Colorado State University
Fraternity & Sorority Joint Judicial Board
Composition & Procedures

(Governing all Chapters of the Interfraternity Council, Multicultural Greek Council, National Panhellenic Council, and Panhellenic Association)
***These procedures will be changed accordingly when NPHC is a functioning independent council***

This document became effective on May 30th 2015 when revisions the Colorado State University Fraternity and Sorority Joint Policy for Risk Management allowed for cooperative judicial hearings across IFC, MGC, NPHC, and PHA. The creation of a joint judicial board allows for consistency in hearings and outcomes associated with any violation of fraternity and sorority council joint policies.

Eligible Board Members
1. All eligible members must be initiated in their respective chapters, in good standing with their respective chapters, and be in good standing with the university.
   a. All board members must have completed the Joint Judicial Board training hosted by the OFSL at the beginning of the calendar year that they are serving on the board.
   b. In order to be selected for training, interested parties must complete the attached application form by the conclusion of previous semester of the calendar year prior to them serving on the board. Applications may be submitted to the Office of Fraternity and Sorority Life.
      i. Council vice presidents will choose who will be trained from a pool of applicants who complete the attached application form.
      1. 5 individual will be chosen for the pool from each council
      ii. IFC and MGC have existing processes for choosing members of their judicial board. Those processes may occur in place of this process. The council officers will ensure members of their respective council judicial board interested in serving on the joint board are trained and aware of the commitments.

2. The Joint Judicial Board shall consist of the following eligible members:
   a. IFC VP Judicial Affairs, MGC VP Risk Management & Judicial Affairs, PHA VP Administration, IFC chapter member (chosen at the discretion of IFC VP Judicial Affairs), MGC chapter member (chosen at the discretion of MGC VP Risk Management & Judicial Affairs), PHA chapter member (chosen at the discretion of PHA VP Administration), Additional chapter member from a chapter in the council of the chapter for which the hearing is being held. (chosen at the discretion of the Joint Judicial Board Chair (described in Section 3a)
   b. In the event that any council vice president serving on the judicial board is of the same chapter affiliation as the chapter for which the hearing is called, one of the trained members same council will serve as their replacement.
   c. In the event that a chapter is associated with more than one council, it will be up to the vice presidents of the judicial board to decide which council shall represent the chapter, and the complaint filed the best.
   d. No more than two members of the joint judicial board may be of the same chapter affiliation while serving on the board.
Chapter member(s) will be chosen on a rotational basis from the pool of individuals that attended the training, hosted by the OFSL at the beginning of the calendar year.

All board members must be unbiased and will exclude themselves from a hearing if they have any involvement.

3. The Joint Judicial Board shall have jurisdiction over violations of the Colorado State University Fraternity and Sorority Joint Policy on Risk Management and all other FSL joint agreements.
   a. The Joint Judicial Board shall have no jurisdiction or power in cases involving violation of council specific policies (IFC, MGC, NPHC, PHA).
   b. Violations of the Student Conduct Code will be handled by the office of Conflict Resolution and Student Conduct Services.
      i. Hearings from the Joint Judicial Board and any university hearing board conduct process can and may occur simultaneously as they are separate accountability agencies.

Reporting Alleged Violations

4. Any member of the University or larger community may report alleged misconduct involving a fraternity or sorority.
   a. This process is initiated through the submission of a written account of the incident to the Office of Fraternity & Sorority Life or the respective advising staff or student leaders (i.e. council advisors or council representatives).
   b. Reports should be submitted as soon as possible after the event takes place. In cases in which a notification comes from an outside person or entity, the student or staff member may document the call and prepare the charging report. In cases in which the reporting person fears retribution, the name may be withheld by the reporting party.
      i. Anonymous calls or reports may warrant additional investigation to substantiate the validity of the complaint.
   c. Upon the receipt of a written report, the council judicial officers along with the Office of Fraternity and Sorority Life will determine together whether there is sufficient information to charge the organization with an alleged violation of the Joint Risk Management Policy through the information provided in the written report or through further investigation.

Joint Judicial Board Pre-Hearing Process

5. The council vice president on the Joint Judicial Board of the council of the violating chapter shall immediately, upon determining that the chapter will be charged with alleged violations, schedule a hearing with the Joint Judicial Board and the chapter in alleged violation. The same council vice president will act as the Chairperson for the Joint Judicial Board hearing. (Example: Alpha Beta Sorority Inc., a member of PHA violates the joint policy…it is the responsibility of the PHA VP Administration to schedule the hearing and chair the board)
   a. Hearings must take place within three (3) academic weeks (excluding summer months) of the date that the council vice presidents of the judicial board were notified of the violation.
      i. In the case of an investigation, the hearing must take place three (3) academic weeks (excluding summer months) after the investigation has been closed.
   b. If the responding chapter fails to find an agreeable time three (3) academic weeks (excluding summer months) after the date on which the complaint was filed and every reasonable effort has been put forth to contact and schedule a hearing with the chapter, the Joint Judicial Board may convene and make a decision regarding the responding chapter’s responsibility and possible sanctions.

6. Allowable representation and hearing attendance
   a. The responding chapter may freely choose who they desire to attend the hearing and speak on their behalf.
      i. Speaking representative must be a student of Colorado State University
ii. The responding chapter may bring no more than:
   1. 4 chapter members (including chapter president)
   2. 2 total chapter advisors/alumni
b. If there is a need for additional representation from the chapter, the chapter may submit a formal written request to the joint judicial board officers with details regarding the nature of the request and who will be in attendance.
   i. The appeal must be approved for additional members to be in attendance
c. Any unauthorized attendees will be asked to leave the hearing before its initiation.

Joint Judicial Board Proceedings
7. The order of the hearing shall proceed as follows:
   a. The Chairperson of the Joint Judicial Board begins the hearing.
   b. The parties are introduced, and the charges (alleged violations) are read. The Chairperson or individual hearing officer will confirm that the organization was given notice and understands the charges (alleged violations).
   c. The Chairperson will explain the order of the hearing.
   d. The Chairperson will review the charges listed in the notification letter and ask the student representative of the student organization in alleged violation to accept or dispute each individual charge. If charges are disputed, the administrative meeting becomes a disciplinary hearing and the meeting will be recorded for appellate purposes.
      i. If the charges are accepted, the hearing will not be recorded for appellate purposes.
   e. The Chairperson and board members ask preliminary questions to better understand the general nature and culture of the Respondent student organization.
   f. The student representative of the Respondent student organization is asked to share information regarding the alleged violation and pending charges.
   g. The Joint Judicial Board may ask questions regarding the information provided and statements made.
   h. In the event witnesses have been identified, the respondent student organization may ask the witnesses to prepare witness statements to bring to the trial to read. The witness statements are to be read in their completion before the entire judicial board.
   i. At the conclusion of witness statements, the Respondent student organization will have the opportunity to address information/statements presented by witnesses and the Joint Judicial Board will have the opportunity to ask follow up questions to ensure all of the information is thoroughly understood.
   j. After all of the information is heard and understood, the Joint Judicial Board determine what charges that the chapter is responsible for. If they are found responsible, the Joint Judicial Board will take a restorative approach to a solution, including identifying the harm that has been caused and the ways in which the Joint Judicial Board can support the Respondent student organization in meeting their goals.
   k. Formal rules of process, procedure, or evidence as established and applied in the civil or criminal justice system do not apply to this process.

Joint Judicial Board Post-Hearing Process
8. Allowable sanctions or outcomes that the Joint Judicial Board may implement include, and are limited to:
   a. No Action
   b. Warnings
   c. Restitution covering damages to property of parties affected by the violation
   d. Educational workshops that the violating chapter must attend or host
   e. Mandatory utilization of university resources including meetings with university staff, off campus life, Alumni advisors, chapter headquarters, or any other university agency
   f. Mandatory meetings with council officers
g. Suggested changes to chapter operations (creation of officers, committees etc.)

h. Limiting/Banning social activities of the chapter in violation

i. Support of Conflict Resolution and Student Conduct Services removing or continuing the chapter’s student organization status

9. The Joint Judicial Board shall have seven (7) academic business days to deliberate the case. Within this time period, the outcome of the hearing, and any sanctions applied must be announced to the chapter in violation in the form of written letter or email to the chapter representative.

Appeals Process

10. The chapter in violation may appeal this and other Joint Judicial Board decisions to the president of the council they are a member of.

   a. In the case that the council president is biased, the next highest unbiased council officer will hear the appeal

   b. Formal written appeal must be provided to the council president within seven (10) academic business days of the hearing outcome announcement. Appealing chapters must include all information they feel are grounds for an appeal in the appeal letter, and the desired outcome of the appeal.

   c. Grounds for an appeal include:
      i. If the hearing was conducted unfairly, not allowing both parties to present relevant information.
      ii. If the decision was made based upon insubstantial evidence and insufficient information.
      iii. If the imposed sanctions are inappropriate or too severe.
      iv. If new information is available that was not available at the time of the original hearing.

   d. Upon receipt of the hearing minutes and appeal letter the officer hearing the appeal will make a decision regarding the merit of the grounds on which the appeal was based and any adjustments to the outcomes of the hearing. Possible outcomes include:
      i. Reversing the decision to “No Action”.
      ii. Affirming the decision and sanctions of the Joint Judicial Board.
      iii. Amending the decision and sanctions of the Joint judicial Board.
      iv. Returning the case to the Joint Judicial Board.

   e. Results of the appeal hearing will be communicated to the chapter in writing within seven (7) academic business days of the officer receiving the appeal letter, unless the case has been returned to the Board. After the appeal hearing, the matter is considered final.

Failure to comply with sanctions applied by the Joint Judicial Board or appellate body will result in a subsequent hearing with the Joint Judicial Board.