

IFC Judicial Board of Review Manual

TRAINING, PROCEDURES, & POLICIES

**Created by the Interfraternity Council in conjunction with
the Office of Greek Life**

Last Revised February 2017



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Judicial Board of Review Manual

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Online Websites

<http://cms.bsu.edu/campuslife/greeklife>

<http://cms.bsu.edu/campuslife/greeklife/ifc>

<http://cms.bsu.edu/campuslife/greeklife/documentsformsresources/rm>

<https://cms.bsu.edu/campuslife/greeklife/documentsformsresources/councildocs/ifc>

As a Judicial Board Member you Will:

1. Respect the confidentiality of the hearing process. Under no circumstance should you divulge any information to anyone about a hearing or the students/chapters involved. This includes roommates, spouses, parents, siblings, friends, colleagues, etc.
2. To hold confidential information in trust and confidence information and agrees that it shall be used only for the intended purpose of Judicial Board of Review.
3. In the event the media contacts you regarding a hearing, please refer those individuals to the Office of Greek Life or the VP of Internal Affairs and inform them that you are not permitted to comment.
4. All notes taken by board members during the hearing will be collected and destroyed by the Graduate Advisor.
5. Confidentiality is expected even after board members leave their position and the university.
6. Sharing names, topics, or discussion that occurred during this meeting would be considered a violation of confidentiality. All members and advisors present are held to the same standard of confidentiality. Talking about how decisions were determined or revealing personal information shared during the meeting IS a violation of confidentiality.

Judicial Board of Review Expectations

Professionalism

1. You are expected to be a role model on and off campus. All members must abide by all University, IFC, and national regulations and recognize that your status on the board may be contingent upon your disciplinary standing and behavior.
2. *Dress appropriately.* This means business casual. You will be recognized as a professional and should appear as such. **Do not wear chapter letters to hearings.**
3. When you are assigned a hearing, it is imperative that you attend. The office, your colleagues, complainants, and the accused chapter are relying on you to hear the case and make judgement. **If you are ever going to miss a hearing, contact the VP of Internal Affairs at least 24 hours in advance.**
4. *Arrive at the meeting early enough to be able to acquaint yourself* with the incident report and discuss any questions you may have with the advisor, chief justice, and board members. This will allow for the meeting to start on time.

Hearing Behavior

1. Please read and understand all the policies. It is vital that you not only know the policies, but also understand their rationale.
2. Regardless of your personal feelings on a policy, your decisions should be in accordance with what is written in the policies. Policy debate should take place in Interfraternity Council meetings.
3. Members of the board should disqualify themselves from a hearing if they have a personal relationship with the chapters involved or have knowledge of any circumstance of the case which could compromise their objectivity.
4. Ask questions rather than make accusations.
5. Maintain decorum. Keep side conversations to a minimum anytime the hearing is in progress. As uncomfortable as it might be, waiting in silence is the best policy.

Purpose and Duties of the Judicial Review Board

The purpose of the judicial board is:

1. Self-governance: affirms that Judicial Board members are responsible enough to identify and deal with violations of interfraternal ideals and policies
2. Accountability: identifies the need to quickly and appropriately confront behavior that violates interfraternal ideals and policies.
3. Education: assures that training, hearing procedures and sanctions are educational for the individuals and chapters involved as well as the Greek community.

The Judicial Board is responsible for dealing with violations of:

1. Interfraternity Constitutions and Bylaws
2. Interfraternity Code of Ethics
3. Recruitment Guidelines and Rules
4. Philanthropy
5. IFC Rules and Regulations
6. FIPG Guidelines

Duties of the Judicial Board include:

1. Handling alleged violations of the Interfraternity Constitution and Bylaws, Code of Ethics, Recruitment Guidelines and Rules, Philanthropy, IFC Rules and Regulations and FIPG as needed and/or if mediation is not successful.
2. Educating each chapter about the Interfraternity judicial procedures. Including education on IFC policies.
3. Participating in training to educate Judicial Board members about the Purpose of the Judicial Board, the rules and regulations the Judicial Board will monitor, the procedures to be followed, proper questioning techniques, the right of the charged organization, evaluating evidence and deliberations and sanctioning.
4. Conducting fair hearing with impartial Judicial Board members who follow adopted procedures.
5. Maintaining confidentiality before, during and after judicial hearings.

If Judicial Board Hearing is Held

Chapter entitlements:

1. Two spokespersons
 - Must be undergraduate active members of the chapter
 - If one of the spokespersons is not the chapter president, the president may be present as an observer.
2. Right to an advisor's presence during the hearing
 - Not an undergraduate student affiliated with the chapter
 - Role is to advise chapter/individual
 - Not able to ask questions of witnesses, provide statements, etc.

Prehearing: (Chief Justice, Board Members, and Graduate Advisor)

1. Read incident report and the sequence of events
2. Identify any ambiguous areas or discrepancies in the report to determine what areas you will need to clarify
3. Resolve any process issue under the direction of the graduate advisor
4. Remember that all discussion and questions should be limited to facts of the incident and basis of the charges

Questioning Techniques:

1. Ask simple questions that allow the student to talk.
2. Do more listening than talking. Listen carefully.
3. Tone is very important. Be inquisitive, not interrogative.
4. Have a purpose for each question.
5. Ask questions that reveal attitude.
6. Take notes as necessary. Do not whisper back and forth.

If Judicial Board Hearing is Held, cont.

Hearing:

1. Called to order by Chief Justice
2. Introductions of participants
3. Chief Justice will present facts of the case
4. Accused is asked Responsible or Not Responsible for each violation, if *responsible* go directly to deliberation
5. Five-minute opening statement by Judicial Board
6. Five-minute opening statement by the accused
7. Questioning of the accused by Justices
8. Judicial Board calls witness
9. Accused calls witness
10. Closing statement by the accused
11. Final questions from Justices
12. Deliberation follows

Deliberation:

1. Measure quality of information with **Preponderance of the Evidence**
2. Consider only facts of the case

Sanctioning:

1. If accused is found to be **Responsible**
2. Effective sanctions educate students and encourage better behavior
3. Consult sanction chart presented by Chief Justice

Outcome:

1. Accused return to room, verdict is read
2. Verdict and appeal information put in writing and sent to groups involved

Appeals:

1. If individual/chapter found responsible wishes to appeal, must submit the appropriate document to the Office of Greek Life or the Chief Justice within five school days of receiving written decision.

FIPG, INC. RISK MANAGEMENT POLICY

(Revised January 2017)

The Risk Management Guidelines of FIPG, Inc. includes the provisions, which follow and shall apply to all fraternity entities and all levels of fraternity membership.

ALCOHOL AND DRUGS

1. The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
2. No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
3. OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited.
4. No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).
5. The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
6. No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of these guidelines, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of these guidelines.
7. No chapter may co-sponsor, co-finance or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
8. All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in these guidelines.
9. No member or pledge, associate/new member or novice shall permit, tolerate, encourage or participate in "drinking games." The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor or alcoholic beverages, the practice of consuming shots equating to one's age, "beer pong," "century club," "dares" or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.

10. No alcohol shall be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with “bid night,” “big brother – little brother” events or activities, / “big sister - little sister” events or activities, “family” events or activities and initiation.

HAZING

No chapter, colony, student or alumnus shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as:

"Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities, and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law."

SEXUAL ABUSE AND HARASSMENT

The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members, whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location which are demeaning to women or men, including but not limited to verbal harassment, sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at a fraternity event as defined in these guidelines is prohibited.

FIRE, HEALTH AND SAFETY

1. All chapter houses should meet all local fire and health codes and standards.
2. All chapters should post by common phones and in other locations emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
3. All chapters should comply with engineering recommendations as reported by the insurance company or municipal authorities.
4. The possession and/or use of firearms or explosive or incendiary devices of any kind within the confines and premises of the chapter house is prohibited.
5. Candles should not be used in chapter houses or individual rooms except under controlled circumstances such as initiation.

EDUCATION

Each fraternity shall annually instruct its students and alumni/alumnae in the Risk Management Guidelines of FIPG, Inc. Additionally, all students and key volunteers shall annually receive a copy of the Risk Management Guidelines and a copy of the guidelines shall be available on the fraternity website.

Important Documents

The following are all found on Ball State's website at:

<http://cms.bsu.edu/campuslife/greeklife/documentsformsresources/rm>

- IFC Event Registration Form
- Ball State University Greek Risk Management Policy
- SET Evaluation Form
- OSL Adjudication Process Flow Chart
- Council Adjudication Process Flow Chart
- Risk Management Compliance Form
- FIPG Manual
- Third Party Vendor Checklist

Ball State Interfraternity Council Constitution:

<https://cms.bsu.edu/-/media/www/departmentalcontent/greeklife/pdfs/ifc/ifc%20constitution%20%201302017.pdf?la=en>

Ball State Interfraternity Council Bylaws:

<https://cms.bsu.edu/-/media/www/departmentalcontent/greeklife/pdfs/ifc/bylaws%2011-16-2016.pdf?la=en>

Interfraternal Values

The Ball State Interfraternity Council will commit to promoting positive values, providing experiential learning opportunities, and fostering leadership development while forging lifelong connections to Ball State University.

Interfraternal Code of Ethics

We, the fraternity men of Ball State University who believe in the values of scholarship, honesty integrity, accountability, honor, respect, faith, excellence, high ambition, brotherhood, friendship, service, justice, leadership, character, courage, power, and love, do hereby affirm and declare on our word as gentlemen that:

1. We will maintain a high standard for our GPA;
2. We will foster and develop the leadership of our Brothers;
3. We will fulfill all financial obligations to our chapter, the Interfraternity Council, Ball State, and our (inter)national headquarters;
4. We will provide service to both the Greek and local community.
5. We will be active members of Ball State life;
6. We will respect both fellow Greeks and non-Greeks, especially women and other fraternities;
7. We will promote the positive image of Greeks and aspects of Greek life;
8. We will have **no** tolerance for hazing.
9. We will have **no** tolerance for the use and abuse of illegal substances;
10. We will provide a safe atmosphere for ourselves and others;
11. We will maintain a clean and respectable house and property;
12. We will take responsibility for our actions;
13. We will hold each other accountable;
14. We will live the charges set forth by our Ritual;
15. And we will hold our organizations to the highest standard.

With these statements, we pledge our constant belief in the value of Greek life, and recognize the responsibility invested in us by the Greek letters that we proudly display.