CONSTITUTION, BYLAWS,

AND

JUDICIAL PROCEDURES

OF THE

UNIVERSITY OF NEBRASKA AT KEARNEY

INTERFRATERNITY COUNCIL

April 30, 2013
PREAMBLE

The fraternities of the University of Nebraska at Kearney, hereafter referred to as UNK, in joining together to form the Interfraternity Council, adopt this constitution and its bylaws as the mutually agreed upon guide for the governance of the current and future fraternal organizations of this university.

ARTICLE I: NAME

Section 1. This organization shall be known as the Interfraternity Council of the University of Nebraska at Kearney, hereafter referred to as the IFC.

ARTICLE II: MISSION STATEMENT

Section 1. It is the mission of the IFC to fairly and equally serve all of its member organizations. The IFC shall be the governing body through which the chapters of UNK can come to have equal voice in stating their opinions and concerns regarding the UNK Greek Community. The IFC will strive to establish and maintain strong lines of communication between the member chapters, the Council, the University of Nebraska at Kearney, its student body, and the people of the Kearney community. In addition to this, the IFC will work to foster a spirit of friendliness and cooperative helpfulness among all of the fraternities of this university in matters relating to fraternal and social affairs, scholastic achievement, school activities, anti-hazing and risk management policies, recruitment, and all other matters of common concern.

ARTICLE III: MEMBERSHIP

Section 1. The IFC shall be composed of NIC chapters, approved men’s general college fraternities, and approved colonies of the University of Nebraska at Kearney.

ARTICLE IV: ADMISSION TO THE COUNCIL

Section 1. The IFC shall reserve the right to accept and approve all applications for admission.

Section 2. The IFC is responsible for determining the appropriate timing to expand the fraternity community and granting permission for expansion. All respective fraternities or colonies with a national organization, desiring recognition by the Council, must fulfill the following requirement:

A. Must petition the Council for Colony status. This consists of at least two members of the prospective colony and a representative from the national Fraternity, interview with the Council Advisor, President, and Vice President of Recruitment.
   a. Minimum of 15 to colonize
   b. Minimum of 2.5 GPA

B. The IFC shall review material submitted by the applying organization and shall consider the current state of the UNK Greek community in general. The president of the IFC shall preside over all discussions regarding expansion. The petition for colony status must be approved by a simple majority vote of the Council.

1. Materials to be included in the petition for colonization
   a) Logistical Information
      1. Name of fraternity
      2. Founding Date
      3. History with UNK (if applicable)
4. Average chapter size
5. Number of chapters closed in the last five years and reasons for closing
6. Membership Costs: new member, initiation fees, insurance, regular dues

b) Program Policies
1. Risk Management Plan
2. Minimum standards of potential new members
3. Scholarship program
4. Community Service program
5. Constitution and By-laws
6. How the organization plans to meet the requirements of the UNK IFC criteria.

c) Colonization
1. Procedures
2. Ongoing support for colony
   a. Recruitment support
   b. Additional resources

3. Criteria for colonizing and chartering: to include minimum number of students pledged to establish a secure colony and later charter/chapter status (i.e. what does a colony need to do to move to active chapter status?)
4. Housing Expectations: Indicate housing expectations of the University.

d) Organizational structure
1. National Structure
2. Chapter Structure

e) Resources
1. Kearney/Nearest Chapter
   a. Number of alumni in Kearney area
   b. List of alumni committed to serve as advisors and house corporation members (including their contact information).

2. Colonization Procedure
   a) Organizations selected to colonize or re-colonize must meet the following criteria:
      1. Recruit only UNK accepted and enrolled full time students.
      2. Representatives must attend all IFC meetings and all members are strongly encouraged to participate in every facet of the Greek community.
      3. Secure the support of a University advisor.
      4. The colony shall maintain an active alumni committee consisting of at least five alumni, with one being designated as the chapter advisor, subject to approval by
the IFC and the Dean of Students. This committee shall be trained by the (Inter)National fraternity. The colony advisor should attend all meetings of the colony and scheduled meetings for advisors by the Greek Life Office.

5. The colony must abide by all IFC and University policies, regulations, and guidelines.

6. The group must move from colony to chapter/charter status within two calendar years from the time of becoming a UNK interest group in order to become an active chapter of the IFC at UNK. For their first semester on campus, colonies will be Associate Members of the IFC.

b) Associate IFC membership becomes automatic when the Fraternity begins the colonization process.

Section 5. After the report is given to the members of the council, a vote shall be taken at the next regular meeting of the council. A two-thirds affirmative vote, by closed ballot, of all the voting members shall be necessary before the petitioning colony shall be recommended to the Dean of Students as a colony of UNK.

Section 6. If there are multiple fraternities attempting to expand at UNK, the IFC has the ability to determine the order and timeline of expansion for each prospective fraternity.

Section 7. If permission to colonize is granted by majority vote, the IFC holds the right to establish any and all recruitment guidelines by which the organization must abide, including but not limited to the time at which the organization may begin recruitment, and other limitations deemed necessary by the IFC.

A. Recruiting may only happen upon approval of colony status, and must be done solely by members of the said colony, not organization consultants.

Section 8. Upon colony establishment, the colony must become a recognized student organization through the UNK Student Senate.

Section 9. The colony must remain as a colony for at least one probationary semester. During this semester the Executive Members of the Council and Council Advisor will review and monitor the colony’s activities and involvement and determine whether it meets the council standards.

A. The colony shall designate two of the colony members as non-voting representatives to the IFC. One shall be the President of the colony, the other shall be chosen by the colony, as it may deem fit. They will give updates on the colony progress upon request of the IFC President.

Section 10. After achieving national recognition, said fraternity will assume all ensuing rights and privileges of the IFC.

A. The Council will grant full chapter recognition by a simple majority vote, provided all of the Council requirements are fulfilled.
a. Must have a minimum of 25 members to charter.
b. Must meet all requirements of the IFC.
c. Must pay semester dues upon approval.

B. Once this occurs, the Fraternity must abide by all Council rules and regulations, and will receive full voting privileges.

ARTICLE V: GOVERNMENT

Section 1. The governing legislative body of the IFC shall consist of two local active delegates from each IFC recognized fraternity, one of whom may be, but is not required to be the president of each chapter. These delegates, one of whom who has been initiated for at least two semesters, will serve as liaisons between their chapter and the IFC. Each delegate shall serve at least a one semester term. Substitutes may be sent in the absence of either delegate, without penalty. This body will be responsible for the Constitution, its Bylaws, and regulations imposed upon itself as a body.

Section 2. An advisor, recognized by the University, shall be present for all IFC, Executive Board, and Judicial Board meetings. The advisor will not be allowed any voting privileges, but will be present for the purpose of directing and guiding the council. The advisor may be excused when other obligations persist.

Section 3. Each delegate will be entitled one vote. There will be no vote by proxy. If a delegate cannot attend a meeting, he shall be allowed to send a representative from his chapter to attend and vote in his place. The IFC Officers will have no voting privileges, but the President will be entitled one vote in the case of a tie.

ARTICLE VI: MEETINGS

Section 1. The meeting time and place shall be determined each semester by the President of the council. The determined time and place shall stay constant during the semester. In case of a meeting time needed to be changed, written notice must be given to each IFC representative twenty-four hours prior to the meeting time.

Section 2. Attendance to all meetings of the IFC is mandatory. A fraternity will be considered absent if the chapter president or chapter delegate is not in attendance and the fraternity fails to send their substitute to all IFC meetings. The attendance record and accompanying consequences will begin after the first meeting.

A. First and Second Absences
   If the fraternity fails to be represented by either chapter president or chapter delegate or substitute, a written warning will be issued to that fraternity’s president by the IFC Vice President of Administration.

B. Third Absence
   If the fraternity fails to be represented a third time, the fraternity will be assessed a $25 fine.
C. Fourth Absence
   If the fraternity fails to be represented a fourth time, a letter will be drafted and submitted to the IFC Executive Vice President/Judicial Board Chairman for further review due to the chapter’s failure to comply with IFC Policies. A letter will also be sent to the chapter’s national fraternity headquarters informing them on the absences from IFC.

D. Excused Absence
   If the IFC Vice President of Administration is notified 24 hours prior to the given meeting that the fraternity will be unable to be represented due to a conflicting fraternity function or other acceptable reason, no penalties will be incurred. Fraternity functions are defined to include major events such as induction, initiation, rituals, and philanthropic events.

E. Absences may be appealed due to extenuating circumstances and reviewed by the Executive Board.

Section 3. There will be at least one scheduled meeting of the entire UNK Greek Community per semester. The purpose of this meeting is to serve as an update on the happenings of the Greek community throughout the semester and to inform the community on anything yet to come. This meeting will also serve as a community wide forum during which major legislation and issues that affect the whole Greek community can be discussed. The meeting will be scheduled during the semester prior to when it will be held and it is expected that all fraternity members be present.

Section 4. The President of the IFC or the Advisor to the IFC may call any special meetings required to carry on the business of the IFC. Written notice must be given to each IFC representative twenty-four hours prior to the meeting time.

Section 5. All meetings of the IFC shall be conducted by Robert’s Rules of Order Newly Revised.

Section 6. Quorum for all meetings shall be established as two-thirds of the voting members of the assembly.

Section 7. The order of business at all meetings of the council shall be as follows: (1) Call to order, (2) Roll Call, (3) Approval of the previous meeting’s minutes, (4) Officer reports, (5) Committee reports, (6) Old business, (7) New business, (8) Good of the Council, (9) Adjournment.

ARTICLE VII: ELECTION OF OFFICERS

Section 1. The officers shall be elected at the second to last regular meeting of the fall semester. Officers shall remain in office until they resign, are expelled or their successors are installed as officers. Incoming officers as well as outgoing officers shall attend the last regular meeting of the fall semester.

Section 2. Candidates shall go through an application process. Applications shall be made available not less than two weeks prior to the scheduled elections. The application form to be used will be the most current IFC application form. Candidates will not be allowed to run for
offices that were not petitioned in the application process. Acceptance of applications shall
remain until the date specified by the IFC President and/or Advisor.

Section 3. To be eligible to apply the prospective officer must have a minimum of a 2.5
cumulative grade point average, be initiated into the membership of a UNK fraternity and be in
good standing with the UNK chapter of that fraternity. If the applicant is of freshman standing
and/or first semester of active status, the applicant must provide a letter or recommendation,
along with his application, from either their chapter president or their chapter advisor. Said person
will also be exempt from applying for offices of President, Executive Vice President, and Vice
President of Recruitment.

Section 4. Any person holding the office of president in his respective chapter shall not hold an
office on the IFC Executive Board. Any person holding the office of Recruitment Chair in his
respective chapter shall not hold the same office in IFC or the office of IFC President.

Section 5. The IFC President and Vice President of Recruitment shall disaffiliate/disassociate
from their chapter’s recruitment.

Section 6. Should an office be vacated, the President of the IFC will appoint a successor to that
office, subject to majority approval of the council at the next regular meeting after an applicant
has been chosen to fill the vacant office.

Section 7. The outgoing officers shall remain in an advisory capacity for two meetings after the
election of the new officers.

Section 8. In case of removal of the President from his office, his resignation, or inability to
discharge the powers and duties of the office, the duties of the President will fall on the Executive
Vice President immediately. A new Executive Vice President should be nominated from the
current IFC Exec board at the next regular meeting following the vacation of the Presidential
position. Approval by a majority vote of the members shall occur at the next regular meeting
following nomination. The appointment of a new executive member of the vacant position shall
follow under Section 4 guidelines.

Section 9. Officers may be removed by a two-thirds affirmative vote of the members of the
council. Such actions must warrant a written complaint as to the reason(s) for removal. The
complaint will be presented to the voting assembly only, by either the President or Executive
Vice President, accompanied by the complainer, if he so desires. A vote will be taken as to the
removal or non-removal of the officer at the next regular meeting of the IFC. If the officer is
removed, the council shall refer to Article VII, Section 6 to appoint a new officer to the position.

Section 10. Presidential candidates must be of at least sophomore standing or have been enrolled
for three or more consecutive semesters at UNK immediately preceding their application. To be
eligible for IFC President a candidate must have been an IFC Executive Officer, a chapter
president, or an IFC Delegate who has served a full term.

Section 11. IFC Officers will be removed immediately in the event that an officer’s GPA falls
below a cumulative 2.5 average.

Section 12. The Full IFC may suspend specific standards of officer criteria prior to elections by a
two-thirds vote.
ARTICLE VIII: DUTIES OF THE OFFICERS

Section 1. Among the duties of all the officers shall be the following:

A. The President, Executive Vice President, Vice President of Administration, Vice President of Programming, Vice President of Recruitment, Vice President of Scholarship, Vice President of Public Relations, and Vice President of Community Service shall perform the duties incident to their respective offices and all other duties assigned in the Constitution, Bylaws, or other assigned duties.

B. It shall be the duties of these officers to enforce the policies, regulations, and Constitution of the IFC. The IFC Officers will also carry out the business of the council.

C. The Executive officers will be required to meet with either the IFC President or IFC advisor at their request.

D. It shall also be the responsibility of the IFC Officers to create, maintain, and update a Mid-America Greek Council Association (MGCA) book, pertaining to their office, throughout their term. This process will be overseen by the IFC Vice President, but it is up to each individual officer to keep their book up to date.

Section 2. Among the duties of the President shall include the following:

A. Preside at all the IFC meetings.

B. Preside at all the Executive Board meetings.

C. Preside at Presidents’ Roundtable meetings.

D. Enforce and carry out the actions of the IFC.

E. Facilitate, review, and revise IFC Officer goals.

F. Appoint and coordinate standing and ad-hoc committees.

G. Serve as liaison representative between fraternities, UNK, the Panhellenic Council, and the community.

H. Coordinate new officer training and transition.

I. Serve as ex-officio member of all IFC committees.

Section 3. Among the duties of the Executive Vice President shall include the following:

A. Assume the duties of the President in the event of his absence.

B. Initiate investigatory actions in cases that will be reviewed by the IFC.
C. Serve as the Chairman of the IFC Judicial Committee.

D. Coordinate all risk management programming.

E. Be responsible for the maintenance of the Constitution, Bylaws, and rules of the IFC.

F. Oversee the creation and maintenance of IFC MGCA books.

Section 4. Among the duties of the Vice President of Administration shall include the following:

A. Schedule, secure, and announce all meeting times and locations.

B. Record accurately the minutes of the IFC meetings.

C. Distribute the IFC minutes to all IFC Exec members, IFC voting members, the IFC advisor, Greek Advisor, and when requested, the Dean of Students.

D. Maintain a membership list of all fraternities recognized by the IFC.

E. Be responsible for the maintenance of the IFC files.

F. Assess and collect all IFC dues.

G. Maintain and balance all IFC financial records.

H. Pay all bills promptly.

I. Submit to the IFC, in the spring of each year, an annual budget to be approved by the council.

J. Prepare a report of financial status of the IFC in April and a final report in December.

Section 5. Among the duties of the Vice President of Programming shall include the following:

A. Make a tentative schedule of all Greek events by the fourth week of each semester.

B. Provide and collect social event registration forms for each chapter.

C. Coordinate any special events that the IFC sponsors.

D. Provide a communication link between the council and the Greek Week Chairperson.

E. Be responsible for providing information and resources to each fraternity concerning leadership opportunities, alcohol awareness, hazing rules and regulations, etc.

F. Coordinate new member education programs during each semester.

G. Coordinate all IFC membership education programming.

Section 6. Among the duties of the Vice President of Recruitment shall include the following:
A. Provide a workshop for all chapter Recruitment Chairmen prior to the end of the spring semester.
B. Be responsible for all IFC summer mailings.
C. Be responsible for all IFC recruitment information materials.
D. Be responsible for the distribution and collection of IFC Member Registration Cards.
E. Be responsible for coordinating summer recruitment and fall structured recruitment.
F. It is strongly encouraged that the IFC Recruitment Chairman live in the Kearney area.

Section 7. Among the duties of the Vice President of Scholarship shall include the following:

A. Coordinate all IFC scholarship programming.
B. Conduct a workshop for all chapter Scholarship Chairmen.
C. Coordinate the ongoing awards program of the IFC.
D. Coordinate academic reviews of scholarship programs and performance.
E. To stay abreast to all fraternities’ academic standing, when necessary, hold chapters responsible for non-compliance with UNK IFC Bylaw VII. Such matters shall be handled in accordance with the IFC Constitution, Article IX Section 2.

Section 8. Among the duties of the Vice President of Public Relations shall include the following:

A. Be responsible for the collection and disbursement of information on the fraternity system to all campus and community media sources.
B. Serve as a liaison with UNK campus organizations, such as student government.
C. Attend a minimum of two student government meetings per semester, unless another Executive member is currently a member of student government.
D. Serve as the chair of the IFC Publications Committee.
E. Be responsible for the publishing of a monthly Greek newsletter in cooperation with the Panhellenic Public Relations Chair.
F. Be responsible for the upkeep and general maintenance of the IFC website.

Section 9. Among the duties of the Vice President of Community Service shall include the following:

A. Oversee Greek community service and philanthropic programming.
B. Host at least one all-Greek service project and/or volunteer fundraiser per semester.

C. Be responsible for staying abreast with the surrounding community’s service and philanthropic needs.

D. Collect all chapter service hours and donated dollar amounts.

Section 10. The officers of the IFC shall be allowed three absences, per term in office, from all IFC meetings. Upon violation of this item, they may be removed from their duties and office, pending a two-thirds vote of the IFC Executive Board. Absences must be presented to the IFC President or Vice President of Administration before the time of the scheduled meeting.

**ARTICLE IX: JUDICIAL**

Section 1. The IFC Judicial Committee shall consist of the Presidents of all fraternities that are not being charged or bringing up the charge, and the Executive Vice President of the IFC as the non-voting Judicial Chairperson. All members of the IFC Judicial Committee must maintain a minimum 2.5 GPA.

Section 2. A judicial hearing can be referred to the IFC Executive Board by any person or organization, be they a student, faculty member, campus organization, fraternity, etc., having reason to bring suit against an IFC member fraternity. The IFC Executive Vice President will then take the referral(s) and collect as many facts as possible. The Executive Vice President will then present the information to the IFC Executive Board, who will then determine whether the case demands the attention of a judicial hearing by a majority vote.

A. A single member of an IFC member fraternity may be brought before the IFC Judicial committee if that member is currently in a monetary debt to IFC. The judicial hearing may only pertain to the member’s debt to IFC and shall bring up no other allegations.

Section 3. The IFC Judicial Committee will be utilized in all instances of disputes between chapters and may be used in disputes among individual members of different chapters that are not of a nature which would require real legal action. Disputes among members of the same chapter should be kept within that chapter.

Section 4. The general duties of the Judicial Committee shall be to enforce the Constitution, its Bylaws, and the policies of the IFC, and the policies and regulations of UNK implemented in the UNK handbook, to hear all cases brought before it, and to impose sanctions in such cases which are deemed necessary by the IFC Executive Board.

Section 5. Neither the fraternity being charged nor the fraternities directly involved in the incident shall have a vote concerning the verdict or the disciplinary action taken.

Section 6. The IFC Judicial Committee shall meet after a regularly scheduled IFC meeting or at a special meeting. The guidelines for a meeting of this nature are explained in the IFC Judicial Procedures packet.

Section 7. All IFC Judicial Committee members will be required to attend IFC Judicial Committee training which will be conducted once per semester by the IFC Executive Vice President.
Section 8. Sanctions may include, but are not limited to, any of the following: monetary fine, restriction of social privileges, written report to the Dean of Students and/or the respective national headquarters requesting their involvement. All sanctions must include an educational stipulation.

ARTICLE X: AMENDMENTS AND VOTING REQUIREMENTS

Section 1. The Constitution may be amended by a two-thirds vote of the total assembly, or the UNK Student Senate and the office of the Dean of Students; the vote will take place at the first regular meeting of the IFC following the presentation of the proposed amendment.

Section 2. The Bylaws may be changed by a simple majority of the total assembly; the vote will take place at the first regular meeting of the IFC following the presentation of the proposed bylaws.

Section 3. It shall take a two-thirds vote of the total assembly to fix dues and special assessments.

ARTICLE XI: POLICIES

Section 1: Enforcement.

The IFC pledges to deal firmly and constructively with any activities of its member fraternities, which are not consistent with the principles outlined in the Constitution and its Bylaws. The IFC also upholds the laws, rules, and policies of UNK, the City of Kearney, the State of Nebraska, and the North-American Interfraternity Conference (NIC).

Section 2: Membership.

The members of the IFC shall follow the UNK Non-Discriminatory Policy as not to exclude any man from rushing, pledging, or initiating on the basis of race, color, sexual orientation, religion, disability, or national origin.

Section 3: Hazing.

The members of the UNK fraternity system believe that true fraternalism is natured in an atmosphere of social and moral responsibility, respect for duly constituted authority, and loyalty to the principles of higher education. We further believe, despite the fact that much progress has been made, that one of the most damaging instruments to the fraternity system is the employment of programs of education which include hazing, and that this ridiculous and hazardous custom has no place in the fraternity system. The IFC upholds a zero-tolerance policy where hazing is concerned. Any reports of hazing to the IFC will be immediately sent to the UNK Judicial Board and/or UNK Public Safety/Kearney Police Department. The following, along with the description given in the UNK Student Handbook, is the definition of hazing recognized by the members of the council:
Individual or group conduct which results in the disturbance or distress of others or which causes defacement, damage, or destruction of property. These abuses include any actions, activities, or situations, whether intentional or not, that produce unnecessary and undue mental or physical discomfort, embarrassment, harassment, ridicule, excessive fatigue, forced drinking, interference with social or personal lives, or exposure to situations wherein one’s personal, physical, or mental well being may be endangered.

Section 4: Fighting.

The IFC recognizes that fighting in all of its forms (verbal, symbolic, and physical) is destructive to both the Greek community and also the public community. Therefore, any fraternity whose members are involved in a fight and/or are cited for such activity by a state or campus official may be dealt with in accordance with Type B violations of the Social Policy. If fraternity members are convicted by a Court of Law, they may be dealt with in accordance with Type A violations as outlined in the IFC Social Policy.

Section 5: Public Image.

The IFC strongly discourages the use of inappropriate themes (i.e. alcohol, drugs, sex, etc.) in fraternity advertising, posters, merchandise, clothing items, and any other publicly viewed or heard means of communication.

ARTICLE XII: SOCIAL POLICY

Section 1: Event Registration

Each member fraternity of the IFC must register all chapter-sponsored events involving alcohol with the Vice President of Programming, President of the Council, or the Council Advisors.

A. Events must be registered at least 48 hours in advance of the event.

B. Registration must be in writing and must include the names of all organizations involved in the event, the location of the event, the names of the event monitors, the beginning and ending times of the event, a list of all members and guests who plan to attend (turned in no less than 24 hours prior to the event), a copy of each chapter’s crisis management plan, and a statement of compliance with the policy.

Section 2: Open Functions

Admittance to all chapter-sponsored events will be by guest list only. One invitation may not serve to invite an entire organization. Each individual guest must appear on the guest list which is turned in with the event registration forms. Each member may only invite up to two guests for the function.

Section 3: Purchase of Alcohol

No chapter shall purchase alcoholic beverages with chapter funds. All alcoholic beverages consumed at chapter-sponsored events must be purchased by individuals. Chapter funds shall be
defined as consisting of money collected by dues paid and/or “passing the hat” among members and guests. Any method of raising funds for the purchase of alcoholic beverages is also prohibited.

Section 4: Common Sources

Common sources of alcoholic beverages (i.e. kegs, party balls, punch bowls, etc.) are not permitted on chapter owned or leased property or at any event unless being served through a licensed vendor.

Section 5: Alternatives to Alcohol

Non-alcoholic beverages, as well as food, must be available at all chapter-sponsored events involving alcohol. These items must be displayed prominently as a viable alternative to alcoholic beverages and must remain for the majority of the event.

Section 6: Monitoring Events

Each respective fraternity will have the responsibility of monitoring its own events and members in the following ways:

A. At every chapter-sponsored event involving alcohol there shall be at least three monitors from each sponsoring organization. However, if the organization provides paid security guards at the establishment, the minimum number of chapter monitors is one. An advisor to the fraternity may serve as a monitor.

B. Monitors shall not consume alcoholic beverages on the day of the event nor during the event.

Section 7: Transportation

Sober transportation must be provided to and from the place of establishment. A reasonable number of vehicles, including the capacity of the vehicle, must be provided to adequately transport the amount of people signed up for the function.

Section 8: Sanctions

The Interfraternity Council Judicial Board may impose one or more of the following sanctions. The Judicial Board shall take into account the seriousness of the offense; the effect of the conduct on any victim(s), University Nebraska-Kearney, and the Greek community; the attitude of the chapter; prior misconduct of the chapter; and the chapter’s own sanctions against individual members. Previous misconduct shall be considered during sanctioning but not in determination of guilt.

- Restitution or Reimbursement. Such may take the form of payment or service to compensate for damages.
- **Warning or Censure.** An admonition to the chapter indicating that a continuation of conduct violations may be cause for more severe disciplinary action.
- **Fine.** A monetary fine set by the Judicial Board, paid to the Interfraternity Council or other organization.
- **Community Service.** The Judicial Board will determine the number of hours required and *may* determine where the service will be conducted.
- **Contact National Headquarters.** Written contact made with a chapter’s National Headquarters indicating the charges, evidence, decision, and sanctions against a chapter.
- **Suspension from the Interfraternity Council.** The Judicial Board may suspend a chapter for a definite period, not to exceed two (2) semesters, from Interfraternity Council privileges not limited to: meeting attendance, voting, holding office, and participation in sponsored events.
- **Restricted Social Events.** The Judicial Board may suspend a chapter’s social activities for a definite period of time not to exceed one (1) semester. The Judicial Board will outline the specific restrictions this includes.
- **Educational Programming.** The chapter may be required to attend, sponsor, or present an educational program on a specified topic to a specified audience.
- **Probation.** The Judicial Board may give probation for a definite period of time, not to exceed two (2) semesters, during which the chapter must adhere to certain outlined conditions, with predetermined consequences for failure.
- **Other.** Other sanctions imposed alone or in addition to other sanctions

**Article XIII: Risk Management**

**Section 1:** The risk management policy used shall be the FIPG Risk Management Policy. The policy is stated as follows:

**A. Alcohol and Drugs**

1. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.

2. No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.

3. OPEN PARTIES, meaning those with unrestricted access by non-members or the fraternity, without specific invitation, where alcohol is present, are prohibited.

4. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age)
5. The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.

6. No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.

7. No chapter may co-sponsor, co-finance, or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups, or organizations.

B. HAZING

1. No chapter, colony, student or alumnus shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as:

"Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities, and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law."

C. SEXUAL ABUSE AND HARASSMENT

1. The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members, whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location which are demeaning to women or men, including but not limited to verbal harassment, sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at a fraternity event as defined in this policy is prohibited.
D. FIRE, HEALTH AND SAFETY

1. All chapter houses should meet all local fire and health codes and standards.

2. All chapters should post by common phones and in other locations emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.

3. All chapters should comply with engineering recommendations as reported by the insurance company or municipal authorities.

4. The possession and/or use of firearms or explosive or incendiary devices of any kind within the confines and premises of the chapter house is prohibited.

5. Candles should not be used in chapter houses or individual rooms except under controlled circumstances such as initiation.

E. EDUCATION

Each fraternity shall annually instruct its students and alumni/alumnae in the Risk Management Policy of FIPG, Inc. Additionally, all students and key volunteers shall annually receive a copy of the Risk Management Policy and a copy of the policy shall be available on the fraternity website.
UNIVERSITY OF NEBRASKA AT KEARNEY  
INTERFRATERNITY COUNCIL BYLAWS

ARTICLE I: MEETING

The IFC full council shall meet weekly according to the necessity and the issues present. The IFC president and/or advisor and/or Greek Advisor shall determine which IFC group, if any, meets during which week. The IFC groups shall be defined as, Chapter Presidents roundtable, IFC Executive Board, and IFC full council. The time of the meetings shall be determined by the IFC president with twenty-four hours notice to all member fraternities.

ARTICLE II: EXECUTIVE BOARD

The IFC Executive Board shall serve as a guiding committee to the IFC. It shall meet with the Panhellenic Executive Council at least once per semester to coordinate projects of joint interests.

ARTICLE III: FINANCIAL

Section 1: Dues

A. Each member fraternity of the IFC is required to pay $15.00 per member per semester to the IFC Vice President of Administration. All dues shall be paid within 15 days of billing. Delinquent fraternities will automatically lose their voting rights after 15 days, and after 30 days delinquent chapters will be automatically sent to the IFC Judicial Committee. Each chapter’s dues shall be adjusted each semester based on the chapter’s scholastic performance the prior semester. For every .01 the chapter’s GPA is below the All Men’s Average, the chapter’s dues shall be increased by $2.00. Any net income from these adjustments shall be used for scholarship programming by the IFC. All dues assessed by IFC are subject to face a 1.3% monthly interest rate if not paid by the 31st day following issuance, with interest being compounded monthly. Any fines assessed by IFC will also face a .3% weekly interest rate if not paid by the 15th day following issuance. Interest on this amount will be calculated and compounded weekly. If any dues or fines are outstanding on the last day of the academic semester, then the chapter will be put on immediate suspension by the IFC. This chapter shall remain on suspension until its outstanding balance is paid in full.

The interest rates used are very minimal; however, the usury laws of Nebraska do not allow the interest charged to exceed an annual rate of 16%. Therefore, the monthly rate is figured by: 16% / 12 = 1.3%. The weekly rate is figured by: 16% / 52 = .3%. As evident by the numbers, the fines are minimal.

B. The Vice President of Administration, without the approval of the IFC Advisor or general consensus of the IFC Executive Board, shall pay no money from the funds of the IFC.

C. All checks written by the IFC Vice President of Administration shall include both his signature and that of the IFC Advisor.
D. Under no circumstances are IFC funds to be used for the purchase of alcohol or illegal drugs. If such an action should occur, the IFC Vice President of Administration will be immediately removed from his position and the remainder of the council brought under review by the UNK Judicial Board.

**ARTICLE IV: CONSTITUTION AND BYLAWS**

The Constitution and Bylaws of the Interfraternity Council shall be read and a copy of both handed out to each member fraternity during the second meeting of the spring semester.

**ARTICLE V: ACADEMIC POLICY**

Section 1: Scholarship Standards
A. It is the immediate goal of the Interfraternity Council for each member chapter to maintain a minimum GPA of 2.6.
B. Each member fraternity, to retain the privileges granted by the IFC must retain a cumulative fraternity GPA of 2.6.
C. The new member classes of all chapters must maintain a cumulative GPA of 2.6 or higher. Failure to do so will result in a fine of $2.00 for every .01 the new member class’ GPA is below 2.6. Any net income from these fines shall be used for scholarship programming by the IFC as stated in the IFC Dues Policy. Collection of this fine will also follow this policy.

Section 2: Corrective Action
A. Any chapter performing below a 2.6 cumulative GPA will, in writing, be placed on scholastic warning for one semester. If said chapter again fails to attain a 2.6 cumulative GPA during the next consecutive semester, they will be referred to the IFC Judicial Committee and will proceed with the sanctions outlined in Section 2 of Part B of Bylaw V. Corrective action will continue, in order, through this list until the violating chapter can once again attain a cumulative GPA of 2.6 or higher.

B. Any chapter performing below a 2.5 cumulative GPA will be placed on academic review for one semester. The violating chapter will be reviewed by the IFC Judicial Committee. The violating chapter must prepare a written scholarship program designed to improve the grades of its members and present this program to the IFC Judicial Committee. Upon approval, the fraternity shall implement the program for the remaining portion of that semester. If a chapter fails to achieve at least a cumulative 2.5 GPA for two consecutive semesters, in addition to the previously stated sanction, the chapter will lose selected social privileges for one semester determined by the IFC Judicial Committee. If within this period the violating chapter fails to raise their cumulative GPA back above a 2.5, they will again be reviewed by the IFC Judicial Committee and will proceed with their loss of social privileges for one more semester in addition to being placed on academic probation. If, at the end
of this period, the chapter is still below a 2.5 cumulative GPA, they will be reviewed by the IFC Judicial Committee for further action.

C. Any chapter performing below a 2.4 cumulative GPA will be placed on academic probation for one semester. The violating chapter will be reviewed by the IFC Judicial Committee. During this hearing, the violating chapter must state the reason for the poor academic showing and outline their plan to correct the problem. In addition, said chapter will lose all registered social privileges for one semester. If such academic performance persists, the violating chapter will be referred to the IFC Judicial Committee for further action.

D. Academic probation shall be defined as the loss of voting privileges for the duration of the probationary period.

**ARTICLE VI: COMMITTEES**

The standing committees of the IFC are the Recruitment Committee, Public Relations Committee, and the Greek Week Committee. The President of the IFC with the approval of the council will appoint from the IFC membership, or from the general membership of the member fraternities, the committee members. Committee chairmen are the respective elected officers. The President shall also appoint ad-hoc committees as needed. The standing committee responsibilities are as follows

**Section 1: Recruitment Committee**

A. The purpose of this committee shall be the promotion of fraternity recruiting at the University of Nebraska at Kearney.

B. The general duties of this committee shall be to provide information to individual chapters, coordinate recruitment related events, prepare and distribute a recruitment brochure, and facilitate fall structured recruitment.

C. It shall be the responsibility of the Recruitment Committee to obtain a list of incoming freshmen and provide a copy to each member fraternity by May 1.

**Section 2: Public Relations Committee**

A. The purpose of this committee shall be to promote communication among the member fraternities, the university, and the community.

B. The general duties of this committee shall be to publish annually a report describing the program of the IFC and make it available to the public through the appropriate media, and to seek to enhance the image of the fraternities.

**Section 3: Greek Week Committee**

A. The purpose of this committee shall be to plan and promote the event of Greek Week.

B. The general duties of this committee shall be to determine a date for and plan the activities of Greek Week, and to update all chapters on this information.

**ARTICLE VII: SPECIAL EVENTS**
Section 1: Greek Week

A. Greek Week is an event hosted jointly by the Interfraternity and Panhellenic Councils which will take place in the spring semester of every year. The purpose of Greek Week is to bring together the UNK Greek Community in order to celebrate our Greek roots.

B. Greek Week Chairperson

1. The Greek Week Chairperson will be an official, elected by the IFC, who will be in charge of planning and evolving the Greek Week festivities.

2. Applications for the Greek Week Chairperson will be handed out by the third regular IFC meeting of the spring semester and the election shall be held during the second regular meeting of the IFC following the distribution of Greek Week chairman applications. If this time no applications have been received, the IFC President, pending the approval of the council, shall appoint, from the general fraternity population, a person who will then be named Greek Week Chairperson.

3. They shall select event chairpersons to assist them in the tasks related to planning the weeklong event. The chairpersons shall be selected with the best interests of the Greek community in mind. The IFC President may veto any event chairperson selected if he feels the selection is not conducive to the betterment of the Greek community.

ARTICLE VIII: THEFT/DAMAGE

There shall be no theft or damage of fraternity and/or sorority property and member possessions. If such a case should arise and the parties involved are unable to resolve the disagreement, the case will be brought to the IFC for judicial review. A special meeting shall be held to establish guilt by the IFC Judicial committee (and Panhellenic, if a party to the suit). At this time, the extent of the damage will be determined and a request shall be made for restitution. Restitution shall at least include repair or replacement of the item(s) in question. A fine of $50.00 or less may be levied on the individual(s) or chapter(s) involved in such action as deemed warranted.

ARTICLE IX: RECRUITMENT

Section 1: Use of Alcohol

A. There shall be no alcohol present in any recruitment situation. A recruitment situation shall be defined as any communication with male high school students, unregistered prospective UNK students, and/or students currently enrolled at UNK and not members of a fraternity.

Section 2: Pledging
A. Only those students enrolled at UNK are eligible to pledge according to each fraternity’s standard for pledging. A person wishing to pledge a fraternity may not have an outstanding debt to a different fraternity other than the one he is pledging.

Section 3: Summer Recruit/Associate Signing

A. During a summer recruitment period a chapter may sign a registered or enrolled UNK student after June 1st of the current school year.

B. Individuals shall be considered pledged/associated when they have signed an Interfraternity Council Registration Card. No chapter may commit a new member/associate by use of any other type of card.

C. A newly pledged/associated member may not consume alcohol at a chapter-sponsored event 24 hours before or after he has signed the Interfraternity Council Registration Card.

Section 4: Registration Cards

B. Once a registration card is signed the student may not de-pledge and sign with another fraternity until the start of the following semester.

C. IFC Registration Cards shall be mailed or delivered within 48 hours of the signing date.

Section 5: Violation of the Recruitment Policies

A. If accusation is given of the violation of these policies the accused chapter will be immediately brought before the IFC Judicial Committee who will review the case and decide the chapter’s guilt or innocence.

B. Any proven violation of these recruitment rules shall result in one or more penalties which include, but are not limited to: monetary fines, community service hours, loss of social privileges, and loss of recruitment privileges. Penalties given shall be consistent with the “Penalties for Violation” in the IFC Recruitment Guidelines and will be handled by the IFC Judicial Board.

Section 6: IFC Recruitment Guidelines

A. The recruitment guidelines must be signed by each fraternity’s President and Recruitment Chairman before the fraternity may sign their first Potential New Member.

B. The recruitment guidelines must be reissued and resigned if a fraternity elects a new President or selects a new Recruitment Chairman. This responsibility of making sure the new document is read and signed falls on person transitioning out of their respected position.

C. Changes to the guidelines can be made at the fall or spring Recruitment Chair meetings. Changes must be approved by the majority of the Recruitment Chairs.
Recruitment Guidelines  
University of Nebraska at Kearney Interfraternity Council

I. ELIGIBILITY

A. Students currently admitted at UNK are eligible to pledge according to each fraternity’s standards for pledging. Fraternities are not allowed to sign pledges for the upcoming academic year until the end of the 2011-2012 academic year.

B. A person wishing to pledge a fraternity is not allowed to have any outstanding debt to any fraternity other than the one to which he is pledging.

II. ASSOCIATE/PLEDGE SIGNING

A. Individuals shall be considered pledged/associated when they have signed an Interfraternity Council (IFC) registration card. No fraternity may commit a new member/associate by use of any other type of card.
   i) The implications of signing a BID card must be explained to the recruits in full detail.
   ii) Example statement “If you decide to sign this BID card, you will not be able to join any of the other fraternities until next semester. Are you still wanting to sign or would you like some time to see the other fraternities?”

B. Once an IFC registration card has been signed, the student may not de-pledge and sign with another fraternity until the start of the following semester.

C. IFC registration cards shall be mailed to the Greek life office at 1013 W. 27th St., Kearney, NE 68849 or delivered within 48 hours of the signing date.

D. Recruit/pledge that signs an IFC BID card and drops pledge without being initiated will have their name reported to the Greek Advisor. A list of such names will be sent out to all Presidents and Recruitment Chairs prior to the end of the semester.

III. CONDUCT

A. All recruitment materials and practices shall be within the confines of good taste. Any recruitment materials other than those of paper promotional materials such as fliers, pamphlets, posters, etc; must first be approved by the Greek Advisor or IFC President. Such materials needing approval are recruitment shirts given to prospective recruits and videos shown to prospective recruits.

B. No fraternity member (active, inactive, new member, or alumnus) shall participate in the defamation of character against any member or group of members of another fraternity.

C. A fraternity member (active, inactive, new member, or alumnus) should never discourage a potential new member from attending another fraternity’s event nor shall they impede a potential new member’s ability to attend another fraternity’s events.

D. Any member of the Greek Life staff or any member of the IFC Executive board has the right to attend any fraternity’s recruitment event as a bystander and is entitled to go
anywhere prospective members are allowed. Respect and courtesy is expected from both fraternity members present and the visiting individual.

E. No fraternity member (active, inactive, new member, or alumnus) shall conduct nor condone hazing activities.

F. The UNK Interfraternity Council will not tolerate or condone any form of sexist or sexually abusive behavior on the part of recruits, whether physical, mental or emotional.

G. NSE Leaders are to remain unbiased and disaffiliate themselves from their Greek Chapter until the conclusion of the NSE day session at 4 pm.

H. On NSE days until the end of the sessions at 4 pm, fraternity members shall not meet with the incoming students at the designated NSE locations. Only the V.P. of recruitment and/or the President of IFC will present recruitment information about all Fraternal Greek Life at the NSE sessions.

I. Tours given by the V.P. of Recruitment for NSE sessions will include a showing of all the fraternity houses. Those fraternities without houses will be allowed to set up an informational table in one of the fraternity houses or other designated area.

J. A 1-2 week recruitment time will be conducted by IFC. All IFC recognized fraternities can participate in these recruitment events.

IV. ALCOHOL

A. There shall be no form of alcohol present in any recruitment situation.

B. A recruitment situation shall be defined as any communication with male high school students, unregistered prospective UNK students, and/or students currently enrolled at UNK and are not members of a fraternity.

C. No fraternity member (active, inactive, new member, or alumnus) whether collectively or individually, shall purchase for, serve to, sell, or provide any form of alcohol to a potential new member.

D. No fraternity shall have a third party (girlfriend, non-fraternity member, friend, or anyone else not associated with the fraternity) purchase for, serve to, sell, or provide any form of alcohol to a potential new member.

E. A newly pledged/associated member may not consume alcohol at a fraternity-sponsored event until 24 hours after he has signed the IFC Registration Card.

F. All local, state, and federal laws concerning alcohol shall be followed at all times.

G. Recruitment publicity shall contain no reference to alcohol or alcohol distributors.

H. No fraternity shall extend a bid or sign a potential new member between July 18th and July 22nd unless a recruitment event is taking place during that time and has been
approved by the Greek Advisor. This restriction shall be contained to the Kearney city limits.

V. REPORTING VIOLATIONS

A. Any fraternity member, potential new member, IFC Executive Officer, or anyone who observes a violation of the IFC Recruitment Guidelines by a fraternity member (active, inactive, new member, alumnus), or potential member is honor bound to report any such violations in writing to the IFC President or Executive Vice President. This report should be made within a week of the alleged incident and contain the names of the persons involved, date, time, location and a detailed account of the violation.

B. Reports should be made in writing. The IFC Officer to whom the report is made is required to receive the information given, to submit the accusation to the IFC Executive Council and IFC Judicial Board, and to keep confidential the name of the individual fraternity(s) involved.

C. Only in the event that the accused fraternity, fraternity member, or potential new member denies the accusation, will the person giving the information to the IFC Executive Officer be called to testify before the IFC Judicial Board. In such a case, all parties involved will be obligated to keep confidential the name and fraternity affiliation of the witness or witnesses.

D. The IFC Judicial Board shall convene within one week after a recruitment violation is reported to hear the case. If the violation occurs during the days that school is not in session, the case will be forwarded to the University of Nebraska at Kearney Judicial Board for review.

E. Shall a violation occur during the summer months when the IFC is not in session, the Greek Advisor and IFC President shall take proper steps to see that the issue is dealt with accordingly. This may contain the involvement of the UNK Judicial Board.

VI. PENALTIES FOR VIOLATION

A. A recruitment year shall be defined as beginning at the start of the summer and concluding at the end of the spring semester. A recruitment year shall begin and end on the day of spring graduation for each academic year.

B. First violation during a recruitment year shall result in a fine with a maximum of $300.00.

C. Second violation during the recruitment year shall be a fine with a maximum of $500.00 and a loss of social privileges for the entire subsequent semester. In addition, a letter will be sent to said fraternity’s national headquarters informing them of the infraction.

D. A third violation during the recruitment year shall be a fine with a maximum of $1000.00 and a loss of pledging/rush privileges for the subsequent fall semester. In addition, a letter will be sent to said fraternity’s national headquarters informing them of the infraction.
E. A fourth violation during the recruitment year shall result in a review of the chapter’s status at UNK by the Interfraternity Council resulting in a recommendation to the Dean of Students concerning the future of the chapter. In addition, a letter will be sent to said fraternity’s national headquarters informing them of the infraction.

F. The IFC Judicial Board has the right to use discretion to administer penalties outside of the ones set forth by the recruitment guidelines given the degree of a violation and regardless of the violation status. (e.g. first violation, second violation, etc.) The IFC Judicial Board has the right to levy fines up to $1000.00 when responsibility is determined.

Interfraternity Council Judiciary Procedures

A judicial board meeting is a more formal conversation between IFC’s Judicial Committee and the organization(s) involved. Should the organization(s) involved be found responsible for the alleged incident, they may be ultimately suspended or expelled from the IFC. Therefore, careful adherence to procedure is a large part of the hearing since the possible consequences to the respondent are great. In general, during the hearing both the complainant and respondent will present both sides of the alleged incident. Committee members need to keep a friendly, informal manner whenever possible, despite the formality of the proceeding. All of the parties in which the alleged incident concerns must remember to be patient and courteous at all times.

Judicial Process Overview

INVESTIGATION OF COMPLAINTS

1. Reporting Complaints- Any violation of the University of Nebraska-Kearney Interfraternity Council’s Bylaws, Constitution, and/or Code of Conduct can warrant a complaint made against an NIC fraternity.
   A. All complaints must be reported to the IFC Executive Vice President within 30 days from the time of the alleged infraction (including university breaks)
   B. All complaints must be submitted via email with the following information: date of alleged infractions, location, names of persons involved, names of witnesses (when available), and descriptions of the specific infractions.
2. Investigation- the Executive Vice President has 2 business days to contact the President of the chapter in question to inform him of the complaint and investigation. The Executive Vice President and IFC Advisor will have two weeks from the report of the complaint to investigate the infraction. The Executive Vice President will communicate the investigation findings to the UNK Student Conduct Officer, Director of Residential & Greek Life, and the IFC Executive Board.
3. After completing the investigation, the Executive Vice President will present investigation finding to the IFC Executive Board which will vote on whether to proceed with either mediation, a formal Judicial Board hearing, or dismiss the referral. The Executive Vice President will then notify the Chapter President to inform him of the decision.

MEDIATION
1. The purpose of mediation is to find a solution satisfactory to both the complaining party and the accused fraternity that is appropriate under the NIC Unanimous Agreements and the University of Nebraska Kearney IFC Constitution, Bylaws, and rules.

2. The Executive Vice President shall appoint a neutral party to serve as the mediator. The mediator shall not be an undergraduate student. The IFC Advisor may serve as the mediator if he/she has not filed the violation.

3. Mediation shall be closed to the public. The participants in the mediation shall be representatives from each fraternity involved, the Executive Vice President, the IFC Advisor and in cases of recruitment infractions, the IFC Recruitment Chair. One chapter advisor may be present in addition to the chapter’s president, but neither may participate in the discussion or make decisions on behalf of the accused party. Legal counsel may serve as the advisor, serving in a non-participatory manner, when pending civil or criminal legal proceedings external to the University are taking place.

4. The mediation process is to remain strictly confidential. Any person(s) involved in this process shall not disclose any information discussed in the mediation meeting. All such information deemed appropriate for public knowledge will be released through the Office of Residential and Greek Life. No information will be released to any form of media unless done so by the Residential and Greek Life Office. It will also be the responsibility of the chapter president to relay this message of nondisclosure to any individual within their respective chapter.

OPERATING PROCEDURE OF THE JUDICIAL BOARD- the Judicial Board shall meet upon the call of the Chairman (Executive Vice President). The Chairman shall call a meeting as warranted. The meeting shall be held in a timely manner but no later than one week after the investigation has been completed.

1. At least 5 days business days before the date set for the hearing, the Chairman must notify the respondent fraternity(ies) in writing of the list of violation(s), time, and location of the hearing, and information regarding the process. Non-appearance will result in proceeding with the information already provided without the organization(s) or individual(s) being allowed to refute the testimonies, investigation, and specified violation(s) presented.

2. Witnesses- The use of personal witnesses is permitted. A list of witnesses must be given in writing to the Executive Vice President at least 48 hours prior to hearing. All witnesses must also be notified at least 24 hours before a hearing. It is ultimately the responsibility of the accused chapter or individual to ensure that referred witnesses are present at the time of the Judicial Board hearing. All witnesses will be heard at a hearing. The Judicial Board will not limit the number of personal appearance witnesses.

3. The Judicial Board Committee for each hearing will be composed of Chapter Presidents of non-accused or referring organizations. In the case of a split decision or tie vote, the deciding vote will fall to the IFC President, not the Chairman as his role is to serve as the non-voting Judicial Chairperson.

4. The Judicial process shall also be closed to the public. The participants in the Judicial hearing shall consist of the Presidents of all fraternities that are not being charged or bringing up the charge, and the Executive Vice President of the IFC as the non-voting Judicial Chairperson. As with the mediation meeting, one chapter advisor may be present in addition to the chapter’s president, but neither may participate in the discussion or make decisions on behalf of the accused party. Legal counsel may serve as the advisor, serving in a non-participatory manner, when pending civil or criminal legal proceedings external to the University are taking place.

5. As with the mediation process, the judicial proceedings are to remain strictly confidential. Any person(s) involved in this process shall not disclose any information discussed in the
judicial process. All such information deemed appropriate for public knowledge will be released through the Office of Residential and Greek Life. No information will be released to any form of media unless done so by the Residential and Greek Life Office. It will also be the responsibility of the chapter president to relay this message of nondisclosure to any individual within their respective chapter.

Pre-Hearing Review by Committee Members

Committee members should arrive to the designated meeting area 30 minutes early to prepare for the hearing. During that time board members should:

1. Review all written statements and reports.
2. Establish the main areas which need resolution (usually areas in which accounts differ).
3. The IFC Vice President of Administration is to be the recorder. He will take notes on a case adjunction report form.

Introduction

The hearing begins with all participants in the conference room, including witnesses, so that the chairperson (IFC Executive Vice President) may make introductions and explain the procedures, which are as follows:

1. Introduce committee members and advisor.
2. Judicial Chairperson briefly reviews the philosophy and the purpose of the Judicial Committee meeting.
3. Judicial Chairperson reads the alleged violations as identified in the notification letter to the respondent and the complainant. The honesty statement is also read to all participants.
4. Judicial Chairperson asks if there are any questions of procedure to resolve. Both sides are asked if they are ready to proceed.
5. Witnesses are asked to leave the room.

Discussion and Questioning

This section of the hearing is intended to allow board members and the accused organization(s) to hear all the testimony and to question involved parties. The outline presented below offers a guide for sequence of the hearing.

1. After witnesses have left the room, the chairperson asks the complainant and respondent, or their respective representatives, if they would like to make brief opening statements.
2. The complainant is asked to make a narrative statement regarding the incident.
3. The respondent is asked to provide a narrative account of the incident.
4. Committee members direct questions to either complainant or respondent, as needed. The complainant and the respondent may ask questions of each other directly as well. The chairperson will recognize each person who would like to
ask a question and ensure that each person has an opportunity to respond uninterrupted.

5. A representative for the respondent may ask relevant questions of the complainant and the respondent, provided the questions are not redundant. Similarly, any representative for the complainant may ask questions of the respondent and the complainant.

6. The complainant’s witnesses are heard first as follows:
   a. Each witness provides a narrative account. The specific charges may be shared with the witnesses.
   b. Questions are asked by committee members, followed by the respondent and the respondent’s representative, provided the questions are not redundant.
   c. The committee may ask additional questions as necessary.

7. The respondent’s witnesses are heard last according to the same procedure outlined for the complainant.

8. Brief summary statements by the respondent and complainant, or their respective representatives (complaint has burden of proof and goes last). A time limit may be set for these statements.

**Deliberation**

Following the discussion and questioning, the Judicial Committee adjourns to deliberate and determine responsibility. They are to consider only the evidence submitted during the hearing. They should also avoid speculation which is unsupported by logical or factual analysis and should not include past offenses when determining responsibility. The committee will then decide whether or not the organization(s) is/are responsible for the violation(s) by a two-thirds vote.

**Presentation of the Decision**

The Judicial Chairperson presents the committee’s decision on each violation – responsible or not responsible. The chairperson will make some comments regarding the findings of fact, and decision reached by the committee. After the announcement of “responsible” or “not responsible” the parties will be dismissed. The committee will determine appropriate sanctions if necessary.

**Sanction Determination**

During the final part of the hearing, committee members will determine disciplinary sanctions.

1. The chairperson explains the possible sanctions available to the committee and the sanctioning process. (Refer to the appropriate section of the Constitution and Bylaws).
2. It is during sanctioning that the responsible chapter’s past offenses may be considered.
3. Though he does not get a vote, the chairperson may give his recommendation as to what sanction best fits the violation.
4. The committee then determines the appropriate sanctions through a two-thirds vote.
5. The committee deliberates and prepares a final sanction recommendation. The chairperson prepares a case opinion, which is submitted to the advisor for review and final notification.

6. All parties will be notified in written form of the decision in no more than 24 hours. The parties will also be notified of the right to appeal the decision and/or sanction through the appeals process.

**Appeals Process**

If the party decides to appeal the decision of the Judicial Committee that party is responsible for filing a written appeal to the Office of Residential and Greek Life, through the Greek Life Advisor, within one week of the Judicial Committee’s decision. All sanctions determined by the Judicial Committee will remain in force until the appeal is decided upon. That office will then determine their judgment, which will be final.