



The University of Kansas Interfraternity Council Judicial Board Manual

Table of Contents

IFC Judicial Board		
Jurisdiction		
P.3		
IFC	Judicial	Committee
Composition		P.3
IFC Justice		
Eligibility		
.....	P.3	
Term of Office of IFC		
Justices		
P.4		
IFC Judicial		
Policy		
.....	P.4	
IFC Judicial Board Hearing Justice		
Selection	P.4	
IFC Judicial Board Hearing		
Attendance		P.4
IFC Judicial Board Hearing Voting Policies P.4		
IFC Judicial Powers and Responsibilities		4
Due Process		4
Filing of Complaints		5
Notification of Charges		5
Investigatory Evidence		5
Informal Resolution Hearing		5
Prohibited Sanctions for Informal Resolution Hearing		6
Formal IFC Judicial Board Hearing		6
Formal IFC Judicial Board Hearing Proceedings		6

Conflicts of Interest	7
Non-Status Sanctions	7
Status Sanctions	7
Duration of Sanctions	7
Notification of Findings	8
Appeals	8
Non-Status Sanctions Appeals	8
Status Sanctions Appeals	8

IFC Judicial Code

The IFC Judicial Code is a critical component to the IFC being a peer-governing organization and holding member chapters accountable to established fraternity community expectations, values, and policies.

Included below is a sample IFC Judicial Code from the Model Constitution and Bylaws that your IFC can utilize in the development of your own Code. The IFC should establish in its Constitution the jurisdiction, composition, selection, and overview of the IFC judicial system, and in its Bylaws set out the specific procedures for the full judicial process of all cases.

Article I – IFC JUDICIAL BOARD

Section I. IFC Judicial Board Jurisdiction

1. The IFC shall be a peer-governing organization with an independent Judicial Board, which shall have jurisdiction over cases involving alleged member chapter violations, including but not limited to:
 - a. The IFC Constitution, Bylaws, Code of Conduct, and other policies.
 - b. The rules and regulations of University policy.
 - c. The general values-based conduct of fraternity men.

2. The IFC Judicial Board shall work with the campus to implement a comprehensive conduct program that enhances peer-governance; respects the authority of the campus to adjudicate alleged violations of the Student Code of Conduct; and avoids multiple, overlapping conduct processes.

- a. The IFC shall develop an agreement with the campus that identifies the role of each judicial body in adjudicating allegations of chapter-level misconduct.
- b. The IFC Standards Board shall defer to the campus to investigate and adjudicate hazing and sexual misconduct allegations, or any other allegation that is being investigated and/or adjudicated through the campus' conduct process.
- c. For all other instances—outside of hazing and sexual misconduct—the Standards Board has the autonomy and responsibility to adjudicate chapter-level violations.

Section II. IFC Judicial Committee Composition

1. The IFC Judicial Board shall be composed of one IFC Justice from each full IFC member chapter, chosen by that member chapter, and shall be chaired by the IFC Director of Conduct.

Section III. IFC Justice Eligibility

1. To serve as the IFC Justice for a member chapter on the IFC Judicial Board, an individual must meet the following requirements:
 - a. Have at least a 3.0/ 4.0 cumulative GPA
 - b. Have completed one year of academic coursework, while attending a university. Coursework as a high school student does not fulfill this requirement.
 - c. While in term, take a minimum of 12 credit hours per semester unless he does not need 12 hours to graduate in the same semester.
 - d. Maintain at least a 3.0/4.0 GPA for the semesters in term.
 - e. Be active members in good standing of fraternities holding regular membership in the University of Kansas IFC.
 - f. If the President does not possess these qualifications, the next in the line of the command for the respective chapters that possess all of these qualities will serve as the Justice.

Section IV. Term of Office of IFC Justices

1. The term of office for IFC Justices shall be until their graduation, resignation, or replacement under the procedures determined by each member chapter; or upon his election to serve on the IFC Executive Board or as his member chapter's IFC Representative or Alternate Representative for the IFC General Body. The IFC Justice cannot be on the board longer than two consecutive semesters.

Section V. IFC Judicial Policy

1. The Judicial Board shall perform all duties and be subject to all regulations contained within the IFC Judicial Code in the Bylaws.

Section VI. IFC Judicial Board Hearing Justice Selection

1. The IFC Director of Conduct will select five (5) Judicial Board justices and two (2) alternate Judicial Board Justices in case of cancellation, as predetermined by random generator, to hear a case. In the event the IFC Judicial Board rotation for service on a hearing falls upon an IFC Justice whose member chapter is involved in any way, with the alleged violation, the rotation will skip to the next member chapter in the randomized order.

Section VII. IFC Judicial Board Hearing Attendance

1. All IFC Judicial Board hearings shall be conducted in accordance with the following requirements:
 - a. All IFC Justices assigned to a hearing shall be present in order to conduct business on behalf of the IFC Judicial Board.
 - b. Each IFC Justice assigned to a hearing is required to attend. Failure of an IFC Justice to attend a hearing for which he was assigned shall result in his member chapter being referred to the IFC Director of Conduct for potential judicial review.

Section VIII. IFC Judicial Board Hearing Voting Policies

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

Article II – IFC Judicial Procedures

Section I. IFC Judicial Powers and Responsibilities

1. Per Article VI, Section I of the IFC Constitution, the IFC shall be a peer-governing organization with an independent Judicial Board that shall have jurisdiction over cases involving alleged member chapter violations of IFC policy, including but not limited to:
 - a. The IFC Constitution, Bylaws, Code of Conduct, and policies;
 - b. The rules and regulations of the University's policy; and
 - c. The general values-based conduct of fraternity men.

Section II. Due Process

1. In appearing before the Judicial Board, each member chapter shall be granted certain rights termed "due process." Those rights are:
 - a. The chapter must receive written notice indicating the date, time, and location of the hearing. This notice must be received at least five class days prior to the hearing. It should also contain a summary of the allegations of the case and a copy of these opportunities.
 - b. The chapter must be given the opportunity to read the written report stating the circumstances and allegations of the case.
 - c. The chapter is afforded the opportunity to a closed hearing.
 - d. The chapter is afforded the opportunity to have an advisor present at the hearing.
 - e. The chapter is afforded the opportunity to hear all testimony presented against them.
 - f. The chapter is afforded the opportunity to present witness and/or statements in accordance with Judicial Board procedures.

- g. The chapter is afforded the opportunity to remain silent.
- h. The chapter must be informed of the right to appeal and the procedures for making such an appeal.
- i. The chapter is afforded the opportunity to an expedient hearing.
- j. In order to hold a hearing, three justices must be in attendance. The Chief Justice must be present at all hearings.
- k. A chapter reserves the right to review its judicial record at any time.

Section III. Filing of Complaints

1. Any individual or group may file a complaint against a member chapter, specifying in writing the particular alleged acts of the accused. This must be done by submitting an IFC Judicial Complaint Form to the IFC Director of Conduct. The IFC Director of Conduct and the IFC President shall promptly review and investigate the allegation. Upon determination that an allegation contains information sufficient to warrant further adjudication, the IFC Director of Conduct may charge a member chapter with a violation.

Section IV. Notification of Charges

1. Once the IFC Director of Conduct has determined the filed complaint has merit, the member chapter and its inter/national organization is to be provided written notification of the charges at least five (5) days in advance of the hearing. This written notification shall include the following:
 - a. Date, time and location of their Informal Resolution Hearing;
 - b. Description of the alleged violation; and
 - c. Due process rights.

Section V. Investigatory Evidence

1. All evidence related to a complaint shall be compiled and presented to all parties at least five (5) days prior to any informal Resolution Hearing or formal Judicial Board hearing. All evidence shall be directly related to the complaint(s) alleged against the member chapter and shall be approved by the IFC Director of Conduct prior to circulation.

Section VI. Informal Resolution Hearing

1. Upon a finding of the IFC Director of Conduct that a filed complaint contains information sufficient to warrant further adjudication, he may offer the charged member fraternity the opportunity to participate in an Informal Resolution Hearing unless he feels that potential sanctions could include suspension or loss of IFC recognition.
2. In cases in which the charged member chapter accepts an Informal Resolution Hearing, the IFC Director of Conduct and the IFC President shall meet with a representative of the charged member chapter to discuss the allegations of the complaint. Within three (3) business days of the Informal Resolution Hearing, the IFC Director of Conduct and the IFC President may dismiss the complaint with a finding of no violations, provide the charged member chapter with his finding of violations and recommendation for a resolution through disciplinary or corrective sanctions. The charged member chapter has three (3) business days to accept or reject the terms of resolution. If the charged member chapter accepts the resolution, the charged member chapter waives all rights of appeal and the outcome is final.

3. If the charged member chapter rejects the offer of an Informal Resolution Hearing or the resolution, a Formal IFC Judicial Board Hearing will be convened to hear the case.

Section VII. Prohibited Sanctions for Informal Resolution Hearing

1. The IFC Director of Conduct shall not recommend suspension or loss of IFC recognition through an Informal Resolution Hearing. Should the IFC Director of Conduct believe suspension or loss of IFC recognition is warranted, the case shall automatically be referred to a Formal IFC Judicial Board Hearing.

Section VIII. Formal IFC Judicial Board Hearing

1. A formal IFC Judicial Board Hearing will be held if:
 - a. The charged member chapter rejects having an Informal Resolution Hearing;
 - b. The charged member chapter rejects the findings and/or sanctions of the Informal Resolution Hearing
 - c. The IFC Director of Conduct determines the allegation is egregious enough to warrant potential suspension or loss of IFC recognition; or
 - d. The IFC Director of Conduct chose not to offer an Informal Resolution Hearing;
2. The IFC Director of Conduct shall convene a Formal IFC Judicial Board Hearing.
3. The IFC Director of Conduct will select five (5) Judicial Board Justices and two (2) alternate Judicial Board Justices in case of cancellation, as predetermined by a random generator of the member chapters, to hear the case. In the event the IFC Judicial Board rotation for service in a hearing falls upon an IFC Justice whose member chapter is involved in the alleged violation, the rotation will skip to the next member chapter in the randomized rotation.
4. The IFC Director of Conduct shall serve as a non-voting Chief Justice and preside over all formal Judicial Board hearings.

Section IX. Formal IFC Judicial Board Hearing Proceedings

1. For all IFC Judicial Board hearings, the following procedures shall be followed:
 - a. *Participants:* Attendance at all IFC Judicial Board hearings shall be limited to the member chapters involved, any witnesses, the IFC Justices assigned to serve on the Judicial Board for the hearing, and the IFC Director of Conduct. At the discretion of the IFC Director of Conduct, witnesses may be excluded from the hearing room until it is his or her turn to testify. Additionally, the charged member chapter 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 chapter. The chapter advisor shall only act in an advisory capacity and is not allowed to conduct any portion of the chapter's presentation.
 - b. *Confidentiality:* All individuals involved in a hearing are required to agree to a statement of confidentiality. Individuals shall not disclose information regarding the following:
 - i. Any individuals, member chapters, or IFC Justices involved.
 - ii. Details of the proceedings
 - iii. Witness testimony.
 - c. *Hearing Process:*

- i. Initiation of the Hearing: The IFC Director of Conduct 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 chapter of the formality of the hearing and the necessity of all parties to be truthful.
- ii. Overview of Judicial Hearing Process: The IFC Director of Conduct shall outline the process for the remainder of the hearing as follows:
 1. Presentation of alleged charges, violations, and investigatory evidence against the charged member chapter shall be presented by the IFC Director of Conduct:
 - a. Charged member chapter may ask questions;
 - b. IFC Justices may ask questions;
 2. Presentation of charged member chapter:
 - a. IFC Justices may ask questions;
 3. Calling of Witnesses
 - a. Charged member chapter may ask questions;
 - b. IFC Justices may ask questions;
 4. Charged member chapter may give final statement;
 5. IFC Justices deliberate in closed session to determine findings of responsibility and if necessary, appropriate sanction(s).

Section X. Conflicts of Interest

1. In the event the IFC Director of Conduct' member chapter is involved in the alleged violation, the highest ranking IFC Executive Board officer, starting with the IFC President, as listed in Article V, Section II of the IFC Constitution, shall serve in his stead.

Section XI. Non-Status Sanctions

1. The IFC Judicial Board may impose sanctions that may include but are not limited to socials, punitive and/or educational, but not solely financial and do not restrict recruitment. The following are sanctions that may be imposed by the IFC Judicial Board and/or IFC Director of Conduct (including, but not limited to):
 - a. Letter of apology
 - b. Fines
 - c. Restitution
 - d. Educational programming
 - e. Public service to the campus or community
 - f. Meetings with campus office/departments
 - g. Loss of social event and/or campus event privileges such as Rock Chalk Revue, Homecoming, etc
 - h. Loss of eligibility for IFC Awards
 - i. Censure

Section XIII. Status Sanctions

1. In the event of an egregious violation, the following are sanctions that may be imposed by the IFC Judicial Board for a specified period of time:

- a. Suspension: Loss of IFC voting rights and removal from good standing status, and any additional Non-Status Sanctions.
 - b. Loss of IFC Recognition: Loss of IFC recognition and its rights and privileges.
2. When adjudicating a potential violation that may result in suspension/loss of recognition from the IFC for the member chapter, the Judicial Board shall work collaboratively with the inter/national organization and campus.

Section XIV. Duration of Sanctions

1. Judicial action shall specify the duration and deadlines of any sanctions imposed. After such specified time, if the member chapter has fulfilled the requirements of the sanctions imposed, the member chapter shall return to good standing. In the event the member chapter does not fulfill all of the requirements of the sanctions imposed, the IFC Director of Conduct shall convene a Formal IFC Judicial Board Hearing to determine future course of action.

Section XV. Notification of Findings

1. Within three (5) business days of any Informal Resolution Hearing or Formal Judicial Hearing, the IFC Director of Conduct shall communicate in writing to the charged member chapter, its inter/national organization, and its chapter advisor, as well as any relevant [campus] administrators, the alleged violation, the findings of the hearing, and any sanction(s) imposed.
2. The IFC Director of Conduct shall notify the IFC General Body of any sanctions imposed upon a member chapter through any Informal or Formal Judicial Hearing.

Section XVI. Appeals

1. The IFC Judicial Board's decision is subject to appeal by a member chapter within five (5) days 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 or be dismissed
 - a. Error in the charge and/or Judicial Board Hearing process that materially affected the outcome.
 - b. The severity of the sanction did not match the severity of the violation.
 - c. New information that could not have been discovered prior to the IFC Judicial Board Hearing through the exercise of reasonable diligence.
2. Sanctions imposed through the Judicial Process shall stand until an appeal is heard.

Section XVII. Non-Status Sanctions Appeals

1. The IFC Executive Board shall hear appeals for Non-Status Sanctions. The IFC Director of Conduct shall first present the IFC Judicial Board's decision and rationale for its actions. The appealing member chapter shall then be afforded the opportunity to present its reasoning for seeking a reconsideration of the IFC Judicial Board's actions. The appealing chapter must be given at five (5) days notice of the time, place, and procedure of the appeal hearing. Any individual from the appealing member chapter 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 alter the sanctions imposed by the Formal IFC Judicial Board Hearing. Any alterations must be approved by at least two

thirds (2/3) of the IFC Executive Board. The decision of the IFC Executive Board shall be final for Non-Status Sanctions.

Section XIX. Status Sanctions Appeals

1. The IFC General Body shall hear appeals for Status Sanctions. The IFC Director of Conduct shall first present the IFC Judicial Board's decision and rationale for its actions. The appealing member chapter shall then be afforded the opportunity to present its reasoning for seeking a reconsideration of the decision. The appealing chapter must be given at least one week's notice of the time, place, and procedure of the appeal hearing. Upon completion of the member chapter appeal presentation, all representatives of the Member Fraternity shall be dismissed from the meeting, including the member chapter's IFC Representative and Alternate Representative.
2. The IFC General Body shall first vote on whether to discuss dismissal or alteration of the status sanction, which shall require a two-thirds (2/3) vote. In the event the IFC General Body votes to discuss dismissal or alteration, the IFC General Body shall determine by a two-thirds (2/3) vote to either dismiss the charge(s) with no sanctions or to alter the sanctions imposed. If a two thirds (2/3) majority cannot be achieved for dismissal or alteration of the sanctions, the initial sanctions will remain in place.
3. The decision of the IFC General Body shall be final with no further appeal rights.