

Interfraternity Council Constitution
Colorado State University
Judicial Board Policies

Section 1.01 IFC Judicial Board Jurisdiction

- (a) The IFC shall be a self-governing organization with an independent Judicial Board which shall have jurisdiction over cases involving alleged Member Fraternity violations, including but not limited to:
 - (i) The IFC Constitution, Bylaws, Code of Conduct, and other policies.
 - (ii) Fraternity & Sorority Community Joint Risk Management Policy
 - (iii) IFC Academic Policy
 - (iv) IFC Recruitment Rules
 - (v) The general values-based conduct of fraternity men.

Section 1.02 IFC Judicial Board Composition

- (a) The IFC Judicial Board shall be composed of five IFC Justices from different Member Fraternities as selected and chaired by the IFC Vice President of Judicial Affairs.

Section 1.03 IFC Justice Eligibility

- (a) In order to serve as the IFC Justice for a Member Fraternity on the IFC Judicial Board, an individual must meet the following requirements:
 - (i) Be an Active Member or New Member, in good standing, of an IFC Member Fraternity.
 - (ii) Be devoted to the general ideals and principles of fraternity life and conduct himself in a professional manner consistent with the mission and purpose of the IFC, as defined within its Constitution.
 - (iii) Have a working knowledge of the IFC Constitution and Bylaws, Colorado State University policies, NIC Standards, and Joint risk management policies.

Section 1.04 Term of Office of IFC Justices

- (a) The term of office for IFC Justices shall be for one calendar year after being selected as an IFC Justice.

Section 1.05 IFC Judicial Policy

- (a) The Judicial Board shall perform all duties and be subject to all regulations contained within the IFC Judicial Policy in the Bylaws.

Section 1.06 IFC Judicial Board Hearing Justice Selection

- (a) The IFC Vice President of Judicial Affairs will have a minimum of five (5) Judicial Board Justices, as predetermined by IFC Vice President of Judicial Affairs, to hear a case. In the event one of the IFC Justices is a part of the Member Fraternity involved in the alleged violation, the IFC Justice will not be on the board for the hearing.

Section 1.07 IFC Judicial Board Hearing Attendance

- (a) All IFC Justices assigned to an IFC Judicial Board hearing shall be present in order to conduct business on behalf of the IFC Judicial Board.

Section 1.08 IFC Judicial Board Hearing Voting Policies

- (a) All IFC Judicial Board hearings shall operate utilizing the following voting policies:
 - (i) Each IFC Justice serving on an IFC Judicial Board hearing shall have one vote.
 - (ii) A majority vote shall govern all actions of an IFC Judicial Board.

Section 1.09 Due Process

- (a) In appearing before the Judicial Board, each Member Fraternity shall be granted certain rights termed “due process.” Those rights are:
 - (i) Right to be notified, in writing, of all charges, as outlined in the Bylaws;
 - (ii) Right to present a defense, including the calling of witnesses;
 - (iii) Right to question witnesses;
 - (iv) Right to be accompanied by an advisor for advisory purposes only, but not for representation;
 - (v) Right to be notified, in writing, of all findings and sanctions imposed, as outlined in the Bylaws;
 - (vi) Right to appeal the decision, as outlined in the Bylaws.
 - (vii) Right against double jeopardy.

Section 1.10 Filing of Complaints

- (a) Any individual or group may file a complaint against a Member Fraternity, specifying in writing the particular alleged acts of the accused. This must be done by submitting an online Incident Report to the Office of Fraternity and Sorority Life at Colorado State University. The IFC Vice President of Judicial Affairs shall promptly review and investigate the allegation. Upon determination that an allegation has merit, the IFC Vice President of Judicial Affairs may charge a Member Fraternity with an alleged violation.

Section 1.11 Notification of Charges

- (a) Once the IFC Vice President of Judicial Affairs has determined the filed complaint has merit, the Member Fraternity is to be provided written notification of the charges at least one week in advance of the hearing. This written notification shall include the following:
 - (i) Date, time and location of their informal judicial hearing;
 - (ii) Description of the alleged violation

Section 1.12 Investigatory Evidence

- (a) All evidence related to a complaint shall be compiled and presented to all parties prior to any Formal Judicial Board Hearing. All evidence shall be directly related to the complaint(s) alleged against the Member Fraternity and shall be approved by the IFC Vice President of Judicial Affairs prior to circulation.

Section 1.13 Formal IFC Judicial Board Hearing

- (a) The IFC Vice President of Judicial Affairs will select five (5) Judicial Board Justices, as predetermined by IFC Vice President of Judicial Affairs, to hear the case. In the event one of the IFC Justices is a part of said Member Fraternity involved in the alleged violation, the IFC Justice will not be on the board for the hearing. The IFC Vice President of Judicial Affairs shall serve as a non-voting Chief Justice and the procedural officer for all Judicial Board hearings.

Section 1.14 Formal IFC Judicial Board Hearing Proceedings

- (a) For all IFC Judicial Board hearings, the following procedures shall be followed:
 - (i) Participants: Attendance at all IFC Judicial Board hearings shall be limited to the Member Fraternities involved, any witnesses, the IFC Justices assigned to serve on the Judicial Board for the hearing, and the IFC Vice President of Judicial Affairs. Additionally, the charged Member Fraternity may be accompanied by its chapter advisor during any Judicial Board hearing. The chapter advisor must be registered as the official chapter advisor of the Member Fraternity.

- (ii) Confidentiality: All individuals involved in a hearing are required to agree to a statement of confidentiality. Individuals shall not disclose information regarding the following:
 - 1) Any individuals, Member Fraternities, or IFC Justices involved.
 - 2) Details of the proceedings
 - 3) Witness testimony.
- (iii) Hearing Process:
 - 1) Initiation of the Hearing: The IFC Vice President of Judicial Affairs shall inform all individuals present that the hearing will be conducted in an orderly manner and any person causing disruption will be asked to leave. Additionally, he shall advise the charged Member Fraternity of the formality of the hearing and the necessity of all parties to be truthful.
 - 2) Overview of Judicial Hearing Process: The IFC Vice President of Judicial Affairs shall outline the process for the remainder of the hearing as follows:
 - a) Presentation of alleged charges, violations, and investigatory evidence against the charged Member Fraternity shall be presented by the IFC Vice President of Judicial Affairs:
 - i) Charged Member Fraternity may ask questions;
 - ii) IFC Justices may ask questions;
 - b) Presentation of charged Member Fraternity:
 - i) IFC Justices may ask questions;
 - c) Calling of Witnesses
 - i) Charged Member Fraternity may ask questions;
 - ii) IFC Justices may ask questions;
 - d) Charged Member Fraternity may give final statement;
 - e) IFC Justices deliberate in closed session to determine findings of responsibility and if necessary, appropriate sanction(s).

Section 1.15 Conflicts of Interest

- (a) In the event the IFC Vice President of Judicial Affairs' Member Fraternity is involved in the alleged violation, a Judicial Board Justice will be appointed by the Interfraternity Council President to take on the role.

Section 1.16 Prohibition on Recruitment Restrictions as a Sanction

- (a) The IFC Judicial Board may impose educational and punitive sanctions, as prescribed in the IFC Bylaws, but under no circumstances may it prohibit a Member Fraternity's ability to recruit.

Section 1.17 Non-Status Sanctions

- (a) The following are sanctions that may be imposed by the IFC Judicial Board (including, but not limited to):
 - (i) Letter of apology
 - (ii) Fines
 - (iii) Restitution
 - (iv) Educational programming
 - (v) Public service to the campus or community
 - (vi) Meetings with campus office/departments
 - (vii) Loss of social event and/or campus event privileges
 - (viii) Loss of eligibility for IFC Awards
 - (ix) Censure

Section 1.18 Status Sanctions

- (a) In the event of a violation, the following are sanctions that may be imposed by the IFC Judicial Board for a specified period of time:
 - (i) Warning: Chapter will be warned about potential status sanctions.
 - (ii) Probationary Status: Chapter's behavior will be monitored.
 - (iii) Loss of Good Standing: Loss of IFC voting rights, removal from Good Standing status, and any additional sanctions listed in Non-Status Sanctions.

Section 1.19 Duration of Sanctions

- (a) Judicial action shall specify the duration and deadlines of any sanctions imposed. After such specified time, if the Member Fraternity has fulfilled the requirements of the sanctions imposed, the Member Fraternity shall return to good standing. In the event the Member Fraternity does not fulfill all of the requirements of the sanctions imposed, the IFC Vice President of Judicial Affairs shall convene a Formal IFC Judicial Board Hearing to determine future course of action.

Section 1.20 Notification of Findings

- (a) Within five (5) business days of any Formal Judicial Hearing, the IFC Vice President of Judicial Affairs shall communicate in writing to the charged Member Fraternity, its inter/national headquarters, and its chapter advisor, as well as any relevant Colorado State University administrators, the alleged violation, the findings of the hearing, and any sanction(s) imposed.

Section 1.21 Appeals

- (a) The IFC Judicial Board's decision is subject to appeal by a Member Fraternity within two weeks of receiving written notification of the decision. Appeals shall be made in writing to the IFC President and shall be made solely on the following grounds:
 - (i) Error in the charge and/or Judicial Board Hearing process that materially affected the outcome.
 - (ii) The severity of the sanction did not match the severity of the violation.
 - (iii) New information that could not have been discovered prior to the IFC Judicial Board Hearing through the exercise of reasonable diligence.
- (b) Sanctions imposed through the Judicial Process shall stand until an appeal is heard.

Section 1.22 Appeals Process

- (a) The IFC Executive Board shall hear appeals. The IFC Vice President of Judicial Affairs shall first present the IFC Judicial Board's decision and rationale for its actions. The appealing Member Fraternity shall then be afforded the opportunity to present its reasoning for seeking a reconsideration of the IFC Judicial Board's actions. Any individual from the appealing Member Fraternity serving on the IFC Executive Board shall not participate in the appeal proceedings. The IFC Executive Board may either dismiss the charge(s) with no sanctions or to alter the sanctions imposed by a two-thirds (2/3) vote. The decision of the IFC Executive Board shall be final.