

## Finances Amendment

Purpose:

- I. To facilitate year to year consistency in the allocation of IFC funds
- II. To facilitate the efficient allocation of funds
- III. To establish criterion from which all funding requests will be evaluated

Each applicant applying for IFC funding must fulfill the following requirements:

- 1) The event to be funded must benefit and be open to the Greek community.
- 2) The event must be advertised to the entire Greek community.

If the event in question meets these criteria, a funding application form will be provided to the group and submitted for consideration and vote of the IFC Executive Council. Groups must submit a budget for their event along with their application prior to consideration.

The Executive Council is empowered to approve requests up to \$500 with a majority vote. If the proposal requests greater than \$500, the Executive Council may approve up to \$500 dollars and make a supplementary request to the full Presidents Council. A majority vote of the Presidents council is required for any funding above \$500.

The treasurer will report to the full IFC any financial activity at each bimonthly meeting.

## Attendance Policy Amendment

A fraternity will be considered absent if the chapter president is not in attendance and the chapter fails to send a representative, preferably from the chapter's executive board, to all Interfraternity Council meetings. The attendance record and accompanying consequences will begin each semester.

### I. First Absence

If a fraternity fails to be represented for one meeting, a written warning will be issued to that fraternity's president by the IFC secretary/treasurer.

### II. Second Absence

If a fraternity fails to be represented at a second meeting, the fraternity will be assessed a \$100 fine.

### III. Third Absence

If a fraternity fails to be represented at a third meeting, letter will be drafted and submitted to the review committee for the chapter's failure to comply with IFC policy.

### IV. Fourth Absence

If a fraternity fails to be represented at four or more meetings, the chapter's IFC standing will be in jeopardy and under review by the IFC president and judicial board chairman. The fraternity will be suspended from all activities with the exception of chapter meetings and community service events until a review such review is completed.

### V. Excused Absences

If the IFC secretary/treasurer is notified 48 hours prior to a given meeting that the fraternity will be unable to be represented due to a conflicting fraternity function or other acceptable excuse, no penalties will be incurred. Fraternity functions are defined to include major events such as induction, initiation, other rituals.

### VI. If a fraternity does not pay their IFC dues within four weeks of assessment, this will be considered an infraction of the attendance policy and count as one absence.

# Greek Judicial Board Guidelines and Policies Amendment

## Greek Judicial Board Process

### **The Greek Judicial Board**

The purpose of the Greek Judicial Board is to promote honesty, trustworthiness, fairness, and respect for others within the university community and to provide a fair and effective mechanism for resolving cases in which a Greek organization is alleged to have violated Greek or university standards or policies. The Greek Judicial Board justices are undergraduate students who are active members in one of Duke's 34 recognized Greek organizations. Similar to the Undergraduate Judicial Board, the GJB is charged with determining whether a group's actions constitute a violation of university policy and, if so, an appropriate response.

### **Receipt of Complaints**

The Greek Judicial Board receives complaints/reports regarding Greek organizations' behavior. These complaints may come from other Greek groups, university offices (i.e., Dean of Students Office, Duke Police, Residence Life & Housing Services, etc.), faculty, staff, students, and the community. Any alleged violation of IFC, IGC, NPC, NPHC or university policy is within the jurisdiction of the Greek Judicial Board. If Judicial Affairs, the Greek Judicial Board, or the Office of Fraternity and Sorority Life determines that another office can more appropriately handle the situation, the case may be referred to that office.

### **Mediation**

The Greek Judicial Board co-chairs may refer cases to mediation as appropriate. Ultimately, all parties involved must agree to the mediation. If one party does not agree to mediation, or if the mediation fails, the Greek Judicial Board Co-Chairs may refer a case to a Greek Judicial Board hearing. Failure to comply with the results of mediation may be cause to commence the Greek Judicial Board hearing process.

### **Disciplinary Action**

Any case involving an alleged violation of community standards or university rules and regulations by a Greek organization may be resolved through the Greek Judicial Board.

### **Interim Restrictions**

Prior to investigation and resolution, interim restrictions may be placed on a group to protect the health and safety of students or the community. These restrictions may include removal of privileges or suspension of activity.

### **Investigation**

The non-chairing Greek Judicial Board Co-Chairs will serve as principal investigators and will gather information regarding the alleged incident in order to determine the appropriate means of resolution. The investigation may include a review of related documents, interviews, or requests for written statements from any person involved in the

alleged incident. Greek organizations are encouraged to be forthright and as specific as possible when offering information related to an investigation.

Cases may be dropped, referred for mediation, or referred to a Greek Judicial Board hearing. In order for a case to be referred to a hearing, there must be sufficient information to believe that a policy violation may have occurred and that the alleged group may be responsible.

**Referral for mediation or Greek Judicial Board hearing**

If a case is referred for mediation or a Greek Judicial Board hearing, the group will be notified of the incident in question and the policy violation(s) under consideration, and will be given an opportunity to respond.

Greek Judicial Board hearings are not trials and are not constrained by rules of procedure and evidence typically used in a court of law. The Greek Judicial Board operates under a standard of fairness, which includes an opportunity for the student to be notified of policy violations under consideration and an opportunity to be heard.

**Resolution through a Greek Judicial Board hearing**

The principal investigators may forward any case directly to a Greek Judicial Board hearing if there is sufficient information to believe that a policy violation may have occurred and that the alleged group may be responsible.

**Resolution through Agreement to Sanctions and/or Outcome**

If the group accepts responsibility for the alleged violations, the Greek Judicial Board may propose an appropriate sanction based on the specifics of the case, precedent, and Greek community and university interests.

If the group accepts responsibility and agrees to the proposed sanctions, the resolution is final and the outcome is recorded on the group's Greek Judicial Board record.

If the group denies responsibility, the case will be forwarded to a Greek Judicial Board hearing to determine responsibility and an appropriate sanction.

**GREEK JUDICIAL BOARD HEARINGS**

The Greek Judicial Board is a group of Greek community members appointed to hear serious infractions of Greek organization and/or university policies. The Board is charged with determining whether a group's actions constitute a violation of any policies and, if so, an appropriate response. In determining an appropriate response, consideration is given to the group's best interests as well as the Greek community's and university's interest in maintaining high standards. All Greek Judicial Board hearings are conducted in private.

### ***Advisors***

Accused groups may be accompanied by an advisor to a Greek Judicial Board hearing. The role of the advisor is to assist and support the group through the disciplinary process. The advisor must be a member of the university community and may not be a member of the Greek Judicial Board. The advisor may not address the hearing panel or any witness during the hearing.

### ***Hearing Panels***

Hearing panels charged with determining a verdict and/or sanctions shall consist of a majority of justices from the accused group's umbrella organization and justices of the other umbrella organizations whose total number shall be less than or equal to the number of justices from the accused umbrella organization (for example, if the accused group is an IFC chapter, the hearing panel will consist of 3 IFC justices, 2 NPC justices, and 1 NPHC/IGC justice). The Hearing Chair will be the accused group's umbrella organization Judicial Chair. The Chair will have voice, but not vote, unless there is a tie. Members of the accused chapter may not serve on the hearing panel. An accused group may agree to a smaller panel or to a different umbrella group ratio in the event that a full panel is not available. The accused group may also challenge any panel member if there is a significant conflict of interest. Such a challenge must be made to the Chair at least 24-hours prior to the hearing and will be granted only for sufficient cause. In the event that the Hearing Chair's chapter is also the accused organization, the President from the representative umbrella organization will chair the hearing.

### ***Notice***

The principal investigators will set the date and time for Greek Judicial Board hearings. They will also select justices and alternates. An accused group will be notified of a Greek Judicial Board hearing at least 48-hours in advance. The notice will include the date and time of the hearing, the specific charges at issue, the names of the panel members, and copies of all written information given to the Hearing Chair and the group's Inter/National organization. The principal investigators also may include information clarifying or noting any additional information gathered through the investigation without expressing any personal opinion about the merits of the case.

The complainant will also be notified of the hearing if his/her presence is required. The Chair will determine what information, if any, may be shared with the complainant. (Typically, the complainant will be given an opportunity to review the information available to the hearing panel in response to his/her complaint, but will only be given copies with the permission of the accused.) Upon proper notice, if the group fails to attend the hearing, the hearing panel may proceed in its absence.

### ***Witnesses***

The Chair may request the presence of any witness with pertinent information about a case. If a witness is unidentified or unavailable to be questioned by the principal investigators or to attend the hearing, his/her statement may not constitute a sole or substantial basis for determining responsibility. If he/she is necessary and unidentified or unavailable, the Chair may suspend or dismiss the proceedings.

In the case of a witness requesting to remain confidential, the principal investigators will interview him/her prior to the hearing and will provide a written and oral summary of the witness' testimony. If further questioning of the witness is necessary during the course of a hearing, arrangements may be made for the principle investigator(s) to question the witness outside of the hearing room or the Chair may call a recess and reconvene the hearing later to make time for further investigation/questioning by the principal investigators.

The accused group may bring witnesses to speak on its behalf. Any accused organization may produce up to two character witnesses or written references in addition to approved witnesses with pertinent information about a case. Only one character witness will be permitted to present an oral statement to the hearing panel. These witnesses should submit a brief statement to principal investigators prior to the hearing summarizing their knowledge of the incident. The Chair will determine the extent to which witnesses will be permitted in the hearing.

An accused group also may, with sufficient cause, request the attendance of any person who has submitted a written statement against it. Such requests must be submitted to the Chair at least 24-hours before the hearing.

#### ***Information to be Considered by the Panel***

The panel may consider any information deemed relevant, including documentation and expressions of opinion. If the panel needs additional information during a hearing, such as verification of fact at issue, an expert opinion, etc., the panel may request such information and may suspend their decision until such information is obtained. The accused group will have the right to respond to any additional information that is to be used in considering an outcome.

#### ***Outcome***

Using "clear and convincing" standards during the hearing, the panel may find a group responsible for an alleged violation by majority vote. The panel, also by majority vote, may dismiss any charge. In the case of a tie, the Chair will cast the deciding vote.

Upon finding a group responsible for a violation, the panel may determine and impose an appropriate sanction. Consideration may be given to the nature of and circumstances surrounding the violation, the group's acceptance of responsibility, the group's standing with its national organization, prior disciplinary violations, the impact of a sanction on the group, precedent cases, Greek community and university interests, and any other information deemed relevant by the hearing panel. All sanctions must be decided by majority vote with the exception of dissolution of a group. Dissolution must be supported unanimously by the hearing panel and chair.

#### ***Notification and Record of the Hearing***

The Chair will notify the accused group of the outcome of the hearing within one week of

the conclusion of the hearing. A written hearing report describing the outcome, with a brief explanation of the reasoning, will be given to the accused group. A copy of the written hearing report will be sent to the group's Inter/National headquarters and another copy will be placed in the precedent files with any personally identifying information removed.

A tape recording of each hearing will be made and kept on file for three years. A copy will be made available to the accused group upon request, at a duplication fee no less than \$50.

### ***Appeals***

A group found responsible through a Greek Judicial Board hearing may appeal the outcome of the hearing. The appeal is not a rehearing of the case; it is a written statement to the Chair stating the grounds for the appeal and any supporting information. The exclusive grounds upon which an appeal may be made are:

1. New information (available after the hearing) of a nature that the verdict or sanction may have been different;
2. Procedural errors within the hearing process which may have substantially affected the fairness of the hearing; and/or
3. The finding of responsibility was inconsistent with the weight of the information.

The statement of request for appeal will be submitted to the Greek Judicial Board Panel Chair. The Chair will review the appeal, the hearing report and any evidence included in the hearing.

If the grounds for appeal are substantiated, the Undergraduate Appellate Board may determine a final resolution to the case. A written decision will be delivered to the group, the Greek Judicial Board Panel Chair, and the group's Inter/National headquarters.

### ***Disciplinary Records***

When groups are found responsible for a violation of policy, the case will be recorded on a group's disciplinary record. The record will be maintained by the Office of Fraternity and Sorority Life. Disciplinary records are kept on file for 5 years from the date of a decision.

### ***Failure to Comply with the Requirements of the Greek Judicial Board Process***

If a group fails to comply with the requirements of the Greek Judicial Board process, the Greek Judicial Board, the Office of Fraternity and Sorority Life or Judicial Affairs, further disciplinary action or suspend privileges may occur. Failure to comply with the requirements of the disciplinary process may include failure to submit a statement, failure to attend a meeting/hearing, or failure to fulfill a sanction.

### ***Failure to Comply***

Any student, including a witness or group who fails to comply with the disciplinary process, may be held accountable for failure to comply as defined in the university rules

and regulations. Charges of failure to comply may result in the loss of University housing or other University privileges.

***Disciplinary Action While Civil/Criminal Charges Pending***

Groups may be accountable to both civil authorities and to the Greek Judicial Board for acts that violate state or federal laws. Disciplinary action through the Greek Judicial Board concurrent with criminal action does not subject a group to “double jeopardy.” Disciplinary action through Judicial Affairs for individual members of a Greek organization concurrent with Greek Judicial Board action against the group as a whole does not constitute “double jeopardy.”

Disciplinary action will normally proceed during the pendency of a criminal or civil action. The university operates under different policies, procedures and standards and thus, will not be bound by the findings of a court of law. If the court’s outcome satisfies the Greek community’s interests, such outcome may be recorded on the group’s disciplinary record without invoking the Greek Judicial Board process. The Greek Judicial Board, however, will have the option whether to pursue disciplinary action depending on the findings of a court.

## Pledge Manual Amendment

Purpose:

- I. To facilitate consistency from year to year in the objectives and practices related to the pledging/new member education process.
- II. To give structure to pledge programs that might otherwise be unstructured and/or disorganized.
- III. To prompt chapter leadership to think proactively about what they want their new members to learn from the process and how to best ensure that this is accomplished.
- IV. To make the process more transparent and certain for the pledges in terms of the expectations the chapter may have of them.

Each Chapter must submit to IFC for review, prior to the commencement of pledging, a pledge manual intended to serve as a guide through the new member process. Suggested topics to be covered in this manual include, but are not limited to:

Introduction by pledge educator, table of contents, fraternity mission statement, chapter roster, calendar of major events, schedule of deadlines/assessments, schedule of signature process requirements, new member requirements, chapter statements of conduct/respect, and other pertinent information.

The members of the IFC recruitment and pledging team, consisting of, at least, the vice presidents of recruitment and pledging and the IFC president, will review the manuals. The product of this review will be a series of suggestions directed at the specific needs and goals of the chapter.

## Non-Affiliated Group Amendment

The member chapters of the Interfraternity Council do not recognize any Greek letter organization that is not affiliated with one of the four umbrella councils of Duke University or another recognized institution of higher education. Furthermore, the member chapters do not recognize any group, under whatever name, that was formally associated with one of the member councils, but no longer is.

As such, the member chapters of the Interfraternity Council will not engage in any activities, be they social, philanthropic, educational, or otherwise, nor associate with these organizations or groups.

All allegations will be investigated by the Greek Judicial Board and the chapter in question will remain on interim suspension until the allegations are resolved.