



SAMPLE IFC JUDICIAL POLICIES

The following documents are positive examples of IFC Judicial Policies and can be considered models. The NIC has obtained permission from the institutions to share these documents. For questions regarding these and other models and resources, please call 317-872-1112.

[Texas State University IFC Judicial Policy](#)

- See page 17

[University of Kentucky IFC Judicial Policy](#)

- See excerpt attached, Article III – Judicial Board

Bylaws of the Interfraternity Council of the University of Kentucky

Article III - Judicial Board

Section 1: Judicial Board Purpose and Organization

- A. The purpose of the IFC Judicial Board shall be to arbitrate conflicts between recognized member fraternities and consider violations of the UK Code of Student Conduct and the IFC constitution and bylaws for disciplinary action.
- B. Jurisdiction—The IFC Judicial Board shall have original jurisdiction for IFC recognized member fraternities on the Lexington campus that violate any, all, or part of the following:
 - a) The IFC Judicial Board shall have jurisdiction for violations of the Code of Student Conduct, which involve a recognized member fraternity such that the alleged violation may be said to be associated with a particular recognized member fraternity.
 - b) Except for those violations which are determined immediate and/or critical by the Dean of Students office and need immediate and appropriate action on behalf of the University.
 - c) The IFC Judicial Board shall have jurisdiction for violations of the IFC Constitution, Bylaws or any other piece of IFC legislation that has been formally accepted by the voting delegation.
 - d) Advising on any case regarding violation of the Code of Student Conduct will be by the Director of the Office of Student Conduct.
 - e) Advising on any case regarding violation of the IFC legislation will be by the Assistant Dean of Fraternity/Sorority Affairs.
 - f) Violations of the Code of Student Conduct supersede violations of any IFC legislation.
- C. Judicial Board Members
 - a) The Judicial Board shall consist of:
 - (1) The Judicial Board Chairman
 - a) Applicants for the Chairman position of the Judicial Board must be a student of at least junior standing by credit hours and be either current IFC Judicial Board member, past chapter president, past IFC Executive Board member, or be approved by the Executive Board. The Judicial Board Chairman is to be elected by the IFC Full Council.
 - (2) Six (6) at-large members
 - a) Each chapter, except the chapter of the Judicial Board Chairman, is required to submit one applicant who is a current or previous chapter executive board member or previous IFC executive board member.
 - b) The IFC President, Judicial Board Chairman, Assistant Dean of Fraternity/Sorority Affairs, and the Director of the Office of Student Conduct shall review the applications, interview the applicants, and select the ten (10) most qualified applicants to be at-large members or alternates.
 - c) The ten applicants selected by the IFC President, Judicial Board Chairman, Assistant Dean of Fraternity/Sorority Affairs, and the Director of the Office of Student Conduct

- shall each give a 1 minute speech to the IFC Full Council expanding on qualifications given in their application.
- d) The Full Council shall consider the speeches and applications of each of the ten (10) candidates and each chapter shall vote for who they believe to be the six (6) most qualified candidates. The six (6) candidates receiving the most votes will become the six (6) at-large members. Ties shall be broken by decision of the Judicial Board Chairman.
- (3) Four (4) alternates
 - a) The four (4) candidates not elected to be at-large members will become the four (4) alternates.
 - b) Only one member from a fraternity may be selected to a position on the Judicial Board (including the Chairman). Applicants for any of these positions must be initiated members in good standing with a recognized member fraternity and a student of at least sophomore standing by credit hours at the time of appointment.
 - c) In the event that one (1) of the six (6) at-large members is unable to fulfill his duties, the Judicial Board Chairman shall select one (1) of the two (2) alternates.
 - d) All members of the Judicial Board and the Executive Vice President of IFC must be formally trained by the Director of the Office of Student Conduct prior to hearing any cases.

Section 2: Judicial Board Procedure

- A. Prior to a Hearing
 - a) Any complaint shall be presented to the Executive Vice President or Chairman of the Judicial Board.
 - (1) Upon receiving a complaint, the Judicial Board must inform the accused fraternity of the charges to be considered within ten (10) business days.
 - b) The Judicial Board Chairman, Assistant Dean of Fraternity and Sorority Affairs, and the Director of the Office of Student Conduct shall meet to determine the following:
 - (1) Whether the complaint is a violation of Code of Student Conduct or IFC Legislation.
 - (a) For violations involving the Code of Student Conduct, it is the duty of the Director of the Office of Student Conduct to determine when there is just cause for a hearing to take place.
 - (b) For violations involving the IFC Constitution, it is the duty of the Judicial Board chairman to determine when there is just cause for a hearing to take place. If the chairman does not deem a hearing necessary, further evidence may be requested of the Executive Vice President at the discretion of the chairman.

- (2) Whether there is enough information to warrant formal charges.
 - (3) Whether responsibility lies with the organization as a whole or with individuals based on the following criteria;
 - (a) Would it appear like an organizational event to an outsider using the common observer principle?
 - (b) Was there a substantial amount of membership involved?
 - (c) Did the officers have knowledge of the event?
 - (d) Was the event advertised as a chapter event?
 - (e) Were chapter funds collected?
 - (4) What specific charges, if any, should be brought forward
 - (5) The date of the hearing, should formal charges be brought forward
 - (6) Should a hearing be scheduled;
 - c) It is the responsibility of the Executive Vice President to notify the accused chapter in writing of the charges.
 - d) The Executive Vice President must present the evidence to the Judicial Board and the accused fraternity one week prior to the case date.
 - e) The chairman must review all relevant background information with the Board to establish a chronological sequence of events and evaluate possible questions that could be necessary when hearing the case.
- B. Hearing Procedures
- a) Six (6) members of the Board and the chairman must be present for a case to be considered. No board members will sit in on a case involving the fraternity of which he is a member.
 - b) Special board members may be appointed by the IFC Executive Board should there not be enough. If agreed upon by the accused fraternity and chairman, the Judicial Board may hear a case with less than six (6) members.
 - c) If less than 6 members of the judicial board can attend the meeting, the chapter will have the option to reschedule the hearing or have the hearing by signing a waiver forfeiting their right to appeal the decision on the grounds of an incomplete Judicial Board.
 - d) If the fraternity of the chairman of the Judicial Board is involved in a case, an alternate chairman will be appointed by the IFC Executive Board among the other Judicial Board members.
 - e) The chairman shall introduce all those present, including the 6 board members, chapter representatives, Executive Vice President and any further people in attendance that are necessary to the hearing.
 - f) The chairman shall deliver a confidentiality statement and require that all those present tell only the truth.
 - (1) The chairman must answer any questions regarding the previous statements.
 - g) After agreeing to the confidentiality statement, all witnesses must leave the room.

- h) The charges against the accused chapter should then be read.
 - i) It is then the responsibility of the Executive Vice President to present the full case against the accused chapter, including any witnesses and evidence.
 - (1) Following the account of each witness, the accused fraternity may briefly question the witness, followed by questions from the Board.
 - (2) When the Executive Vice President has completed his entire presentation, the accused fraternity will have the opportunity to briefly ask questions of the Executive Vice President, followed by the Board.
 - j) The accused chapter may then present its defense, including witnesses and any further evidence in its support.
 - (1) After the account of each witness, the Executive Vice President may briefly question the witness, followed by questions from the Board.
 - (2) At the conclusion of the entire defense by the accused fraternity, the Executive Vice President, followed by the board, may question the accused fraternity.
 - k) After questioning by the board, all witnesses, representatives and the IFC Executive Vice President are asked to leave the room. After a brief period of deliberation, the Judicial Board will choose to return to questioning or move on to the final statements.
 - l) The Executive Vice President may deliver a brief final statement to summarize his prosecution.
 - m) The accused fraternity may deliver a brief final statement to summarize their defense.
 - n) The chairman shall dismiss both the accused fraternity representatives and the Executive Vice President after the proceedings have concluded.
- C. After a Hearing
- a) The Board members may be given a brief period to write down their thoughts and consider their conclusions.
 - b) The chairman will then begin a period of discussion.
 - c) At the conclusion of discussion, the six (6) Board members vote to decide whether the accused fraternity is responsible or not responsible for the charges considered in the hearing.
 - (1) In the case of a tie vote, the chairman shall provide the final vote.
 - d) Should the accused fraternity be found responsible, appropriate sanctions are decided upon by consensus of the Judicial Board.
 - e) It is the responsibility of the chairman to deliver a formal letter of decision to the accused fraternity once the decision has been made.
 - (1) The formal letter of decision will include the rationale behind the decision. If the accused fraternity is found responsible, any sanctions imposed by the Board and the formal process of appeals will be included.
 - (2) The formal letter of decision should be filed in the IFC Judicial Board file of all hearings.
 - f) The Judicial Board must arrive at a decision within ten (10) business

- days of hearing the case.
- g) Should the accused fraternity not appear before the Judicial Board for their scheduled hearing, the Board shall automatically decide that the accused fraternity is responsible and recommend appropriate sanctions.

Section 3: Judicial Sanctions

- A. The following is a list of possible sanctions, which may, alone or in combination, be recommended by the Judicial Board. The Judicial Board is not limited to the recommended sanctions in the following list.
 - a) Expulsion from the University—a designated separation from the University with no opportunity for re-chartering before the set date.
 - b) Dismissal from the University—a separation from the University for an indefinite period of time. Readmission is possible.
 - c) Suspension from the University—a separation from the University for a specific period not to exceed two (2) years. A suspension restricts all fraternity activities for the specific period of time. A limited suspension may allow specific fraternity activities as determined by the Judicial Board.
 - d) Probation
 - (1) Disciplinary Probation—a period of time during which any further violation of the Code of Student Conduct or IFC Legislation puts the organization’s status with the University in jeopardy. If the organization is found responsible for another violation of the Code of Student Conduct or IFC Legislation during this period, serious consideration will be given to imposing a sanction of Suspension, Dismissal or Expulsion from the University.
 - (2) Conduct Probation—a period of time during which any further violation of the Code of Student Conduct or IFC Legislation may result in more serious sanctions being imposed.
 - (3) Social Probation—used to limit or restrict social functions.
 - (4) Intramural Probations—used to limit or restrict intramural participation.
 - (5) Fines—a maximum of \$1500 per violation
 - (6) Projects—any project deemed educational and constructive can be issued by the Judicial Board
- B. For sanctions involving Suspensions, Dismissals and Expulsions:
 - a) The IFC Judicial Board has the jurisdiction to suspend, dismiss or expel chapters as active or recognized within the IFC. The IFC Judicial Board does not have the jurisdiction to suspend, dismiss or expel a chapters’ status as a student organization. The IFC Judicial Board may recommend to the Dean of Students, who has authority over Student Organization status, that the status of a chapter as a student organization be suspended, dismissed or expelled.
 - b) It is the responsibility of the chairman to assure that the imposed sanctions are being followed by the chapter should they be found guilty.

Section 4: Judicial Appeals

- A. For cases involving the Code of Student Conduct:
 - a) Written intent to appeal must be submitted to the Director of the Office of

Student Conduct within seven (7) business days of receiving the IFC Judicial Board

- b) As soon as the Judicial Board makes a decision on a particular case, the sanctions will be enforced. As soon as the chapter in question informs the IFC in writing of their intent to appeal, the sanction will be lifted until the appeal can be heard by the Director of the Office of Student Conduct.
 - c) Once the Director of the Office of Student Conduct has ruled on the case, his/her sanctions and decisions can be appealed to the University Appeals Board, only in cases revoking the status of a student organization (See Sect. 42 and 50 of the Code of Student Conduct).
- B. For cases involving IFC Legislations
- a) Written intent to appeal must be submitted to the IFC President or Executive Vice President within seven (7) business days of receiving the IFC Judicial Board decision.
 - b) As soon as the Judicial Board makes a decision on a particular case, the sanctions will be enforced. As soon as the chapter in question informs the IFC in writing of their intent to appeal, the sanction will be lifted until the appeal can be heard during the next full council meeting. It will take a two-thirds (2/3) majority of voting members in attendance, provided a quorum is present, to send the appeal to the Executive Board. If the Executive Board does not overturn the sanctions, the time between the appeal notification and the appeal will be added to the end of the sanction.
 - c) The Executive Board will make the final decision on appeals. If the fraternity of an Executive Board member is involved, he will not sit in on an appeal. The Executive Vice President will not participate in the Executive Board decision. It takes a majority vote of the Executive Board considering a case to change the Judicial Board decision.
 - d) The Executive Board must make a decision within ten (10) business days.