

# **INTEFRATERNITY COUNCIL JUDICIARY BYLAWS**

## **ARTICLE I: STATEMENT OF PURPOSE**

Acting in the belief that the governing of student affairs should at all times be as close to the governed as possible, each member fraternity shall be held responsible for the individual and collective conduct of its members in all of its group-sponsored activities and functions.

- A. It shall be the goal of the Interfraternity Council Judiciary System to hear or attempt to hear all cases involving disputes between IFC member fraternities, individual IFC fraternity members, and the IFC. At the request of the Director of Student Activities, the Judiciary System will also hear cases involving the above-mentioned parties and the University of Minnesota.
- B. It shall also be the ultimate goal of the Judiciary System to settle all disciplinary problems or other disputes that may arise in the fraternity community within the confines of its own system of governance. The Judiciary System acknowledges that circumstances may necessarily involve other University of Minnesota grievance systems and/or state and federal criminal systems.

## **ARTICLE II: JURISDICTION**

The jurisdiction of the Judiciary System shall extend to, but not be limited to, cases involving a violation of:

- A. The IFC Constitution and Bylaws.
- B. The regulations and actions of the IFC.
- C. The policies of the University of Minnesota (i.e. Student Conduct Code, Student Activities Policies, etc.)

## **ARTICLE III: IFC STANDARDS OF CONDUCT**

The Judiciary Board shall hear all cases brought forth which involve violations of the IFC standards of conduct. Such violations shall include but not be limited to:

- A. Vandalism or destruction of property.
- B. Conduct which endangers the physical safety or well being of an individual
- C. Acts which cause harm or potential harm to the fraternity community.
- D. Failure to remit financial obligations to the IFC.
- E. Civil rights matters.
- F. Other matters of dispute, which are brought to the Judiciary Board for settlement.

## **ARTICLE IV: EXECUTIVE VICE PRESIDENT**

- A. To qualify as a candidate for the position of Executive Vice President a nominee must show proof that he is an upperclassman.
- B. The Executive Vice President shall be elected by the IFC Legislature.
- C. The Executive Vice President shall oversee all aspects of the Judiciary System.

## **ARTICLE V: JUDICIARY BOARD**

### SECTION 1: Structure

- A. The Judiciary Board shall consist of fourteen members.
- B. The term of a Judiciary Board member shall be one year, or until new selections are made before the fourth week of the Spring semester.

### SECTION 2: Board Member Selection

- A. It is suggested that members of the Judiciary Board represent all geographic locations of member fraternities (St. Paul and the Twin Cities Campuses).
- B. The Presidents of every IFC fraternity may nominate one member of their respective chapter to serve as a judiciary board member. The Judiciary Board shall not contain more than one member of a particular member fraternity.
- C. From the list of candidates, the IFC Executive Council shall screen and select fourteen members for service on the IFC Judiciary Board.
- D. The nominees shall be voted on by the IFC at a regular IFC meeting. In the event that a member is not approved, the IFC shall recommend another member from the original list of nominees.
- E. No member of the Judiciary Board shall be present or have a vote during a hearing involving his own member fraternity.

### SECTION 3: Eligibility

In order for a nominee to be eligible to serve as a Judiciary Board member he must:

- A. Be a member in good standing of an IFC member fraternity.
- B. Show proof that he is a student in good standing of the University of Minnesota as an undergraduate.

### SECTION 4: Expulsion of a Board Member

A board member may be removed from service if:

- A. He fails to attend two hearings or required functions.
- B. A review is initiated by the IFC Executives and he is expelled by a 2/3 vote of the Executives.
- C. He breaches Judiciary Board Ethical Standards.

## **ARTICLE VI: INFORMAL HEARING**

All complaints filed with the Executive Vice President shall be brought to an informal hearing in an attempt to settle minor disputes. The informal hearing shall be initiated and proceed as follows:

- A. Filing of a written complaint with the IFC Executive Vice President. The IFC President or the Executive Vice President shall sign IFC complaints.
- B. The Executive Vice President shall call an informal hearing to be held not more than two weeks after the filing date of the complaint. The parties involved shall be notified of the hearing and will be informed of the charges.
- C. The Executive Vice President shall collect all pertinent facts of the case from all involved parties.
- D. The Executive Vice President shall conduct an informal hearing with the parties involved and two members of the Judicial Board.
- E. The informal hearing shall proceed only if all parties named in Article VI, Part D, are in attendance.
  - 1. Missing an informal hearing will result in a formal hearing. The Executive Vice President may grant a second hearing if situation warrants (emergency, etc.)
- F. The informal hearing shall be a closed session. No witnesses shall be called.
- G. It shall be the purpose of the informal hearing to arrive at one of the following outcomes:
  - 1. Dismiss the complaint as unfounded or inappropriate
  - 2. Recommend that the case be heard by the Judiciary Board and call for a formal hearing.
  - 3. Settle the case with a remedy, which is agreeable to both parties. If both parties do not agree, the case shall be automatically referred to the IFC Judiciary Board.

## **ARTICLE VII: FORMAL HEARING**

- A. The Judiciary Board shall hear all cases referred to it by the Executive Vice President only after a recommendation for a hearing has been issued from an informal hearing as outlined in Article VI.
- B. A hearing shall be called and scheduled within two weeks after the recommendation is received by the Executive Vice President.
- C. The Executive Vice President shall set a date, time, and place for a hearing and will notify all board members and involved parties of the case.
- D. The formal hearing board shall consist of a minimum of eight Judiciary Board members and the Executive Vice President as chairman. In the event that the minimum number (8) of justices cannot convene at a time deemed by the Executive

Vice President to be essential in terms if a formal hearing, the Vice President of Public Relations may serve as an alternate justice.

- E. No hearing may commence without eight Judiciary Board members. If an individual, or a chapter's representative, fails to appear at the hearing, the Judiciary Board, by way of majority vote, will select one of the following courses of action:
  - 1. Reschedule the hearing.
  - 2. Render a decision based on the available information.
- F. Hearings shall be conducted on neutral ground.
- G. The jurisdiction of the Judiciary Board is not necessarily limited to the original complaint; it may include other offenses revealed during the hearing.
- H. After all evidence has been heard and both sides have rested, the Judiciary Board shall reach a decision by secret ballot. A majority vote shall be required to issue a verdict. The Executive Vice President will have no vote except in the event of a tie.
- I. Penalties levied by the Judiciary Board shall be agreed on by a unanimous vote of the Board before the may be issued.
- J. The parties involved in the hearing shall receive formal notification of the outcome within seven (7) days of the hearing. Any appeals process must be initiated by the parties involved within two (2) weeks of the hearing.

## **ARTICLE VIII: APPEALS BOARD**

### **SECTION 1: Structure**

The Appeals Board shall consist of eight members: seven presidents of IFC member fraternities and the Executive Vice President as Chairman.

### **SECTION 2: Board Member Selection**

- A. When a decision has been appealed, the seven board members will be chosen by lottery from a hat containing the names of all IFC member fraternities except the presidents of the houses involved in the appealed case.
  - 1. A minimum of three alternates will be selected.
- B. The lottery shall be conducted by the Executive Vice President and witnessed by the IFC Executive.
- C. A lottery shall be conducted for each case to be heard by the Appeals Board.

### **SECTION 3: Expulsion of a Board Member**

One absence from a designated meeting or hearing will result in selection of a replacement member chosen by the lottery outlined in Article VIII, Section 2.

### **SECTION 4: Appeal Requests**

Appeals must be based on one or more of the following criteria

1. Severity of sanction(s).
2. Ability to introduce new evidence.
3. Improper hearing procedures.

#### SECTION 5: Duties and Powers

- A. When a ruling of the Judiciary Board is appealed in writing by the defendant, the Executive Vice President shall initiate proceedings to conduct an appeal not more than two weeks from the filing date of the appeal.
- B. The Executive Vice President shall notify all board members selected by the lottery and the involved parties of the date, time, and place of the hearing.
- C. The hearing shall be conducted on neutral ground.
- D. All Appeals Board members must be in attendance for a hearing to commence.
- E. The Appeals Board shall meet in private and vote by secret ballot after both sides of the case have rested. Only the verdict and sanctions of the Judiciary Board decision can be ruled on.
- F. A majority vote of the Appeals Board shall constitute a decision. The Executive Vice President shall not vote except in the event of a tie.
- G. The parties involved in the appeal shall receive formal notification of the outcome within seven (7) days of the appeal. Any appeals process must be initiated by the parties involved within two (2) weeks of the hearing.
- H. If the appealing member chapter fails to attend the hearing, the appeal will be automatically denied. The Executive Vice President may grant an additional hearing in extreme circumstances.

### **ARTICLE IX: APPELLATE REVIEW BOARD**

#### SECTION 1: Structure

The Appellate Review board shall consist of the IFC President, a Greek Advisor, and the Director of Student Activities.

#### SECTION 2: Duties and Powers

- A. When a ruling of the Appeals Board is appealed in writing by the defendant, the Executive Vice President shall initiate proceedings to conduct a hearing not more than two weeks from the filing date of the appeal.
- B. The hearing shall be conducted on neutral ground.
- C. All Appellate Review Board members must be in attendance for a hearing to commence.
- D. The Appellate Review Board shall only rule on the verdict and the sanctions of the Judiciary Appeals Board.
- E. Decisions of the Appellate Review Board shall be final.

- F. The Appellate Review Board shall meet in private and vote by secret ballot after both sides of the case have rested.
- G. A majority vote of the Appellate Review Board shall constitute a decision.

## **ARTICLE X: JOINT JUDICIARY HEARING**

### **SECTION 1: Joint Judiciary Board Structure**

The Joint Judiciary Board shall be compromised of three IFC Judiciary Board members, three Pan Hellenic Judiciary Board members, and a chairperson. The Chairperson shall be the IFC Executive Vice President if the complaint is against a member fraternity, and the Chairperson shall be the Pan Hellenic Executive Vice President if the complaint is against a sorority.

### **SECTION 2: Jurisdiction**

The Joint Judiciary Board shall hear all cases mandated by the Interfraternity Council Bylaws and the Pan Hellenic Council Bylaws. The Board is also required to hear cases referred to it by the IFC Executive Vice President and the Pan Hellenic Executive Vice President. The complainant or defendant may request a joint judiciary Board Hearing.

### **SECTION 3: Joint Hearing Procedures**

- A. A Joint Judiciary Hearing shall be scheduled within two weeks after recommendation is received from an Executive Vice President.
- B. The Chairperson shall set a date, time, and place for a hearing and will notify all board members and all involved parties of the case.
- C. The Joint Judiciary Board shall consist of six Judiciary Board members and an Executive Vice President as Chairperson. In the event that the minimum number (6) of justices cannot convene at a time deemed by the Executive Vice President to be essential in terms of a joint hearing, an executive member of the Interfraternity Council or the Pan Hellenic Council may serve as a board member.
- D. No hearing may commence without six Joint Judiciary Board members. If an individual, or a member chapter's representative fails to appear at the hearing, the Joint Judiciary Board, by way of a majority vote, shall select one of the following courses of action:
  - 1. Reschedule the hearing.
  - 2. Render a decision based on the available information.
- E. Hearings shall be conducted on neutral ground.
- F. The jurisdiction of the Joint Judiciary Board is not necessarily limited to the original complaint; it may include other offenses revealed during the hearing.
- G. After all evidence has been heard and both sides have rested, the Joint judiciary Board shall reach a decision by secret ballot. A majority vote shall be required to issue a verdict. The Chairperson will have no vote except in the event of a tie.

- H. Penalties levied by the Joint Judiciary Board shall be agreed upon by a unanimous vote of the board before they may be issued.
- I. The parties involved in the hearing shall receive formal notification of the outcome within seven (7) days of the hearing. Any appeals process must be initiated by the parties involved within two (2) weeks of the hearing.

## **ARTICLE XI: JOINT APPEALS BOARD**

### **SECTION 1: Structure**

The Joint Appeals Board shall consist of six members: three presidents of IFC member fraternities, three presidents of Pan Hellenic member sororities, and a Chairperson. The Chairperson shall be the chair of the original Joint Judiciary Hearing.

### **SECTION 2: Board Member Selection**

- A. When a decision has been appealed, the six board members will be chosen by lottery from a hat containing the names of all IFC member fraternities and all Pan Hellenic sororities, except the names of the member chapters involved in the appealed case.
- B. The lottery shall be conducted by an Executive Vice President and witnessed by the IFC President and the Pan Hellenic President.
- C. A lottery shall be conducted for each case to be heard by the Appeals Board.

### **SECTION 3: Expulsion of a Board Member**

One absence from a designated meeting or hearing will result in selection of a replacement member chosen by the lottery process.

### **SECTION 4: Appeal Requests**

Appeals must be based on one or more of the following criteria

1. Severity of sanction(s).
2. Ability to introduce new evidence.
3. Improper hearing procedures.

### **SECTION 5: Duties and Powers**

- A. When a ruling of the Joint Judiciary Board is appealed in writing by the defendant, the Chairperson shall initiate proceedings to conduct an appeal not more than two weeks from the filing date of the appeal.
- B. The Chairperson shall notify all board members selected by the lottery and the involved parties of the date, time, and place of the hearing.
- C. The hearing shall be conducted on neutral ground.
- D. All Joint Appeals Board members must be in attendance for a hearing to commence.

- E. The Joint Appeals Board shall meet in private and vote by secret ballot after both sides of the case have rested. Only the verdict of the Joint Judiciary Board decision can be ruled on.
- F. A majority vote of the Joint Appeals Board shall constitute a decision. The Chairperson shall not vote except in the event of a tie.
- G. The parties involved in the appeal shall receive formal notification of the outcome within seven (7) days of the appeal. Any appeals process must be initiated by the parties involved within two (2) weeks of the hearing.

## **ARTICLE XII: DISCIPLINARY SANCTIONS**

### **SECTION 1: Judiciary Board Decision**

After hearing a case, the Judiciary Board must render one of two decisions. First, the Judiciary Board may determine that the individual, or group, is not guilty of violating a regulation. A finding of not guilty will not be considered when making future disciplinary decisions. Second, the Judiciary Board could determine that the individual, or group, is guilty of violating a regulation. If an individual or group is found guilty, a disciplinary sanction will be imposed and the decision and sanction may be used in subsequent cases to decide the appropriate disciplinary actions.

### **SECTION 2: Sanctions**

- A. Reprimand: This is a warning indicating that the group's actions were inappropriate and that subsequent violations may result in more serious disciplinary action.
- B. Restitution: A payment for financial loss to an injured party in cases involving theft, destruction of property, or deception. The assessed costs to be paid may be in addition to other penalties.
- C. Educational Seminars: This restriction requires the group to attend, sponsor, and/or present an educational program. The program must be approved by the IFC Executive.
- D. Community/University Service: An organization may be required to complete a specified number of community service hours. The type of community/university service must be approved by the IFC Executive.
- E. Campus Activities Restrictions: These restrictions prohibit groups from participating in some, or all, Greek honors and events.
- F. Fines
  - 1. Minor Infractions
    - a. Minor infractions shall be acts which are not deemed by the Judiciary Board to have caused major physical damage or harm to a member fraternity, its members, the fraternity system, or the university community as a whole.
    - b. Penalties for minor infractions defined above shall be a maximum fine of \$100, or other reparation if more appropriate.

2. Major Infractions

- a. Major infractions shall include repeat offenses of minor infractions as well as violations which involve serious damage to property, serious threat to physical safety and well-being of an individual, member fraternity, the fraternity system, or the university community.
- b. Penalties for major infractions shall be a minimum of \$100, not to exceed \$750.

3. Fines levied shall be payable to the Interfraternity Council.

G. Disciplinary Probation: This is a serious warning that subsequent infractions of regulations will most likely result in an organization's suspension. The probation is given for a specified period of time. The national headquarters of the member fraternity placed on probation will be notified of this action. In addition to imposing the sanction of probation, the Judiciary Board may pose one or more of the restrictions listed and other actions that are deemed suitable.

H. Suspension: This action consists of the removal, for a specified or indefinite period of time, of a member fraternity from the Interfraternity Council. In addition, it prohibits the group's participation in all Greek activities. The member fraternity must petition the IFC Judiciary Board, as a demonstration of good conduct, in order to be removed from suspension.

**SECTION 3: Enforcement**

The IFC Executive Vice President, as an agent of the Judiciary Board, is ultimately responsible for the imposition of all disciplinary sanctions recommended by the IFC Judiciary Board.

**SECTION 4: Report**

All decisions made by the Judiciary Board, Appeals Board, and Appellate Review Board will be reported at the IFC Legislative Meeting, and a file will be kept of all decisions in the IFC Office.

**ARTICLE XIII: AMENDMENTS**

The Judiciary Bylaws may be amended by a 2/3 vote of the IFC legislative Body.