

BYLAWS OF THE GREEK JUDICIAL BOARD
UNIVERSITY OF LOUISIANA AT LAFAYETTE

ARTICLE I

NAME AND PHILOSOPHY

Section 1: The name of this body shall be the Greek Judicial Board at the University of Louisiana at Lafayette.

Section 2: The responsibility of holding organizations accountable for their actions in selected cases has been given to the Greek Judicial Board with the idea that self governance is the healthiest form of accountability. The UL Lafayette Greek Judicial Board offers students the opportunity to develop self-discipline and responsibility in coordination with their peers. This Board allows students and fraternities/sororities to be aware of University policies and their impact on the campus and themselves. The Board also allows students serving, the opportunity to handle the responsibilities of adjudicating violations of selected campus policies.

The sanctions that follow a group being found in violation are not intended to punish, but to educate. This allows the involved student(s) an opportunity to understand the consequences of their behavior, foster respect for the rights of others, and encourages self-discipline. All members of the Greek Judicial Board should strive to discover the educational significance of the Board's actions.

The purpose of this Board shall be to evaluate and address complaints involving an alleged infraction of the Code of Student Conduct, violations of Student Organization policies, and in Article VIII, Section 1 of these Bylaws.

Section 3: In conformance with applicable State and Federal laws and University policy, the Greek Judicial Board does not discriminate in any of its policies, selection procedures, or practices on the basis of race, color, sex, national origin, ancestry, religion, age, physical disability, medical condition, sexual orientation, marital status or citizenship.

ARTICLE II

JURISDICTION

Charges of misconduct by individuals will normally be referred to the Dean of Students or his/her designee. Charges of misconduct by chapters in most cases are referred to the Greek Judicial Board.

Member misconduct need not be officially sanctioned by the chapter in order to be considered grounds for possible disciplinary action against chapters. There is no minimum number of members who must be involved in an incident before disciplinary action may be taken against the chapter; the misconduct of a single member may provide sufficient grounds for action against the entire sorority or fraternity. A complaint may be considered a matter for referral to the Greek Judicial Board whenever the action of members could reasonably be expected to reflect negatively upon the Greek community or may cause conflict within the Greek chapter or community.

The determination of whether a case should be referred to the Greek Judicial Board for possible action against a chapter is made on a case by case basis by the Director of Greek Affairs in consultation with the Director of Student Life and Conduct and Dean of Students.

ARTICLE III

MEMBERSHIP

Section 1: The Greek Judicial Board shall consist of seven (7) members with two (2) from an IFC fraternity, one (1) from an NPHC fraternity, one (1) from an NPHC sorority, two (2) from a PC sorority, one (1) faculty/ staff member from the UL Lafayette community, and a member of the Greek Affairs staff, serving in an advisory capacity with voice but no vote.

Section 2: If any member of the Greek Judicial Board feels that her/his relationship with a case would affect a decision, the individuals involved would affect her/his ability to render an impartial judgment, and/or if his/her chapter is accused, s/he must recuse her/himself.

Section 3: In the event that one or more of the Councils does not have membership on the Board, the positions will remain vacant. The Councils will then be able to propose candidates at any time during the academic year that they are able.

Section 4: A Greek Judicial Board member may be removed at any time from his/her position for any of the following reasons:

- A. He or she is placed on Academic or Judicial Probation with the University.
- B. He or she is no longer a member in good standing of his/her chapter.
- C. He or she violates Greek Judicial Board confidentiality.
- D. He or she violates any provision of the UL Lafayette Code of Student Conduct.
- E. He or she fails to uphold basic expectations as outlined in Article V of these Bylaws.

Section 5: No fraternity or sorority shall have more than one (1) member on the Greek Judicial Board.

Section 6: To be eligible to serve on the Greek Judicial Board, a candidate must have been initiated into their chapter not less than one (1) semester, not including the semester pledged, prior to the day of the Greek Judicial Board training.

Section 7: The term of each Greek Judicial Board member shall be for one (1) year. No person shall serve more than two (2) consecutive calendar years on the Greek Judicial Board.

ARTICLE IV

SELECTION OF MEMBERS

Section 1: The selection of the Greek Judicial Board members shall take place once a year, in November/December.

Section 2: To be eligible a student must have a 2.5 cumulative grade point average and not be on academic probation with the University.

Section 3: Composition of the Board

A. Members shall be chosen through an application and interview process.

B. The board shall be comprised of 6 student members, selected through an interview process conducted by the Director of Greek Affairs and/or his/her designee(s). The Panhellenic, NPHC, and IFC presidents shall serve on the interview committee.

C. A chair shall be chosen by the board from among the 6 student members once the board convenes with approval of the Director of Greek Affairs.

D. Each member shall serve for a term of one calendar year, with the option of reappointment available.

E. No more than one member of a particular fraternity or sorority may serve on the board.

F. A member of the Greek Affairs staff shall serve as an advisory member of the board, with voice but no vote.

G. Judicial Board members must stay in good standing with the chapter and the University to stay active on the board.

Section 4: The Faculty/Staff member of the Greek Judicial Board shall be appointed by Greek Affairs. This person must be a member of a Greek organization and have knowledge of present day Greek trends.

Section 5: The names of the individuals selected for the Greek Judicial Board shall be forwarded to every chapter president and the Dean of Students upon their confirmation.

ARTICLE V

BOARD MEMBER EXPECTATIONS

Section 1: Each member shall participate in all training sessions and meetings of the Greek Judicial Board.

Section 2: Any Board member in violation of Article III, Section 4 may be dismissed from the Greek Judicial Board. Dismissal determined by Judicial Board Chair in conjunction with the primary Advisor.

Section 3: No member shall miss any pre-hearing, hearing or sanctioning session to which he or she has committed without approval from the Judicial Board Chair and Director of Greek Affairs.

Section 4: It is the responsibility of each board member to notify the Chair or designee in writing of anticipated absences no later than 48 hours before a scheduled event. The Greek Judicial Board will review all written statements submitted.

Section 5: Judicial Board members may have up to two unexcused absences a semester. After two unexcused absences in one semester, the Board member will be dismissed.

ARTICLE VI

TERMS OF OFFICE

Section 1: The duties of the Greek Judicial Board Members shall be to:

- A. Hear and decide all cases brought before the Board.
- B. Attend all functions associated with the office, including but not limited to Board meetings, special meetings, and trainings.
- C. Protect the confidentiality of the deliberations.

Section 2: The primary advisor to the Judicial Board will be the Director of Greek Affairs or his/her designee(s). Assistance will also be provided by staff in Greek Affairs. The Director of Greek Affairs shall present the case to the Greek Judicial Board.

ARTICLE VII

CHAIR OF THE GREEK JUDICIAL BOARD

Section 1: The Chair shall act as the primary contact for the Greek Judicial Board.

Section 2: Selection of the Chair shall take place no later than February 1st of each year.

Section 3: The duties of the Chair shall be to:

- A. Act as the main contact for the Greek Judicial Board.
- B. Collect the Board members' schedules and arrange meetings.
- C. Work with the Greek Affairs Staff to coordinate additional training for the Board as needed.
- D. Maintain a working knowledge of Code of Student Conduct and Student Organization policies.
- E. Act as liaison between the Board and the Greek Council, as well as University departments.
- F. Meet regularly with the Greek Affairs staff.

ARTICLE VIII

CHARGES

Section 1: Charges may be as follows, but are not limited to:

- A. Reports involving fraternity or sorority chapters or individual members violating the Code of Student Conduct and Student Organization Policies
- B. Reports involving fraternity or sorority chapters or individual members violating University Code of Student Conduct.
- C. Any damage to or removal of chapter-owned property, memorabilia, members personal property, composites, or awards, etc.
- D. Misunderstandings or complications arising between one or more Greek organization or individual members.
- E. Reports and/or referrals from University faculty, staff, or students concerning inappropriate behavior by fraternity or sorority chapters or individual members.
- F. Actions on the part of fraternity or sorority chapters (or their members) that are detrimental to the reputation or status of the entire Greek community.

ARTICLE IX

FILING A COMPLAINT

Section 1: A student, faculty, or staff member may file a written complaint with the Office of Greek Affairs that a violation of the Code of Student Conduct, Student Organization policies, and/or Article VIII, Section 1 of these Bylaws has taken place. If there appears to be a violation the Director of Greek Affairs or his/her designee may refer the case to be heard by the University Greek Judicial Board. The Director of Greek Affairs will assess the charges and issue the letter of charge.

Note: All hazing, sexual assault, assault, and/or academic dishonesty violations filed with the Greek Affairs Office will immediately be referred to the Director of Greek Affairs for adjudication. Recruitment violations will be referred to the respective councils.

Section 2: Complaints must be submitted in writing and directed to the Office of Greek Affairs, and must be signed by the person or group submitting the complaint. A copy of the complaint will be forwarded to the president(s) of the involved chapter(s) and his/her respective advisor(s) along with the letter of charge.

ARTICLE X

ATTENDANCE

Section 1: All Greek Judicial Board meetings will be held as closed meetings due to the confidentiality of the deliberations.

Section 2: Only Greek Judicial Board members (selected for the hearing), the Director of Greek Life or designee, the individual chapter president, the Chapter Advisor or support person, the complainant(s), and the accused(s), and all witness of those immediately involved, may be in attendance at a Greek Judicial Board hearing. The Chapter Advisor (chapter may use University Ombudsman as Advisor) or support person is used as an advisor for the accused and is not allowed to address the board.

ARTICLE XI

RIGHTS OF THE PARTICIPANTS

Section 1: Information must be forwarded to the accused regarding the written complaint in sufficient detail including, but not limited to the specific rule violation, actions or behaviors of which the party is accused, and witness list.

Section 2: The accusing party (s) and the accused party (s) have the right to be notified of the identity of the witnesses who will be called during the hearing, to meet with the Director of Greek Affairs or designee to review the hearing procedure, and to inspect any evidence or exhibits before the hearing. Subsequently-discovered evidence shall also be made available.

Section 3: The accused organization will have no less than three (3) nor more than ten (10) days to prepare for a hearing.

Section 4: An accused/organization will be presumed “Not Responsible” unless the facts presented at the hearing prove otherwise.

ARTICLE XII

RULES OF PROCEDURE

A Greek Judicial Board hearing will convene upon the receipt of a written complaint during the school year. Any complaint from any incident(s) occurring during school breaks will be heard the next full semester.

A single record of the hearing procedure, such as a digital recording, will be kept of any hearings and will be kept confidential.

In order for a hearing to be convened, all members must be present unless board member is recused or has extenuating circumstances excused by the Director of Greek Affairs.

If the accused(s) does not appear at the hearing within thirty (30) minutes of the scheduled start time, the Greek Judicial Board reserves the right to make a decision on the basis of the written charges and any evidence brought by the complainant.

Section 1: Hearing

- A. Introduction of everyone present.
- B. Philosophy of the Greek Judicial Board.
- C. Confirm that student/organization understands rights.
- D. Review the complaint.
- E. State the charge (s).
- F. Accused (if present) enters a plea of Responsible or Not Responsible.
- G. The author (s) of the complaint report responds to the incident. (Board may ask questions at any point during the hearing.
- H. Accused (if present) responds to the incident.
- I. Board asks questions of the accused.
- J. Accused (if present) asks questions of the complainant.
- K. Board asks questions of the complainant.
- L. Witnesses may be brought forward.
- M. Accused asks questions of the witnesses.
- N. Complainant may ask questions of the witnesses.
- O. Board asks questions of the witnesses.
- P. Any member of the Board may ask either party any questions.
- Q. After all questions have been asked the Chair ends the hearing and excuses everyone except for Board members and Advisor to deliberate the case.

Section 2: Deliberations (Voting members of the board only)

- A. Decide whether the information is clear and conflicts are resolved.
- B. Call for testimony if needed.
- C. Make a decision of responsible or not responsible based on the information presented.
- D. If decision is a tie then the organization will be held not responsible.
- E. The Advisor is allowed to enter deliberations if the board has questions or clarifications.

Section 3: Sanctioning if found responsible (Board members only):

- A. Check for previous violations.
- B. Organization may be called back in to make a statement regarding previous violations.
- C. Determine appropriate sanction.

Section 4: Reconvene

- A. The Hearing Board reconvenes to state the findings and sanctions, if appropriate.
- B. The Hearing Board will advise the accused of the appeal process.

Section 5: Hearing follow-up.

A letter will be sent from Greek Affairs to the accused stating the findings and sanctions, if any, of the case within 96 hours after the hearing. Appropriate copies will be sent to the Chapter, Chapter Advisor, Judicial Board Chair, Director of Greek Affairs, Student Life and Conduct, and Dean of Students. A copy of the decision may also be sent to a national/regional officer of the accused chapter.

ARTICLE XIII

SANCTIONS

Section 1: The following sanctions may be placed upon the “Responsible” organization(s) or member(s). Sanctions include but are not limited to one or more of the following:

A. Warning probation – indicates that further violation of regulations will result in more severe disciplinary action. Warning probation may be imposed for a period of not more than one (1) calendar year, and the student organization shall be removed automatically from probation when the imposed period expires.

B. Disciplinary probation – indicates that further violations may result in suspension from the University. Disciplinary probation may not be imposed for more than two (2) calendar years.

C. Suspension of rights and privileges – an elastic penalty. The Greek Judicial Board may impose limitation or requirements to fit the particular case. This includes but is not limited to fines to be imposed for various violations.

D. Fines – All fines must be paid within 30 calendar days from the date of issue. The following shall apply:

Admonition & warning - \$15

Warning probation – not less than \$25 not more than \$49

Disciplinary probation – not less than \$ 50 not more than \$100

Repeat offenses – doubled

E. Restitution – reimbursement for damage to or misappropriation of property. Reimbursement may take the form of appropriate service to repair or otherwise compensate for damage.

F. Community Service: The student or organization is required to complete a designated number of hours in the service of the university.

G. Suspension from Intramural Sports: Loss of the privilege of participating in the department’s intramural sports program.

H. Loss of social privileges.

Section 2: No sanction can extend for a period longer than the remaining part of a semester and one full semester thereafter.

Section 3: If a sorority or fraternity is found responsible and is fined, any funds shall be transferred to the Greek Council.

ARTICLE XIV

APPEALS

Section 1: The accused(s) shall have the right to appeal any Greek Judicial Board decision to the Dean of Students.

Section 2: The accused(s) shall notify the Office of Greek Affairs with a written notice of the appeal within seven (7) working days after the decision has been rendered.

Section 3: No matter shall come to an appeal unless either the accused(s) or the complainant(s) presents evidence with a written appeal dealing with one or more of the following issues:

A. Violation of due process.

B. Presentation of new evidence.

C. A reasonable claim is made and supported that the sanction imposed was unjust.

Section 4: The Dean of Students will have ten (10) working days to decide if the appeal falls under the proper conditions. Conditions are listed in Article XIV Section 3. An appeal may be dismissed if not sought on proper grounds.

Section 5: Appeals will be granted if it is apparent that one or more of the following conditions exist:

A. Violation of due process has occurred

B. New evidence is presented

C. A reasonable claim is made and supported that the sanction imposed was unjust.

Section 6: If the appeal is granted by the Dean of Students, the Dean of Student may respond in the following ways:

A. Uphold the decision, but impose different sanctions.

B. Resubmit the case to the Greek Judicial Board for a new judicial hearing or with specific instructions. This option may be used in cases involving a procedural error or when additional information has become available.

C. Reverse the decision.

Section 7: The Dean of Students will, in writing, inform the parties involved of its decision within ten (10) working days of receiving the appeal. The decision of the Dean of Students is binding and final.

ARTICLE XV

AMMENDMENTS

Section 1: The Greek Judicial Board shall review these Bylaws annually, with any recommended change(s) forwarded in writing to the Greek Council.

Section 2: Any amendments to these Bylaws shall be approved by a simple majority vote (50% +1) of the Greek Council and approval of the Director of Greek Affairs.