

# Sacred Heart University Interfraternity Council

## Judicial Code

### Preamble

#### Section I.

With the understanding that:

- It is of the interest of the Interfraternity Council (IFC), its member organizations, and the Sacred Heart University community that behavior which violates the Sacred Heart University Student Handbook, Student Code of Conduct, Student Organization Policies, Fraternity & Sorority Life Policies or Interfraternity Council Constitution and Bylaws on the part of any student affiliated with a recognized, male Greek-letter social organization not go without a proper disciplinary response designed to prevent further behavior of a similar, detrimental nature;
- The factors, both in determining responsibility and sanctions for violations of University policy, in a specifically fraternity environment are unique from those of other student violations to be assessed by Sacred Heart University;
- It is the intention of this Interfraternity Council Judicial code to best serve the IFC community in its best interest. In order to best examine those factors that may be specific to certain relevant, fraternity issues and pressures in the Sacred Heart community, the Judicial Board shall be made up of entirely Fraternity men.
- The IFC takes an active role in establishing acceptable and effective preventative disciplinary measures to ensure the safe conduct of its member organizations and their activities within the community. Member organizations shall be responsible for holding fellow organizations accountable for their actions, ensuring that they are in accordance with rules set forth by the Nation, the State, the local community, the University, and the Interfraternity Council.

### Establishment

#### Section II.

The Sacred Heart University Interfraternity Council hereby establishes the Interfraternity Council Judicial Board.

#### Section III.

The IFC Judicial Board shall be responsible for hearing all complaints with reference to a violation of University and/or IFC policies by any member of an IFC recognized organization at Sacred Heart University or by certain members of such a social organization specifically pertaining to fraternity life at Sacred Heart University, unless the alleged violations are being investigated and heard by Sacred Heart University.

## Section IV.

- A. The primary responsibility of the Judicial Board is to determine, according to statements of complaints, respondents, witnesses, and permissible information, whether or not a University/IFC policy has been violated, as well as to impose appropriate sanctions relating to the degree of the violation committed.
- B. All parties shall be afforded the right to a fair hearing following the specific procedures outlined in this document.

## Article I: Jurisdiction

### Section I.

- A. Fraternities at Sacred Heart University are fully functioning, recognized student organizations. The acceptance of a fraternity by the University, and the acceptance of one or more person(s) into that fraternity, are considered fully recognized student organizations through which the fraternity and its members agree to abide by all rules set forth by the Nation, the State, the local community, the University, and the Interfraternity Council. Any infractions of these rules will subject the organization to disciplinary action by the Judicial Board. In addition, members acting individually and/or violations of the rules for student organizations may be subject to action in accordance with the Sacred Heart University Student Handbook, Student Code of Conduct, Fraternity & Sorority Life Policies, and/or the Student Organization Policies.
- B. The IFC Judicial Board shall maintain the power to impose sanctions according to the process outlines in this document.
- C. The IFC Judicial Board shall maintain the discretion to interpret all aspects of the Interfraternity Council Constitution and Bylaws as well as the Sacred Heart University Student Handbook/Student Code of Conduct/Fraternity & Sorority Life Policies/Student Organization Policies.
- D. No chapter shall be tried twice for the same offense.

## Article II: Composition

### Section I.

- A. The IFC Judicial Board shall be composed of one appointed member from each IFC member fraternity, the Vice President of Judicial Affairs and the Vice President of Administrative Affairs (Ex-officio). Should a fraternity be placed on a suspension status or permanently lose recognition from the University and IFC, they will lose their right to have representation on the Judicial Board, or if they are the fraternity in question, they will not be able to have their chapter representative sit on the board. IFC Judicial Board Representatives shall:
  - a. Be full-time students in good academic, financial and conduct standing with the University;
  - b. Be members in good standing with their own organization;
  - c. Maintain a minimum 2.75 Cumulative GPA;

- d. Have been affiliated with their organization for a minimum of two semesters, except in the case of new colonies/chapters that have been established for less than two semesters;
  - e. Be voted into this position with a majority vote of the IFC Executive Board;
  - f. Be present at all IFC Judicial Board trainings, meetings, and hearings;
  - g. Hear all cases in an objective and unbiased manner;
  - h. Not be called as witnesses or be party to a hearing; in such a case, the representative shall be replaced by another qualified member of the same organization selected by the IFC;
  - i. Be removed from his position immediately should he fail to meet any of the eligibility requirements and;
  - j. Be replaced in the case of a conflict in which he is unable to serve on the Judicial Board by his organization's IFC Representative until another appointed individual has been selected to serve in his place. In the case of an IFC Executive Board member unable to attend, he shall be replaced by another board member.
- B. The Vice President of Judicial Affairs will serve as the Chair of the Judicial Board. The Chair shall:
- a. Schedule all hearings;
  - b. Notify organization presidents, via electronic communication, of all hearings involving their organization;
  - c. Notify organization presidents, via electronic communication, of all outcome notices including any sanctions levied to their organization;
  - d. Preside over all hearings and meetings of the Judicial Board;
  - e. Serve as the spokesperson and Chair of the Judicial Board;
  - f. Inform any participant in a hearing about the judicial process upon request;
  - g. Report the status and/or results of ongoing investigations and/or hearings at biweekly IFC meetings;
  - h. Keep all permanent records of the Judicial Board private, in a defined location and under control of the IFC Advisor or his/her designee;
  - i. Ensure that all Judicial Board arbitration agreements, sanctions, and appeals are followed, and delinquencies reported.
  - j. Be replaced by the IFC Executive Vice President in the case where he cannot serve due to eligibility or conflict of interest issues. A determination of conflict shall be made by a majority vote of the Judicial Board upon a motion by any Judicial Board Representative.
- C. The IFC Advisor or their designee will serve as the Judicial Board Advisor. The Judicial Board Advisor shall:
- a. Will not be allowed to sit in on judicial board hearings
  - b. Ensure that any sanctions made by the board are appropriate and that the Judicial Board is acting in the most objective and unbiased manner;
- D. The IFC Vice President of Administrative Affairs will serve as the Secretary of the Judicial Board. The Secretary of the Judicial Board shall:

- a. Keep an accurate account of all Judicial Board hearings, including but not limited to hearing motions and actions, charges, findings, and decisions. The IFC Advisor or their designee shall privately store these accounts.

## Article III: Pre-Hearing Procedures

### Section I.

#### A. Determination of Case Level

- a. Upon receiving a reported violation, Vice President of Judicial Affairs, Judicial Board Advisor, and a representative from the Office of Student Conduct shall meet to discuss the allegations.
  - i. This meeting shall be held no later than one week from the date on which the violation was reported.
  - ii. The conclusion of the meeting shall designate the violation as Level 1, Level 2, or Level 3. The case level shall be determined by severity of the charge and shall consider past offenses committed during the current academic year as well as the current status of the fraternity. A past offense shall be defined as a previously reported violation on which a chapter has been found responsible.
  - iii. The Office of Student Conduct shall have the power to bypass this meeting to determine case level. This shall be done for any violation deemed severe and/or confidential at the discretion of Student Conduct.
  - iv. In certain instances, it may be necessary for Sacred Heart University to take immediate disciplinary or interim action, pending a hearing. This may be necessary when, in the eyes of the University, the continued operations of the organization may constitute a threat or disruption to the normal academic process of the institution, safety of the University community, or due to the severity of the incident under review. In such cases, the Office of the Dean of Students or their designee may take said action.

#### b. Charges by Case Level

- i. Level 1 Case
  - 1. A Level 1 Case shall result in a Judicial Board Informal Resolution Meeting.
  - 2. A Level 1 Case can be brought on any of the following charges:
    - a. Failure to attend mandatory IFC/OFSL/University programming
    - b. Failure to pay IFC dues by required date
    - c. Poor representation of the IFC community
    - d. Any violation of IFC policy that is not University policy (i.e. recruitment rules, academic policy, etc.)
    - e. Failure to register events and/or improper use of space
    - f. Low level vandalism and/or damage to space
    - g. Disruption of the rights of others

- h. Other
- 3. Exceptions to the above may include elements of the following and may be referred directly to Student Conduct:
  - a. Service of alcohol to minors
  - b. Drug use, possession, or paraphernalia
  - c. Assault/abuse
  - d. Title IX
  - e. Or other, as deemed severe by Student Conduct
- ii. Level 2 Case
  - 1. A Level 2 Case shall result in a Formal IFC Judicial Board Hearing.
  - 2. A Level 2 Case can be brought on any of the following charges:
    - a. Poor representation of the IFC community
    - b. Any violation of IFC policy that is not University policy (i.e. recruitment rules, academic policy, etc.)
    - c. Failure to register events or improper use of space
    - d. Vandalism or damage to space
    - e. Disruption of the rights of others
    - f. Possession of alcohol paraphernalia
    - g. Possession of alcohol at chapter/community events
    - h. Unregistered events with alcohol
    - i. Excessive quantities of alcohol
    - j. Other
  - 3. Exceptions to the above may include elements of the following and may be referred directly to Student Conduct
    - a. Service of alcohol to minors
    - b. Drug use, possession, or paraphernalia
    - c. Assault/abuse
    - d. Title IX
    - e. Other as deemed severe by Student Conduct
- iii. Level 3 Case
  - 1. A Level 3 Case shall be defined as any violation beyond the purview of the Judicial Board and shall thus fall under jurisdiction of the Office of Student Conduct.
  - 2. A Level 3 Case can brought on any of the following charges:
    - a. High-level alcohol violations and above (common source, distribution to minors).
    - b. Possession of illegal substances
    - c. Drug use, possession, or paraphernalia
    - d. High level vandalism or theft
    - e. Assault/abuse
    - f. Title IX-related violations
    - g. Hazing

- h. Other
- 3. Level 3 Case Process
  - a. A case shall be referred to the Office of Student Conduct if
    - i. Any alleged violations fall beyond the purview of the IFC Judicial Board
    - ii. The Judicial Board recommend review of a case by the Office of Student Conduct for any reason
    - iii. The Judicial Board recommend deferred suspension, suspension, or closure as a result of a Judicial Board Hearing by consulting with the IFC advisor.
    - iv. An accused fraternity, found in violation of one or more policies can appeal the IFC Judicial Board's decision.
  - b. Cases referred to the Office of Student Conduct will be heard according to the Student Organizations Conduct Process enumerated in the Sacred Heart Student Handbook, not the process outlined in the remainder of this document.

## Section II - Cases of IFC Member Organization(s) v. other IFC Member Organization(s)

- A. The date and time of the hearing must be scheduled within 48 hours of the meeting to determine case level with the hearing occurring no more than two weeks after the initial complaint.
- B. Once the members of the Judicial Board have confirmed the date, the Chair, working with the Secretary of the Judicial Board, shall prepare a written notice of the hearing. This notice shall include the time, date, location of the hearing, statement of violations, expectations of groups involved, rights of the organization, and a copy of hearing procedures (see Article V).
- C. The notice to be delivered must be sent via electronic communication/notification.

## Section III - Cases of IFC v. IFC Member Organization(s)

- A. In the case that an organization has violated the Sacred Heart University Student Handbook/Code of Conduct/Fraternity & Sorority Life Policies/Student Organization Policies or the IFC Constitution, Bylaws, or Judicial Code, the Chair shall serve as the complainant. The Chair shall be non-voting in cases where he serves as the complainant.
- B. Pre-hearing procedure will be followed in the same manner as outlined in Article III, Section II.

# Article IV: Hearing Procedures

## Section I - Hearing Guidelines

- A. Level 1: Judicial Board Informal Resolution Hearing
  - a. Charge
    - i. It shall be the responsibility of the Vice President of Judicial Affairs to inform a chapter of its specifically violated charge(s).

- ii. It shall be the responsibility of the Vice President of Judicial Affairs to offer the accused fraternity the choice between a Judicial Board Informal Resolution Hearing or a Formal IFC Judicial Board Hearing.
  - iii. It shall be the responsibility of the Vice President of Judicial Affairs to schedule the meeting type chosen by the accused fraternity.
- b. Procedure
  - i. Upon determination that a member fraternity will be charged with a Level 1 violation, the Vice President of Judicial Affairs shall offer the accused fraternity the opportunity to choose between an Informal Resolution Hearing or Formal Judicial Board Hearing.
  - ii. The charged member fraternity has two (2) days from the initial notice to decide which type of hearing they would like to participate in.
    - 1. Failure by the accused fraternity to reply within two (2) days will result in the hearing type determined appropriate by the Vice President of Judicial Affairs.
  - iii. If the charged member fraternity accepts an informal resolution hearing, the Vice President of Judicial Affairs shall meet with a representative of the accused fraternity and the Judicial Board Advisor to discuss the allegations of the complaint.
  - iv. The Vice President of Judicial Affairs has three (3) days from the date of the hearing to render and communicate in writing a finding of “responsible” or “not responsible” and any sanctions or corrective actions associated with a finding of “responsible.”
  - v. The charged member fraternity has two (2) days from the outcome notification or accept or reject the terms of the outcome in their entirety.
    - 1. If the charged member fraternity accepts the resolution as presented, the charged member fraternity waives all rights of appeal and the outcome is final.
    - 2. If the charged member fraternity rejects the resolution in whole or in part, a Formal IFC Judicial Board Hearing will be convened to hear the case. This may or may not change the outcome, at the discretion of the Judicial Board upon hearing the appeal.
  - vi. The IFC Vice President of Judicial Affairs shall not have the authority to recommend deferred suspension, suspension, or closure as a result of an informal resolution hearing. Should the IFC Vice President of Judicial Affairs believe any of these outcomes may be recommended as a result of the meeting, the case shall automatically be recommended to a Formal IFC Judicial Board Hearing.
- c. Follow-Up
  - i. The Vice President of Judicial Affairs shall follow up with a written summary of the agreed-upon sanctions.

- ii. The Chapter President, IFC Executive Board, IFC Judicial Board, Judicial Board Advisor, and representative from Student Conduct shall be made aware of the agreed-upon sanctions.
    - iii. All outcome notices are stored in the chapter's permanent conduct file.
  - B. Level 2: Formal IFC Judicial Board Hearing
    - a. Charge
      - i. It shall be the responsibility of the Vice President of Judicial Affairs to inform a chapter of its specifically violated charge(s).
      - ii. It shall be the responsibility of the Vice President of Judicial Affairs to schedule the Judicial Board Hearing.
    - b. Composition of Judicial Board
      - i. The Vice President of Judicial Affairs shall chair the board and hearing.
      - ii. The Judicial Board shall be represented by 9 members.
        - 1. The 9 members include the Vice President of Judicial Affairs, Vice President of Administrative Affairs (Ex-officio) and the 7-chapter representatives.
          - a. Failure for an organization's Judicial Board Representative or similarly qualified organization member to be present at a hearing will lead to a one-time \$150 fine;
          - b. If an organization fails to be represented at a second Judicial Board hearing, the organization shall lose the right to have a member a part of the board for the remainder of the current semester.
          - c. If a chapter is not in good standing with the university or IFC, they may lose their right of representation on the IFC judicial board for a specified period of time.
        - 2. No member of the Judicial Board shall be affiliated with the charged chapter. If a chapter is in question, they lose their right to vote on that specific case but they can have a say in the actual hearing, but no vote.
- C. Overall Guidelines
  - a. Formal rules of process, procedure, and evidence, such as are applied in criminal or civil court, are not used in Judicial Board proceedings.
  - b. The Board shall determine responsibility by a preponderance of the information.
  - c. If the respondent fails to be present at the hearing, information in support of the violations will be presented and considered without their representation. By failing to present at the hearing, the accused organization forfeits their right to appeal any and all decisions made by the Judicial Board.
  - d. No lawyers shall be permitted at any hearing.
  - e. The jurisdiction of the Judicial Board is not limited to the original complaint; it may include other offenses revealed during the hearing or by the information presented prior to the hearing. If a new offense is revealed, the individual(s) or the organization



involved may waive the right to five days advance notification of a hearing and have the decision rendered at the hearing. When this occurs, the complainants, respondents, and all witnesses shall be briefly dismissed for the Judicial Board to discuss.

- f. In the event of a tie in voting among the Judicial Board following deliberations on responsibility or sanctions, the Chair shall cast the deciding vote. If the Chair is unable to vote due to being the complainant in a given case, the Judicial Board Secretary (Vice President of Administrative Affairs) will serve as the final vote.

## Section II.

- A. The president of the member organization charged with the violation, or active member(s) charged with the violation up to 4, and one additional organization member shall be permitted to be present at hearings. These members may question witnesses and/or examine evidence.
- B. No more than 6 member of a fraternity in question shall be able to be present at a judicial board hearing. The specifics of that number are stated above.

## Section III.

- A. Witnesses may not be present until called in to the hearing to present their account and/or evidence.
- B. The Judicial Board may hold separate interviews with witnesses who prefer to avoid the confrontation of a hearing. The fraternity or member(s) may read a verbatim transcript of the witness's interview, as well as respond to the witness testimonial. The witness must be present in order to be questioned, either behind a screen, on a conference call, or through a video chat.

## Section IV.

The organization shall have the following procedural rights:

- A. To a private hearing.
- B. To be informed in writing of the specific alleged violation(s) in which the organization is suspected of involvement in a timely manner.
- C. To be informed verbally and/or in writing of the organizational conduct procedures described in this document.
- D. To appear at the hearing with the organization's official advisor. The individual may not address the Judicial Board but may consult freely with the organizational representatives.
- E. To present testimony of witnesses, documentary and other evidence.
- F. To advocate on its own behalf.
- G. To know all of the information presented to the Judicial Board (which may include the identity of witnesses, documents, or other forms of information) and object to information being heard that is unrelated to the incident(s).
- H. To have a written response to the results of the meeting.

- I. To appeal the findings and sanctions of the hearing, unless they fail to appear for their hearing.

## Section V - Process of the hearing:

- A. Introductions
  - a. All persons, including witnesses, shall be called into the hearing room one by one. Witnesses will be asked to enter when appropriate and shall be separated when outside of the hearing room.
  - b. The organization charged with the violation, including representative(s) shall introduce themselves, with a title when appropriate.
- B. Order of the Hearing
  - a. The Chair shall initiate the hearing by informing the accused that the hearing will be conducted in an orderly manner and that any disruption caused by an individual will lead to their dismissal. All present shall agree to be entirely truthful throughout the hearing.
  - b. The Chair shall then explain the order of the hearing:
    - i. The presentation of the case against the accused, including presentation of the information and testimony of witnesses against an organization;
    - ii. Clarifying questions by the Judicial Board, including questioning of witnesses;
    - iii. The complainant may give their final statement;
    - iv. The presentation of the case on behalf of the accused, including presentation of the evidence and testimony of witnesses on behalf of their organization;
    - v. The accused may give their final statement;
    - vi. Deliberation by the Judicial Board in a private meeting.
    - vii. Both parties will return to the room where the Chair will explain the decision of the Judicial Board. The complainant will be asked to leave the room and the outcome will be discussed with the organization in question, including future expectations, the appeal process, etc.
  - c. The Chair will then instruct the witnesses to exit until called to present their testimony.
- C. Presentation of the Case Against the Respondent
  - a. The presentation of the case against the respondent shall commence with a review of information: The complaint shall present their alleged violations to the Judicial Board.
  - b. The Vice President of Judicial Affairs shall then site the specific articles and sections of the Sacred Heart University Student Handbook, Student Code of Conduct, Fraternity & Sorority Life Policies, Student Organization Policies, IFC Constitution, Bylaws, and Judicial Code that have been violated. The Chair shall then, following each specific infraction detailed, ask the accused:
    - i. If the individual(s) understand the alleged violations(s). If not, the Chair shall take the time to explain.
  - c. Following the complainant's statement against the respondent, witnesses may be called in support to the case against the respondent.

- d. The Judicial Board shall then clarify questions from the complainant as well as question any witnesses.
- e. The complainant then shall have an opportunity for a final statement.
- f. The Judicial Board shall then offer a brief final statement.
- D. Presentation of the Case on Behalf of the Respondent
  - a. The presentation of the case on behalf of the respondent shall commence with a review of information: the accused shall be asked if they have reviewed the accusations against the individual(s) and/or organization pertaining to the complaint.
  - b. The Chair shall then site the specific articles and sections of the Sacred Heart University Student Handbook, Student Code of Conduct, Fraternity & Sorority Life Policies, Student Organization Policies, IFC Constitution, Bylaws, and Judicial Code that have been violated. The Chair shall then, following each specific infraction detailed, ask the accused:
    - i. If the individual(s) understand the alleged violations(s). If not, the Chair shall take the time to explain;
    - ii. The Chair will then ask the respondent if they are “responsible,” “not responsible” or not responding to the charges. If the respondent is pending criminal charges, the Judicial Board shall elect not to incriminate based on these proceedings. If the respondent desires not to speak of the matter, it shall not be held against them.
  - c. Regardless of the response by the respondent, the Chair shall briefly review the evidence and/or witness testimonies with the respondent. Witnesses shall remain outside of the hearing until called in individually to present their statements.
  - d. Following a response of “responsible,” “not responsible,” or no response, and presentation of evidence and/or witnesses against on behalf of the respondent, the Judicial Board shall then ask questions.
  - e. The respondent shall offer a brief final statement.
  - f. The Judicial Board shall then offer a brief final statement.
  - g. The Judicial Board shall then proceed into private deliberations.
- E. Deliberations
  - a. All shall be asked to exit except the Judicial Board. At this time, the Judicial Board shall discuss and vote on if the violation occurred “more likely than not,” and if necessary, the proper sanctions to be imposed. Responsibility shall be determined by a preponderance of the information. Decisions on responsibility and sanctions must be supported by a majority vote of the Board.
  - b. In the event of a complete deadlock on responsibility or sanctions, discussion will be re-opened followed by a second vote. If the second vote yields a deadlock, the Chair shall cast the deciding vote. In the case of IFC v. Member Organization, as the Chair becomes non-voting, the Judicial Board Secretary shall cast the deciding vote.
  - c. The Vice President of Judicial Affairs, at the conclusion of the deliberations, shall inform the respondent organization(s) of the decision, in person. But, he will explain that the sanction agreed and voted on by the board as a recommendation, and that

recommendation will be presented to the IFC advisor the day after the hearing. Once the sanction is agreed upon by the judicial board and IFC advisor, the organization will be sent electronic communication of the final results of the hearing within 72-hours of the hearing.

## Article V: Sanctions

### Section I.

Following a hearing, the Judicial Board shall determine whether the respondent organization is responsible for the violation(s) by a majority vote. A finding of not responsible will not be considered when making future disciplinary decisions. If the Judicial Board finds the organization responsible, a sanction(s) will be imposed. That decision and sanction will be agreed and voted on by the board as a recommendation, and that recommendation will be presented to the IFC advisor the day after the hearing to be finalized.

### Section II.

The Office of Fraternity & Sorority Life, Sacred Heart Student Affairs, the inter/national organization, and local advisory board shall be consulted of all hearing results and sanctions. With each violation, an official conduct file on the behalf of the organization will be filed for University records. Violations may bring one or more of the following sanctions:

- A. Official Reprimand
  - a. An organization receives a written reprimand, which creates a conduct file in the organization's permanent conduct file. The reprimand will explain which actions of the organization were inappropriate and that additional violations may result in more serious disciplinary action.
- B. Educational Sanctions
  - a. Additional sanctions such as facilitating, attending, sponsoring, and/or presenting an educational program for/to other organizations. The Judicial Board Advisor must approve the educational sanction.
- C. Social Probation
  - a. Organizations may be restricted from social functions involving alcohol and limited from attending/hosting closed events and functions on or off campus.
- D. Restitution
  - a. The organization is required to make payment to Sacred Heart University and/or other persons, groups, or organizations for damages incurred as a result of violations.
- E. Reparation
  - a. The organization will make reasonable effort to repair harm and/or damage caused by and/or associated with the violations committed.
- F. Community Service
  - a. An organization may be further required to complete a specified number of hours of community/university service. The Judicial Board advisor must approve hours.
- G. Loss of Privileges

- a. Organizations may be restricted from participation in University and/or Fraternity and Sorority Life honors and events.
- H. Loss of Delegate Voting Rights
  - a. Delegates will not be able to vote on business in the IFC assembly for a time specified by the IFC Judicial Board.
- I. Fine
  - a. Organizations may be fined no more than \$1000.00. A fine shall result in a conduct file being created with documentation in the name of the organization. All fines levied must be delivered and communicated with educational intentions.
- J. Disciplinary Probation
  - a. A period of time, not to exceed one calendar year, determined by the Judicial Board, during which the organization's actions are subject to close examination and which is a serious encumbrance on the organization's good standing with the Sacred Heart community. A student organization on disciplinary probation may lose privileges associated with their recognition status (ability to reserve University facilities, ability to host events/fundraisers, etc.). Subsequent infractions of regulations are viewed as a violation of policy and of the probation and may result in an organization's referral to Sacred Heart Student Affairs for further disciplinary action. The Judicial Board may also impose one or more of the restrictions and actions further listed deemed suitable.
- K. Referral for Deferred Suspension, Suspension, or Closure
  - a. The deferred suspension, suspension, or closure of an organization is beyond the purview of the IFC Judicial Board but may be recommended to the Office of Student Conduct by the Judicial Board. Per the Sacred Heart Student Handbook, these statuses are defined as:
    - i. Closure – A permanent separation of the student organization from the university without the possibility of return.
    - ii. Suspension—a fixed period of time (at least one semester) during which the student organization may not participate in any university activities and is not recognized by the university. At that time, the organization's events/trips/fundraisers are cancelled, budget (if they have one) is frozen, and they are restricted from functioning as a student organization. At the end of the suspension period, the student organization may regain recognition upon the recommendation of and the completion of any conditions assigned by the conduct officer.
  - b. Deferred Suspension—a notice to a student organization that their actions are of such a serious nature that removal of university recognition is being considered. The university will defer the suspension as long as the student organization meets all requirements set by the Office of Campus Life. Deferred suspension will last a minimum of one semester. Any future violations during this time may result in immediate removal of university recognition for a period of time and the possibility of additional sanctions. While on deferred suspension, the organization may lose privileges including but not limited to:
    - i. events/trips/fundraisers

- ii. budget access (if they have one)
- iii. ability to reserve space
- iv. use of Sacred Heart University name
- v. other restrictions at the discretion of the conduct officer

### Section III.

All sanctions imposed by the Judicial Board take effect at the conclusion of the meeting with the IFC advisor and Vice President of Judicial Affairs the following day. Should member fraternities appeal, all sanctions remain in effect unless changed or suspended by the appellate officer.

### Section IV.

The Chair is ultimately responsible for the imposition of all sanctions decided upon by the Interfraternity Council Judicial Board and IFC advisor.

### Section V.

The IFC Executive Board shall be given a summary of the actions of the Judicial Board at the following executive board meeting.

## Article VI: Appeals

### Section I.

- A. An organization has the right to appeal the decision made by the Judicial Board within 24 hours of the delivery of the decision letter.
- B. All appeals must be submitted via electronic communication to Sacred Heart Student Affairs.

### Section II.

Appeals are accepted for one or more of the following reasons:

- A. Additional and/or new relevant information arises that was not available at the time of the hearing.
- B. An error occurred during the hearing process, as outlined in Article IV, which materially affected the outcome of the meeting.

### Section III.

The appellate officer may conduct a formal appeal meeting if he/she feels that there are grounds for appeal. Similar to their conduct meeting, the chapter may bring the organizational advisor to their appeal meeting. Representative(s) from the initial conduct meeting may be called to attend the appeal meeting. The appellate officer may suspend sanctions following an appeal hearing if he/she deems it appropriate. Interim action may be enacted as authorized by Article VI, Section III.

## Article VII: Amendments

### Section I.

The Interfraternity Council may amend this Judicial Code at a regular meeting through a motion of the IFC delegates and a vote. A proposed amendment may be adopted if there is a quorum by a  $\frac{3}{4}$  (75%) vote of the voting delegates present.

## Article VII

### Section I.

All Interfraternity Council regulations, including policies, Bylaws, and amendments, will be upheld by the IFC Judicial Board as valid sections of the IFC Constitution unless challenged by an organization's president or IFC representative and properly amended in a meeting of the IFC General Board within a one-year period of acceptance.

## Article VIII: Enactment

### Section I.

- A. Enactment
  - a. If a majority delegate vote passes, in order for the amendment process to be finalized, the document must be hand signed by the current IFC President, Executive Vice President, Vice President of Judicial Affairs. All three signatures are required to pass the amendment. If all three signatures are not obtained the amendment is tabled until another vote can take place at least 2 weeks after the current one.
  - b. If one of the three required signatures above are of someone who has lost or is unable to fulfill their duties, the next officer in the line of succession will assume that role and sign for them.
  - c. This Judicial Code was amended by the IFC Assembly on: \_\_\_\_\_

## Vote Count

**For:** \_\_\_\_\_

**Against:** \_\_\_\_\_

**Abstain:** \_\_\_\_\_ (Carries with Majority)

**President:** \_\_\_\_\_

**Executive Vice President:** \_\_\_\_\_

**Vice President of Judicial Affairs:** \_\_\_\_\_