

Duke University Interfraternity Council

Constitution

Submitted January 30, 1997. Amended January 28, 1998. Amended October 9th, 2001. Amended March 5th, 2002. Amended September 23, 2002. Amended October 1, 2002. Amended April 15, 2003 . Amended February 8, 2005. Amended July 13, 2005.

PREAMBLE

We, the representative members of the fraternity system of Duke University, believing that the social Greek letter fraternity is a contributing member of the University community, do establish this Constitution. We hereby grant and delegate to the Interfraternity Council such powers and responsibilities as are necessary to provide an organization which both represents and serves the member fraternities and community of Duke University. We do therefore pledge ourselves as members of Greek letter fraternities and to fulfill our intellectual, cultural, and social obligation to ourselves and the university community as a whole.

I. NAME

This organization composed of an Executive Council, a Council of Presidents, and a Judicial Board, shall be known as the Interfraternity Council of Duke University, hereafter referred to as the IFC.

II. PURPOSE

The purpose of this organization is to promote and further the best interests of the fraternity system, member fraternities, and the Duke University community, and to determine and regulate matters of concern to the fraternity system and its members.

III. MEMBERSHIP

1. The members of this organization shall be of the following fraternities:

Alpha Epsilon Pi

Alpha Tau Omega

Beta Theta Pi

Chi Psi

Delta Kappa Epsilon

Delta Sigma Phi

Delta Tau Delta

Kappa Alpha Order

Phi Delta Theta

Pi Kappa Alpha

Pi Kappa Phi

Psi Upsilon

Sigma Chi

Sigma Nu

Sigma Phi Epsilon

Theta Chi

2. Petitioning for Membership:

- A. To become a member of the IFC an organization must be a Greek letter fraternity recognized by the University. Should a group wish to petition the IFC for membership, it must be a nationally recognized Greek letter fraternity.
- B. A petitioning Greek letter fraternity shall apply for recognition according to the guidelines in the Expansion and Colonization Procedures.

IV. OFFICERS

1. The officers of the IFC shall be the following: President, Executive Vice President, two Vice Presidents of Recruitment and Pledging, Vice President of Community Interaction, Vice President of Chapter Services, Treasurer/Secretary, Judicial Board Chairman.
2. The elected body of officers shall be collectively known as the Executive Council.

3. The term of office for all Executive Council members shall be one year in length. The term of office shall start no sooner than the last day of February of the given year and no later than the final day of the Spring Academic semester.
4. The election of the Executive Council shall take place before the end of the Spring Academic Semester, allowing for a period of transition. Gaining a majority of the Council of Presidents on a secret ballot, with the outgoing IFC president voting in the event of a tie, elects officers.
5. The Executive Council is accountable to the Council of Presidents for all its actions and shall keep the Council of Presidents informed of all policy changes or activities involving member fraternities.
6. No more than two members from any fraternity may be represented on the Executive Council. The Appointed VP of Recruitment and Pledging must be a member of a different fraternity than that of the Elected VP of Recruitment and Pledging. Exceptions to these rules can only be made with the agreement of the current IFC president and President Elect along with majority agreement by the Fraternity Presidents.
7. The IFC Executive Council members are obligated to attend IFC executive meetings, IFC Presidents meetings and to fulfill the following duties:

President (1 elected)

- a. Provide guidance and focus the efforts of other IFC officers and committees
- b. Preside over all meetings of the council and executive board
- c. Build rapport with member chapters regularly to determine what chapter needs are not being met as well as which IFC efforts are particularly strong
- d. Meet monthly with Panhel, NPHC, and IGC officers to build rapport between organizations
- e. Meet regularly with Office of Greek Life officials and other campus administrators to discuss upcoming events and concerns of the Greek community
- f. Serve as official spokesperson for the campus Greek System unless otherwise delegated to another officer

Executive Vice President (1 elected)

- a. Sponsor programs once each semester to educate chapter presidents, social chairs, and risk management chairs on current risk management chairs and potential liability issues
- b. Meet as necessary with neighbors or neighborhood associations where fraternity off-campus houses are located to discuss issues of concern
- c. Help organize the fall Greek presidents retreat

- d. Develop and implement one original leadership initiative designed at strengthening the Duke Greek Community
- e. Serve as chair of expansion committee and assist new chapter transitions to Duke

Vice President of Recruitment and Pledging (1 elected and 1-2 appointed)

- a. Structure recruitment for the upcoming year
- b. Publish the IFC/Panhel recruitment brochure
- c. Publish informational handouts at the beginning of school and before Christmas break to be sent to the homes of the freshmen to raise interest in Greek life
- d. Offer several fall programming efforts designed at raising freshman interest and awareness of the Greek recruitment process
- e. Oversee recruitment period in beginning of spring semester
- f. Organize and monitor chapter new member activities

Vice President of Chapter Services (1 elected)

- a. Administer IFC review process
- b. Assist in organization and planning of Greek awards banquet in the Spring
- c. Research new ideas and suggestions to be distributed to chapters to enhance chapter scholarship programs including possible scholarship and grant opportunities
- d. Coordinate and organize Greek Week

Vice President of Community Interaction (1 elected)

- a. Meet at least twice each semester with the Chronicle to discuss campus coverage of Greek issues and to alert them to upcoming possibilities for Greek media exposure
- b. Coordinate Greek-wide service/philanthropy events with Panhel/IGC/NPHC representatives
- c. Establish relationships with local service organizations and act as a source of information for chapters on potential campus and community service projects
- d. Responsible for working with other councils to produce community newsletter at least two times each semester

Treasurer / Secretary (1 appointed)

- a. Supervise annual budget process
- b. Bill and collect IFC member dues
- c. Receive and maintain accurate records of IFC expenditures and income throughout the year.
- d. Distribute agendas and maintain minutes at IFC meetings

- e. Email minutes of meetings out to President's Council and IFC Executive Council within 48 hours of meeting
- f. Maintain meeting attendance records

Judicial Board Chairman (1 appointed)

- a. Work with Administration to continually develop updated Greek Judicial Policy
- b. Oversee Judicial Board Hearings and work with others in the Greek community to decide on specific cases.
- c. Continue the development of our community-wide Greek Judicial Body
- d. Develop new member leadership retreat for 1-2 pledges from each chapter to educate them on topics of concern to the Greek community
- e. Work with chapters on hazing/risk-management/residential life policies

V. LEGISLATIVE (GENERAL) BODY

1. The legislative body of this organization shall be called the Council of Presidents.
2. The Council of Presidents is herein vested with all legislative powers.
3. The membership of the Council of Presidents shall include the presidents of all member fraternities. Each fraternity shall have one vote on matters of concern. Each president may inform the Executive Council of a fellow fraternity member who may act as the representative of a fraternity in legislative matters.
4. All official IFC resolutions, recommendations, and endorsements shall require a majority of quorum of the Council of Presidents.
5. The President of the IFC shall serve as President of the Council of Presidents. He shall vote only in the case of a tie.
6. A quorum shall consist of one-half or more of the Council of Presidents.
7. All legislation and other IFC regulations must adhere to all rules and regulations administered by Duke University.

VI. JUDICIAL BODY

1. IFC judicial cases will be investigated and processed according to the guidelines and policies of the Greek Judicial Board.
2. The Greek Judicial Board will be comprised wholly of chapter members from the Interfraternity Council, Panhellenic Association, National Pan-Hellenic Council, and Inter-Greek Council.

VII. LEGISLATION

1. Upon passage by a majority of the Council of Presidents, all legislation shall become binding upon member fraternities.

VIII. FINANCES

1. The Treasurer handles financial responsibilities of the IFC. He shall inform the Council of Presidents on the financial status of the IFC at the request of the President.
2. A new member fee of fifty dollars shall be collected upon receiving new member's bid card.
3. The Treasurer shall collect brother dues of ten dollars per active brother per semester, from member fraternities during each semester.
4. A member fraternity that fails to pay dues shall be subject to the penalties specified in the IFC Rules and Regulations.

IX. MEETINGS

1. The President shall inform each fraternity president of the time and place of meetings. The Council of Presidents shall meet at least twice per month that classes are in session.

X. AMENDMENTS

1. Amendments to this Constitution shall be presented in writing to all members of the Council of Presidents at a regular meeting and shall be discussed and voted on at the next regular meeting. A two-thirds majority of the total membership of the Council of Presidents shall be required for adoption.
2. Presidents shall be required to live in their respective on-campus section during their presidential term, if applicable.

XI. RATIFICATION

When approved by a two-thirds vote of the total membership of the Council of Presidents, this Constitution shall immediately become effective and shall supersede all previous Constitutions and By-laws of the IFC. Submitted January 30, 1997. Amended January 28, 1998. Amended October 9th, 2001. Amended March 5th, 2002. Amended September 23, 2002. Amended October 1, 2002. Amended April 15, 2003. Amended February 8, 2005.

Addendums:

- (1) Expansion and Colonization Procedures of the Interfraternity Council at Duke University Amendment
- (2) Finances Amendment
- (3) Attendance Policy Amendment
- (4) Greek Judicial Board Guidelines and Policies Amendment
- (5) Pledge Manual Amendment
- (6) Non-Affiliated Group Amendment

Expansion and Colonization Procedures of the Interfraternity Council at Duke University

I. EXPANSION COMMITTEE

A. Purpose

The Interfraternity Council (IFC) Expansion Committee shall deal with all matters pertaining to the expansion of the IFC Fraternity Community. All action in the areas of expansion must be initiated and sanctioned by this committee.

B. Membership

The Expansion Committee shall consist of, but not be limited to, the following individuals: the IFC Executive Vice President (Chair), two (2) current or former chapter presidents (appointed by the Executive Vice President), and the IFC Advisor. Additionally, the Vice President for Student Affairs or his/her appointee as well as an appointed faculty member may serve as ex-officio members of the committee. The Interfraternity Council Executive Board appoints all student members of the Committee. All members shall serve a one-year term.

C. Responsibilities

1. To regularly examine the climate of the Greek community to determine if expansion is advised and/or appropriate.
 - a. Number of chapters
 - b. Percentage of Greek students
 - c. Number of potential new member
 - d. Room for growth
 - e. Number of housed chapters
2. To regularly report all committee activities to the Office of Fraternity and Sorority Life, the Interfraternity Council, National Pan-Hellenic Council (NPHC), Panhellenic Association (PA), and Inter-Greek Council (IGC).
3. To review the Expansion and Colonization Guidelines at the beginning of each semester to ensure that they reflect current IFC and Duke University policies and guidelines.
4. To coordinate all expansion activities.

II. PROCEDURES FOR EXPANSION

- I. Application process can occur in one of two ways:

1. Through a formal expansion plan initiated by IFC and the Office of Fraternity and Sorority Life.
2. Through receipt of a formal prospectus to colonize by inter/national headquarters.

II. Duties of the Expansion Committee

1. Obtain prospectus to be reviewed from interested inter/national organizations.
2. Contact inter/national organization(s) with a letter of interest on file and invite them to submit a prospectus.
3. Evaluate and determine the impact of bringing a new fraternity to campus.
4. Invite group(s) selected by the Expansion Committee to make on-campus presentations to the IFC general body and University officials.
5. Develop a timeline for expansion and colonizations at Duke University.
6. The Expansion Committee reserves the right to request additional materials/documentation in order to recommend, invite, and/or schedule a group for an expansion presentation.

III. Duties of the petitioning organization

1. Provide a written prospectus to the IFC Expansion Committee. The prospectus must include:
 - a. Organizational values and structure
 - i. A description of the organizational values and founding principles
 - ii. A summary of the organizational structure of the fraternity at the chapter and inter/national levels
 - iii. If a group is returning to campus, describe the following:
 1. Reasons why the chapter left campus, and when
 2. How the issue(s) involved have been addressed
 3. How the group has cleared any debts or circumstances still incomplete from when previously on campus (if applicable)
 - b. Alumni Information
 - i. Total number of alumni in the Triangle area (Raleigh, Durham and Chapel Hill)

- ii. Statement regarding interest and support of the alumni in establishing a chapter
 - iii. A list of specific alumni who are interested in working with the chapter in an advisory capacity
 - iv. Nearest alumni club/organization/graduate chapter
- c. Inter/national headquarters policies and publications
 - i. Constitution (inter/national and local if applicable)
 - ii. Minimal expectations of colony for existence and chartering
 - iii. Hazing policy
 - iv. Sexual Assault policy and program
 - v. Alcohol and Substance Abuse policy and program
 - vi. Scholarship policies and program
 - vii. Membership Education policy and program
 - viii. Recruitment/Membership Intake policy and program
 - ix. Leadership Development and Officer Transition programs
 - x. Inter/national magazine/publications
- d. Chapter development for three specific time periods: during colonization, for the first two years after chartering, and in five to ten years
 - i. Membership goals (numbers, GPA)
 - ii. Community interaction and service projects
 - iii. Campus involvement
 - iv. Programming initiatives (educational/cultural/faculty)
 - v. Chapter & alumni board finances
 - vi. Fundraising efforts
 - vii. Housing considerations
 - viii. Impact on Greek and Duke communities
- e. Statistical information on inter/national strength
 - i. Total number of chapters nationwide and distribution area
 - ii. Total number of chapters and colonies in North Carolina and bordering states
 - a. Total number of colonizations during the past five (5) years
 - b. Where, number chartered, number not chartered
 - iii. Total number of initiated members
 - iv. Total number of colonizations anticipated in the next calendar year and where, including a timeline for founding each colony
 - v. The number of chapters closed and/or suspended during the last three (3) academic years, including where, when, and why

- vi. Average size of chapters on campuses similar to Duke University (5,000-10,000 undergraduate students)
2. The Expansion Committee reserves the right to decline a group for a presentation to the IFC general body if all aspects of requested materials are not provided. In addition, the committee may waive any aspects of the required documentation or choose not to consider a group for any reason.

IV. IFC Recognition

1. Probationary status for membership into the Interfraternity Council will be granted by a two-thirds majority vote of the IFC general body. The vote will include a commencement date for colonization.
2. After receiving approval by the IFC general body, the inter/national fraternity will be extended an invitation to colonize.
3. Upon approval by the IFC general body, a fraternity's probationary status will last one calendar year from the colonization commencement date or until the group is chartered by its inter/national headquarters.
4. After colonization commences, the colony is subject, but not limited to, Section III. Colony and New Chapter Requirements.

III. COLONY/NEW CHAPTER REQUIREMENTS

- A. Within one calendar month of the commencement of colonization, the following shall be provided to the Expansion Committee:
 1. Anticipated timeline for colonization at Duke University.
 2. Number of traveling consultants, description of program, and commitment of time for Duke group.
 3. Advisor program, specific to Duke group.
 4. Description of inter/national staff assistance to colonies and established chapters (i.e., during colonization, after chartering, etc.).
 5. Description of conventions, leadership schools, and membership development programs available to colony members.
 6. Inter/national expansion budget and amount allotted to Duke colony.
- B. At least one representative of the colony must attend all IFC general body meetings as Probationary Members and are encouraged to participate in all

Greek community activities. Additionally, colonies are allowed to participate in all IFC votes, but their members are not allowed to hold IFC executive board positions until their charter has been secured.

- C. The colony shall maintain an active Advisory Committee, consisting of at least four alumni or volunteers, with one being designated as the chapter advisor. The inter/national fraternity shall train the Advisory Committee.
- D. During the colonization period, the colony shall develop programming in the following areas, with records of these provided as requested by the Interfraternity Council Advisor and/or Expansion Committee.
 - 1. Fraternity Education
 - 2. Recruitment/Membership Intake
 - 3. Scholarship
 - 4. Officer Training and Transition
 - 5. Financial Responsibilities
 - 6. Alumni Relations
 - 7. Social Programming (to include substance abuse and risk management education)
 - 8. Community Service
 - 9. Sexual Assault and Harassment
 - 10. New Member Education and Hazing
 - 11. Local IFC/IGC/NPHC/PA involvement
 - 12. Other activities as outlined by the fraternity and the University
- E. The colony shall have an inter/national representative visit at least once each semester for the duration of the colony. This representative shall meet with the Interfraternity Council Advisor each semester.
- F. Failure to meet any of the aforementioned requirements within one year of colonization will result in a review by the Expansion Committee, IFC Executive Officers and the Interfraternity Council Advisor to determine status of recognition.
- G. Colonies are ineligible to apply for selective living group status on campus.

IV. COLONIZATION

- A. The inter/national fraternity must consult with the Expansion Committee and Interfraternity Council Advisor regarding all colonization plans and procedures.
- B. The Expansion Committee and Interfraternity Council Advisor will specify guidelines for beginning and completing colonization.
- C. The Expansion Committee and Interfraternity Council Advisor will provide any necessary service and information regarding colonization or University and IFC guidelines, policies, procedures, and rules.

V. ADDITIONAL INFORMATION

- A. It is recommended that organizations wishing to re-establish a colony/chapter at Duke University wait no fewer than six (6) full semesters (fall/spring) after the term in which recognition is lost before entering the expansion process with the Expansion Committee.
- B. Presentations by prospective groups will be made to the IFC general body at meetings called by the Expansion Committee.
- C. Evaluation of the materials presented, as well as the prospectus submitted by the inter/national organizations, will be the information used to determine expansion and recognition by the Interfraternity Council.
- D. The Expansion Committee may make one of three recommendations to the IFC general body for consideration prior to a vote.
 - 1. No invitation should be extended at this time, with specific reasons as to why and, if applicable, when another presentation may be made.
 - 2. More information is needed before a final decision may be made.
 - 3. An invitation to colonize/proceed with Greek-letter organization recognition should be extended to a specific fraternity.
- E. No more than one interest group per semester can be approved for colonization.
- F. Once all conditions have been met and a group has received its charter, it may apply for University housing through the Office of Residence Life and Housing Services (RLHS).

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.