

Colorado State University

FRATERNITY AND SORORITY LIFE

Colorado State University Fraternity & Sorority Life Joint Judicial Board Procedures

(Governing all chapters of the Interfraternity Council, Multicultural Greek Council, National Panhellenic Council, and Panhellenic Association)

Jurisdiction

The Joint Judicial Board has jurisdiction over violations of the joint policies of the fraternity and sorority community. The Joint Judicial Board shall have no jurisdiction or power in cases involving violation of council-specific policies (IFC, MGC, NPHC, PHA). Council specific judicial boards, made up of the Joint Judicial Board members, will have jurisdiction in cases involving violation of council specific policies related to the council that they represent.

Judicial Eligibility Process

Fraternities and sororities can move through the conduct process via several avenues, depending on the type of violation, the organization's conduct history, and the severity of the alleged behavior. Organizations are directed through the various conduct avenues by the CSU Lead Team, a committee of professional staff members authorized by the CSU Student Resolution Center to process alleged infractions of the Student Code of Conduct by student organizations. After receiving notice of an alleged policy violation, the following steps will be used to determine how an organization is moved through the conduct process:

1. For alleged violations of the joint policies of the fraternity and sorority community only, the organization will be directed to the Fraternity and Sorority Joint Judicial Board process.
 - a. The council judicial vice presidents and the advisor will review the incident report and other investigatory materials and make a determination on next steps. Potential outcomes include:
 - i. Deferred Hearing – This option serves as an opportunity for organizations to partner with Joint Judicial Board leadership and the Office of Fraternity & Sorority Life in lieu of a formal

JJB hearing to explore ways to mitigate similar conduct incidents in the future. To be eligible for this process, organizations must satisfy the following requirements:

1. Organizations must not have utilized this process within the last six months.
2. Organizations must be in Good Standing with the University
 - a. “Good Standing” refers to the organization’s institutional conduct status. Organizations will be considered to be in Good Standing if they are not in “Loss of Good Standing” or on “General Disciplinary Probation” status at the time of the alleged violation, as determined by the Student Resolution Center.
 - b. Joint Judicial Board Hearing – This option will include a convening of the Joint Judicial Board, as outlined below.
2. For alleged violations of both the joint policies of the fraternity and sorority community and the University Student Code of Conduct, the organization will be directed to the All University Hearing Board, which will include representation from the council judicial officer of the alleged organization’s governing council, or to the Student Resolution Center for a hearing. If an organization is directed to the All University Hearing Board, that hearing will also serve as the Joint Judicial Board hearing due to the respective governing council officer’s participation and ability to determine joint outcomes in one hearing. This allows the organization to complete the hearing process in one meeting and decreases duplicity in parallel processes. If the organization is referred to an individual hearing officer for a conduct hearing, that chapter may still be called to a hearing by the Joint Judicial Board related to alleged charges from fraternity and sorority joint policies specifically.

Eligible Board Members

1. All eligible members of the JJB must be in good standing with their respective chapters and in good academic and conduct standing with the University
2. All Board members must have completed the Joint Judicial Board training prior to serving on the Board. Interested parties must complete an application during the application cycle to be considered for Board membership.
 - a. In the event of a vacancy on the JJB, a special application cycle will be opened for no less than two (2) weeks. During a special application cycle, applications will be made available on the Fraternity and Sorority Life website. Applicants who are accepted during a special application cycle will be required to complete the Joint Judicial Board training prior to serving on the board.

Reporting Alleged Violations

1. Any member of the University or larger community may report alleged misconduct involving a fraternity or sorority
 - a. This process is initiated through the submission of a written account of the incident to the Office of Fraternity & Sorority Life or the respective advising staff or student leaders (i.e. council advisors or council representatives). Additionally, reports can originate from the Student Resolution Center, which may include police reports and information obtained in individual conduct hearings.
 - b. Reports should be submitted as soon as possible after the event takes place. In cases in which a notification comes from an outside person or entity, the student or staff member may document the call and prepare the charging report. In cases in which the reporting person fears retribution, the name and identifying information may be withheld by the reporting party.
 - i. Anonymous calls or reports may warrant additional investigation to substantiate the validity of the complaint.

Joint Judicial Board Pre-Hearing Process

1. The judicial council vice presidents shall immediately, upon determining that a chapter will be charged with alleged violations of council joint policies and is not eligible for the deferred hearing process, request that the vice president of the alleged chapters respective council schedule a hearing between the Joint Judicial Board and the chapter in alleged violation.
2. The same council vice president will act as the Chairperson for the Joint Judicial Board hearing. (Example: Alpha Beta Sorority Inc., a member of PHA violates a joint policy it is the responsibility of the PHA Executive Vice President to schedule the hearing and chair the board).
 - a. Hearings must take place within three (3) academic weeks (excluding summer months or winter break) of the date that the council vice presidents of the judicial board were notified of the alleged violation.
 - b. Responding chapters will be notified of their hearing date in writing a minimum of five (5) business days before the scheduled date of their hearing.
 - c. If the responding chapter fails to find an agreeable time three (3) academic weeks (excluding summer months or winter break) after the date on which the complaint was filed and every reasonable effort has been put forth to contact and schedule a hearing with the chapter, the Joint Judicial Board may convene and make a decision regarding the responding chapter's responsibility and possible sanctions.

- d. In the event that the usual chairperson for a hearing is a member of the responding chapter, they must recuse themselves from the hearing. In the event of the chairperson needing to recuse themselves from the hearing, another judicial council vice president will chair the hearing.

Allowable Representation and Hearing Attendance

1. The responding chapter may freely choose who they desire to attend the hearing and speak on their behalf.
 - a. Speaking representative(s) must be Colorado State University students. The responding chapter may bring no more than;
 - i. Four members of the chapter
 - ii. Two chapter advisors/alumni/support persons
 1. Chapter advisors/alumni/support persons are not allowed to actively participate in the hearing process, and may only observe during the hearings.
2. If there is a need for additional representation from the chapter, the chapter may submit a formal written request to the Joint Judicial Board with details regarding the nature of the request and who will be in attendance. Requests for additional representation must be made within two (2) business days of the hearing.
3. Any unauthorized attendees will be asked to leave the hearing before its initiation.

Joint Judicial Board Proceedings

1. During a hearing, the Joint Judicial Board shall consist of the following eligible members:
 - a. IFC VP Judicial Affairs, MGC VP Judicial Affairs, PHA Executive Vice President, IFC board member, MGC board member, PHA board member, and an additional board member from the council of the chapter for which the hearing is being held. Board members will participate in hearings on a rotating basis, with adjustments made as necessary to account for potential conflict of interest. Adjustments will be made by the IFC VP Judicial Affairs, MGC VP of Judicial Affairs, or the PHA Executive VP.
2. The hearing will be chaired by a judicial vice president from the same council as the organization brought before the Joint Judicial Board.
3. No more than two members of the joint judicial board may be of the same chapter affiliation while serving on the board. Board member(s) will be chosen on a rotational basis from the pool of individuals that attended the training held at the beginning of the calendar year.
4. All board members are expected to recuse themselves from cases involving their chapter. Additionally, board members are expected to recuse themselves from cases in which they are involved (e.g. the responding chapter hosted an event in violation of a joint policy, and/or a board member was in attendance at that event).

5. The order of the hearing shall proceed as follows:
 - a. The Chairperson of the Joint Judicial Board begins the hearing.
 - b. The parties are introduced, and the charges (alleged violations) are read. The Chairperson will confirm that the organization was given sufficient notice prior to the hearing and understands the charges (alleged violations).
 - c. The Chairperson will explain the order of the hearing.
 - d. The Chairperson will review the charges listed in the notification letter and ask the student representative of the student organization in alleged violation to accept or dispute each individual charge.
 - e. The Chairperson and board members ask preliminary questions to better understand the general nature and culture of the fraternity or sorority chapter.
 - f. The student representative of the chapter is asked to share information regarding the alleged violation and pending charges.
 - g. The Joint Judicial Board may ask questions regarding the information provided and statements made.
 - h. In the event that the chapter has identified witnesses that would provide statements to corroborate the chapter's account of events, the chapter may present up to five (5) of these statements during the hearing. If presented, witness statements will be read in their entirety to the Joint Judicial Board.
 - i. At the conclusion of witness statements, the chapter will have the opportunity to address information/statements presented by witnesses and the Joint Judicial Board will have the opportunity to ask follow up questions to ensure all of the information is thoroughly understood.
 - j. After all of the information is heard and understood, the Joint Judicial Board Chairperson will close the hearing.
 - k. Formal rules of process, procedure, or evidence as established and applied in the civil or criminal justice system do not apply to this process.

Joint Judicial Board Post-Hearing Process

1. The Joint Judicial Board will have seven (7) academic business days to deliberate the case. Within this time period, the outcome of the hearing and any sanctions applied will be announced to the responding chapter in the form of a written letter or email to the chapter representative. Allowable sanctions or outcomes that the Joint Judicial Board may implement include, but are not limited to:
 - a. No action
 - b. Warning
 - c. Restitution covering damages to property of parties affected by the violation
 - d. Educational workshops that the violating chapter must attend or host

- e. Mandatory utilization of university resources including meetings with University staff, chapter advisors, organization headquarters, or any other University or community agency.
- f. Mandatory meetings with council officers
- g. Suggested changes to chapter operations (creation of officers, committees etc.)
- h. Limiting/Banning social activities of the chapter in violation
- i. Support of Student Resolution Center removing or continuing the chapter's student organization disciplinary status

Appeals Process

1. The chapter found responsible may appeal Joint Judicial Board decisions (including those made in conjunction with AUHB) to the Office of Fraternity and Sorority Life
 - a. Appeals will be heard by a board consisting of the president of each governing council along with the Director of Fraternity and Sorority Life.
 - b. A formal written appeal must be provided to the responsible chapter's liaison in the Office of Fraternity and Sorority Life within seven (7) academic business days of the hearing outcome announcement. Appealing chapters must include all information they feel are grounds for an appeal in the appeal letter, and the desired outcome of the appeal.
 - c. Grounds for an appeal include:
 - i. If the hearing was conducted unfairly, not allowing parties to present relevant information.
 - ii. If the decision was made based upon insubstantial evidence and insufficient information.
 - iii. If the imposed sanctions are inappropriate or too severe.
 - iv. If new information is available that was not available at the time of the original hearing.
 - d. Upon receipt of any hearing notes and appeal letter, the officers and staff hearing the appeal will make a decision regarding the merit of the grounds on which the appeal was based and any adjustments to the outcomes of the hearing. Possible outcomes include:
 - i. Reversing the decision to "No action"
 - ii. Affirming the decision and sanctions of the Joint Judicial Board
 - iii. Amending the decision and sanctions of the Joint judicial Board
 - iv. Returning the case to the Joint Judicial Board.
 - e. Results of the appeal will be communicated to the chapter in writing within seven (7) academic business days of the responsible chapter's liaison receiving the appeal letter. After the appeal decision is rendered, the matter is considered final.
2. Failure to comply with sanctions applied by the Joint Judicial Board or appellate body will result in a subsequent hearing with the Joint Judicial Board