, but not limited to:
 - a. **Limiting or restricting of privileges**, such as:, temporary suspension of party registration privileges, suspension of facilities access privileges, participation in Rush events, etc.
 - b. **Fining** the Chapter, fines should not exceed \$500 per offence
 - c. **Suspension of Specific Activities** of the Chapter such as the ability to participate in rush , to take a pledge class, to hold group meeting/functions or to initiate new members for a set period of time.
 - d. **Censure**, such as the loss of vote and voice in the Greek Council ,

- e. **Creative sanctioning** is permitted if it fits the situation and is educational in intent
- f. **Suspension of the Chapter** for a specific period of time,
- g. **Abolition of the Chapter.**

H. Appeals of Greek Council Judicial Board Decisions

A Chapter President may appeal a Greek Council Judicial Board decision in his or her case to the Dean of the College (or his/her designee). The student must file this appeal in writing, with the grounds noted, within five (5) working days after the Board issues its written notification of its decision. Appeals can be sought on the following two grounds:

- a. On a claim of error in the hearing procedure that affected the outcome of the hearing.
- b. On a claim of new evidence, information or material that was not available at the time of the hearing, and is relevant to the case.

Before deciding whether or not to hear an appeal, the appeal officer meets with the Chair and the Adviser to the Greek Council Judicial Board to review the procedures that the Board followed and the evidence that it considered. If the appeal officer considers it necessary, he or she may meet with a number of Board members, or the Board as a whole.

If the appeal officer refuses to hear an appeal, the Chapter President will be informed in writing. Including in the decision the findings of fact on which the decision is based. The appeal officer, however, need not give detailed reasons for the decision reached.

If the appeal officer decides to hear an appeal, the student has the choice of requesting that the Greek Council Judicial Board rehear the case or that the appeal officer hear the appeal.

If the Board agrees to rehear the case, it will then decide whether to rehear the case in its entirety, or portions thereof. Following the rendering of the Board's decision, if appropriate, the student may appeal the new decision to the appeal officer following the appeal procedures and guidelines. When rehearing a case it is possible that the Board may issue a sanction more severe than the original sanction if the evidence and situation warrant it.

If the Board refuses to rehear the case, then the case will automatically be referred back to the appeal officer to hear the appeal.

In hearing the student's appeal, the appeal officer will observe the following procedural safeguards:

1. Discussing the circumstances of the case and the appeal with the student.
2. Further discussing the case and the appeal with the Chair of the Greek Council Judicial Board where appropriate, a number of Board members, or the Board as a whole.
3. Rendering a decision on the appeal within 30 working days from the time that the student files it, unless extraordinary circumstances require delay in the appeal process.
4. Including in the decision the findings of fact on which the decision is based. The appeal officer, however, need not give detailed reasons for the decision reached or the sanction imposed.
5. The decisions of the Dean of the College (or his/her designee) are final.