

Greek Judicial Board Of Michigan Technological University

(October 13, 2008)

ARTICLE I – DEFINITIONS

SECTION 1 – The Board: The Greek Judicial Board

SECTION 2 – IFC: Interfraternity Council of Michigan Technological University

SECTION 3 – Panhel: Panhellenic Council of Michigan Technological University.

SECTION 4 – Greek Advisor: Assistant Director of Student Activities

SECTION 5 – Judicial Affairs: the Office of Student Judicial Affairs.

SECTION 6 – Semester: A semester refers to the fall or spring school semester of Michigan Technological University

SECTION 7 – The Chair: The Vice-President of IFC

ARTICLE II - PURPOSE

It shall be the purpose of the Board to promote responsible self-governance of the Greek system at Michigan Technological University among all member chapters and officers of the IFC. The Board shall fulfill the requirements of a judiciary branch of government by upholding and interpreting the Constitution, legislature, and policies of the IFC & Panhel, and adjudicating wisely should these standards and policies be violated. The Board will have jurisdiction in other cases that have been referred by Judicial Affairs.

ARTICLE III – SELECTION

SECTION 1 - The Selection Committee shall be composed of the Greek Advisor, a representative from Judicial Affairs, a non-returning Board member, the IFC President, the President of the Panhel, and an elected Fraternity and Sorority representative.

SECTION 2 - Applications to the Board will be due by the 4th week of each semester.

SECTION 3 - The selection and approval of all new members of the Board shall be completed by the 6th week of the semester.

SECTION 4 - The Selection Committee shall select up to twelve (12) applicants to make up the Board.

SECTION 5 - Applicants must have at least a cumulative 2.25 GPA and be in good academic and disciplinary standing to be considered for a position on the Board.

SECTION 6 - The new members of the Board shall take over responsibilities of the Board starting the 1st week of the semester following their accepted application. All new members shall attend a training session coordinated by Judicial Affairs and completed before the close of each semester.

SECTION 7 - All former members of the Board who have served a minimum of one semester may serve as alternates to the Board, provided they are registered students in good academic and disciplinary standing.

SECTION 8 - All applicants must be initiated members of a recognized member organization of the IFC. All applicants must be considered active members of their chapter.

ARTICLE IV – RESPONSIBILITIES OF MEMBERS

SECTION 1 - The Vice President of the IFC shall have the overall responsibility of facilitating Board hearings and shall preside over Board meetings. A Panhel representative will preside over cases that involve violations of Panhel policies.

SECTION 2 - Members of the Board must maintain at least a cumulative 2.25 GPA. If a member's cumulative GPA falls below 2.25, they will be excused from the Board until such a time that his or her cumulative GPA meets the requirements.

SECTION 3 - Board members must adhere to all provisions of the Code of Community Conduct. Conduct of Board members may be reviewed by the Chair and a representative from Judicial Affairs. Any member who hinders his or her personal integrity or the integrity of the Board, through actions including but not limited to Code of Community Conduct violations (personal or organizational) resulting in disciplinary charges (including criminal offense), will be suspended from their Board position until charges are resolved. The members found to be in violation will be permanently removed from the Board.

ARTICLE V – JURISDICTION OF THE BOARD

SECTION 1 - It shall be the duty of the Board to examine and decide appropriate action in case of alleged misconduct by a recognized fraternity or sorority referred to it by Judicial Affairs.

SECTION 2 - It shall be the duty of the Board to review IFC and Panhel decisions that may violate the IFC or Panhel Constitution or Greek Relationship Statement.

SECTION 3 - All matters pertaining to Recruitment will be left to the group's appropriate council (IFC or Panhel). If the incident involves members from both councils, the incident would be heard before the Board. Non-Panel organizations that had agreed to Panhel resolutions or recruitment policies will be held accountable to the judicial decisions, through the Recruitment Mediation Process, of the Panhel by the IFC.

ARTICLE VI – GENERAL PROCEDURES

SECTION 1 - The Board shall follow the hearing procedures in Article VII.

SECTION 2 - All decisions must be made by a simple majority vote.

SECTION 3 - Upon notification of the case, the Chair shall select 6 Board members, free of conflict of interest, to serve on the jury panel as selected by the Chair and a representative of Judicial Affairs. The Chair will serve as a mediator and vote only in tiebreaking situations. The Greek Advisor will not have a vote in the decisions.

SECTION 4 - Only one member from any one organization may serve on a hearing.

SECTION 5 - Involved parties will be informed of the date, time, and location of the hearing at least one week prior to the hearing.

ARTICLE VII - HEARINGS

SECTION 1 - Hearing Procedures:

- a) The Chair will explain the process and ask the involved group(s) and or student(s) if they have any questions about the process.
- b) The Chair will then start the hearing by stating the charges and will read the violation report form.
- c) Any member of the Judicial Board may ask questions at any given time that are relevant to the issue at hand.
- d) The complainant will have up to 30 minutes to present information about the incident and any witnesses will have five minutes each to present their testimony. For good cause, this time can be extended by the Chair.
- e) The respondent(s) will then have the opportunity to present information and witnesses in their defense within the same time limits as the complainant.
- f) When both sides have presented all their information, the Board has a final opportunity to ask questions of anyone involved in the alleged incident.
- g) After the Board asks their questions, there will be a ten minute recess for each side to prepare their final statement. The final statement is to be no longer than five minutes in length and may not introduce any new information. The complainant will make the final statement first, followed by the respondent.
- h) When all of the information has been presented, the complainant, the respondent, and their parties will leave the room and the Board will render a decision. Only the Board Members and a Judicial Affairs representative may be present during the deliberations.
- i) A simple majority vote of the Board will decide an issue before the Board. In the case of a tie, the Chair must vote and break the tie.
- j) If a violation of University or of joint IFC/Panhel rules and regulations is found, the Board will render a decision on appropriate sanctions. The Board's decision on sanctions requires a simple majority.

- k) The Chair will then discuss the sanction(s) with the group(s) or student(s), and will send a follow-up letter within 48 hrs to confirm the decision.
- l) The process for appeals will be explained in writing and the group(s) and or student(s) will be asked if there are any questions about the process.
- m) The Board is under the supervision of the Judicial Affairs, which has the right to overrule or amend decisions of the Board, or in extraordinary circumstances, remove the case from the Board.

SECTION 2 - Deliberation:

- a) The Board will only discuss evidence that is presented during the hearing and will decide responsibly using the preponderance of evidence.
- b) The Board has the power to issue appropriate sanctions. The following guidelines will be strongly considered when deciding upon sanctions:
 - i. Past Violations of the organization.
 - ii. Past Precedents set by Judicial Affairs and the Board.
 - iii. Intentional or negligent acts.

ARTICLE VIII - CONSEQUENSES

SECTION 1 - Sanctions

- a) Restitution – Complete restitution for damages to property.
- b) Service – Requiring the group to perform community service as defined by the Board and be completed by a specific date.
- c) Programming – Mandatory participation in relevant alcohol or other educational programs.
- d) Probation – Probation may be imposed for a length of time deemed appropriated by the Board and may carry any combination of the following stipulations:
 - i. No use of University facilities for events or activities involving the said fraternity. The Board may stipulate no participation in any event or only selected events.
 - ii. No sanction may inhibit an organization’s ability to recruit members.
 - iii. No participation in intramural athletics as an organization or by any member of the organization on behalf of the organization.
 - iv. No active participation with any recognized member organization or IFC social function.
- e) Other sanctions as deemed appropriate by the Board.

SECTION 2 – Thanksgiving, Christmas, spring, and summer break (which is the time that summer term is not in session) will not count towards time served on a probation sanction.

SECTION 3 - Any failure to comply with the sanctions that may be imposed by the Board will result in a subsequent Board hearing and may be subject to an investigation and possible action by Judicial Affairs.