Interfraternity Council
Louisiana State University

Judicial Code

Article I – Establishment

I. By this addendum to the Constitution, the Interfraternity Council of Louisiana State University does hereby establish a judicial board.

II. The purpose of the Judicial Board is to adjudicate alleged violations of Interfraternity Council and/or University regulations.

III. The mission of the Judicial Board is to provide a peer hearing body that is aware of and sensitive to the needs and challenges pertinent to the fraternity system.

Article II – Recognition & Jurisdiction

I. The Judicial Board is an official review board recognized by the Office of the Dean of Students.

II. The acceptance of a fraternity by the University and the acceptance of one or more individuals into that fraternity is considered a contractual arrangement through which the fraternity and its members agree to abide by all rules set forth by the University and the Interfraternity Council.

A. Any infraction of these rules shall subject the fraternity to disciplinary action by the Judicial Board and/or the Office of the Dean of Students.

III. The Judicial Board shall act in accordance with all University rules and procedures concerning organizational conduct.

IV. The Judicial Board shall have the final authority to interpret all Interfraternity Council governing documents.

V. The Judicial Board may hear any case brought against a fraternity as referred to it by the Office of the Dean of Students.
A. All sanctions recommended by the Judicial Board concerning violations of University or Interfraternity Council rules shall be decided under the advisement of the Dean of Students.

VI. Upon request, the Judicial Board may be designated to mediate disputes between or among fraternities even in cases that do not involve a violation of an Interfraternity Council or University policy.

A. All parties choosing to utilize the Judicial Board in this manner shall waive their right to any form of appeal.

Article III – Membership

I. The Judicial Board shall be composed of one chief justice and eight associate justices.

II. Following the selection of a new Vice President of Standards, applications shall be put out for candidates to fill the nine positions on the Judicial Board.

A. Only individuals listed on the most recent chapter roster on file with the Office of Greek Life and considered in good standing with the University and their respective chapter are eligible to apply to be on the Judicial Board.
B. To be installed, candidates must be approved by a majority of the Executive Board.
C. Vacancies to the Judicial Board shall be filled in the same manner provided for in this article.

III. The term of office for members of the Judicial Board shall be one year and run concurrently with the term for the Vice President of Standards.

IV. No more than one member of the same fraternity may serve on the Judicial Board at the same time.

V. A minimum of five voting members must be present to preside over any hearing.

VI. Any member of the Judicial Board who misses more than two meetings without being excused by the Chief Justice shall automatically be removed from the Judicial Board.

VII. A member of the Judicial Board shall recuse himself in the event a conflict of interest arises.

A. Should a member of the Judicial Board choose not to recuse himself, he may only be removed from the Board if a majority of the justices present deem him unfit to serve.
B. This removal shall be temporary and only apply to that specific hearing.
Article IV – Vice President of Standards

I. The responsibilities of the Vice President of Standards shall be:

A. To serve as a full member of the Executive Board.
B. To administer pre-hearings of fraternities.
C. To call meetings of the Judicial Board.
D. To present cases against fraternities to the Judicial Board.
E. To report results of all Judicial Board hearings to the Interfraternity Council.
F. To offer advisory opinions on the interpretation of all Interfraternity Council governing documents or to defer this responsibility to the appropriate individual.
G. To represent the Interfraternity Council in the University judicial process when necessary.

II. The Vice President of Administration shall fulfill the duties of the Vice President of Standards should a conflict of interest arise.

A. Should a conflict of interest also arise with the Vice President of Administration the President shall appoint an appropriate member of the Executive Board as a replacement.

Article V – Chief Justice

I. At the first meeting of the Judicial Board in the spring of each year, a chief justice shall be elected by and among the nine members of the Board.

II. The responsibilities of the Chief Justice shall be:

A. To call all meetings of the Judicial Board to order.
B. To see that the Board meets on a regular basis.
C. To vote only in the event of a tie.
D. To announce the result of all votes.
E. To write or to assign the responsibility of writing the decision of all hearings.

III. The Judicial Board shall also elect a Deputy Chief Justice.

A. In the absence of the Chief Justice, the Deputy Chief Justice shall fulfill all duties of the Chief Justice.

Article VI – Advisor

I. A representative of the Office of the Dean of Students shall serve as advisor to the Vice President of Standards and Judicial Board for the purpose of clarifying information, procedures, and instructions concerning deliberations.
II. A Judicial Board hearing may not be conducted unless an advisor is present.

III. The responsibilities of the advisor shall be:

A. Upon receipt of a complaint, to inform the Vice President of Standards.
B. In alleged violations of University policies and/or state law against a fraternity where the initial investigation has been conducted by the Office of the Dean of Students, to provide the Vice President of Standards with all information collected.
C. To be available to the Vice President of Standards and Chief Justice for the purpose of fulfilling the duties prescribed in section I of this article.

Article VII - Procedures

I. The admission of any person not directly involved in the investigation or accusation of the conduct in question into a hearing shall be left to the discretion of the Vice President of Standards during administrative pre-hearings and the Chief Justice during Judicial Board hearings.

II. In hearings where more than one fraternity is involved, the Judicial Board may choose to conduct the hearings concerning each fraternity separately. Administrative pre-hearings shall always be handled on an individual basis.

III. Upon the filing of an alleged infraction, the president of the accused fraternity and the Interfraternity Council President, Vice President of Standards, and Advisor shall meet to conduct an administrative pre-hearing.

IV. The Vice President of Standards shall notify the accused fraternity’s president and advisor of the date, time, and location of all administrative pre-hearings and/or Judicial Board hearings at least three class days prior to meeting.

A. A fraternity may choose to waive their right to advanced notice to expedite the process.

V. Attendance at any scheduled hearing is optional. A fraternity that has been properly informed of the date, time, and location of a hearing but fails to appear will be deemed to have forfeited its right to respond to any accusations made against it.

A. In such a case, the fraternity will be presumed to have entered a plea of not responsible and the hearing shall proceed in absentia.

VI. If a chapter is found responsible during an administrative pre-hearing the following process shall be followed:
A. The Vice President of Standards shall present the responsible fraternity with a charge letter detailing the incident in question and an administrative sanction.
B. The fraternity will have five class days to review and either accept or deny the proposed administrative sanction.
C. Should the fraternity accept the administrative sanction, the case will be considered closed and the results confidential.
D. Should the fraternity deny the administrative sanction, the case will immediately be referred to the Judicial Board.

VII. The scope of the Judicial Board is not limited only to the original complaint; it may include offenses discovered during the hearing.

A. If a new offense is discovered during the course of a hearing, the accused fraternity may waive its right to advanced notification.

VIII. A fraternity shall be sent written notification of the result of any hearing no more than five class days following the hearing. This written notification shall include the final decision, but not the vote count; any sanctions; and detail the appellate process.

IX. The rights of an accused fraternity include:

A. The right to be informed in writing of all charges at least three class days prior to any hearing.
B. The right to reasonable access to view information being presented against the accused fraternity prior to the hearing but not the names or organizational affiliations of individuals from whom information was collected.
C. The right to have an advisor present during the hearing.
   i. The advisor may not address the Judicial Board, represent the accused fraternity, or directly question or cross-examine witnesses.
D. The right to question witnesses that are present.
E. The right to present witnesses on their behalf.
F. The right to a closed hearing.
G. The right to written statement of notification of the results of a hearing no more than five class days after the hearing.
H. The right to appeal the decision of the Judicial Board as prescribed in this document.
I. The right to not have organizational behavioral history discussed until after a decision determining responsibility has been reached for the purpose of purposing an appropriate sanction.

X. The rights of the individual or fraternity making the claim include:

A. The right to not attend the hearing.
B. The right to submit a statement that details the alleged actions.
C. The right to have the assistance of a personal advisor.
i. The advisor may not address the Judicial Board, represent the individual or fraternity making the claim, or directly question or cross-examine witnesses.

D. The right to be informed of the outcome of the hearing upon request.
E. The right to not have individual or organizational behavioral history discussed during the hearing.

XI. In all Judicial Board hearings, a majority of the justices present and voting must vote in the affirmative to find any fraternity responsible of any accusation made against it.

XII. The internal deliberations of the Judicial Board shall be entirely confidential.

Article VIII – Sanctions

I. Any one or more of the following sanctions may be imposed on a fraternity found responsible:

A. Letter of Reprimand – A letter of reprimand shall acknowledge that a fraternity’s actions were inappropriate and unbecoming of a member of the Interfraternity Council. While a letter of reprimand in itself does not include the forfeiture of any privileges, subsequent violations may result in more serious disciplinary action being taken.

B. Restitution – Restitution includes payment for financial injury in cases involving theft, destruction of property, or deception. The assessed costs to be paid may be in addition to other penalties.

C. Fine – Fines of no more than $2,000 may be imposed on a fraternity. The fine shall be paid to the Interfraternity Council.

D. Intramural restrictions – Intramural restrictions prohibit a fraternity from participating in any portion of University intramural programs as determined by the Judicial Board.

E. University or community service – University or community service may require a fraternity to complete a specified number of hours set by the Judicial Board. Fraternities shall provide proof of completed hours to the Vice President of Standards.

F. Education seminars – Educational seminars require that a group attend, sponsor, and/or present an educational program as determined by the Judicial Board. The program must be approved by the Vice President of Standards.

G. Activities restrictions – Activities restrictions may prohibit a fraternity from participating in and/or hosting general and/or specific chapter, Greek, or University events. This may include activities that take place either on or off campus.

H. University probation – University probation may stipulate the forfeiture of specifically listed social and/or other privileges for a period of not less than three months, or more than three calendar years, and may also require specific performance during probation.
I. Total probation – Total probation is the most severe sanction that the University may impose upon a fraternity, short of rescinding University recognition. Total probation shall be for a stated period of time not to exceed one calendar year and prohibits the fraternity from: sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus; the solicitation of any new members or pledges; and the initiation of any new members. Total probation may also include the forfeiture of other specifically listed privileges. It may also require specific performance by the organization during the period of probation.

J. Rescission of University Registration – Rescission of University Registration represents the most serious penalty that may be imposed on a fraternity. It involves the revoking of the University’s registration of the fraternity for a stated or an indeterminate period of time. The University may also request that the national organization or association revoke the fraternity’s charter, if applicable. Fraternities that maintain residences or meeting facilities on University property may not occupy or utilize the facility unless and until the organization returns to campus as a registered student organization in good standing.

K. Other sanctions – The Judicial Board may impose other sanctions in addition to or in conjunction with those listed here when deemed appropriate.

Article IX – Appeals

I. It is not the nature or purpose of the appeal process to provide for a new hearing at a higher administrative level.

II. A fraternity may appeal a sanction only on the following grounds:

A. The Judicial Board has committed a procedural error.
B. New information is presented that was not available at the time of the hearing.
C. The sanction is disproportionate to the violation.

III. Appeals must be made in writing to the Dean of Students within five class days of receipt of any sanction. Copies of appeals must be sent to the Chief Justice and Vice President of Standards. The Dean of Students will render the final decision after considering both the appeal and the response from the Chief Justice and/or Vice President of Standards.

IV. An appeal seeking to modify a sanction imposed by the Judicial Board will only be successful if clear and convincing reasons are advanced to show that the sanction does not meet the tests of reasonableness and fairness. A successful appeal will normally result in the case being referred back to the Judicial Board for reconsideration of the sanction; however, the Dean of Students may make reasonable modifications in any sanction.
Article X – Amendments

I. Any motion to amend, revise, alter, or revoke an article of the Judicial Code shall be decided in the same manner as provided for in the Constitution of the Interfraternity Council.