

# JUDICIARY COMMITTEE STANDARDS AND PROCEDURES

OF

## THE INTER-FRATERNITY COUNCIL AT THE UNIVERSITY OF VIRGINIA, INCORPORATED

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### **ARTICLE I** **Jurisdiction and Power**

- Section 1** - The Inter-Fraternity Council Judiciary Committee (the “IFCJC”) is the Judiciary Committee of the Inter-Fraternity Council at the University of Virginia, Incorporated (the “IFC”). It shall have the power to investigate and try fraternities for any violations of the IFC Standards of Conduct, the University Standards of Conduct, or alleged misconduct of fraternities recognized by the IFC and the University through the Fraternal Organization Agreement.
- Section 2** - Guilt or innocence shall be determined by a majority vote of the presiding judges; the Trial Chairman votes only in the event of a tie.
- Section 3** - In the case of a guilty verdict, the IFCJC, represented by the presiding judges, shall have the power to impose any disciplinary or rehabilitative sanction that it deems appropriate, up to and including recommendation to the IFC Presidents’ Council that IFC recognition be removed.
- Section 4** - Complaints must be made within 45 calendar days of the time the complainant knew or should have known the identity of the alleged offender.
- Section 5** - The IFCJC may temporarily enjoin any fraternity from engaging in specific conduct when circumstances are sufficiently serious to warrant injunction. A temporary injunction shall require the approval of the Chairman and a majority vote of the IFCJC Executive Committee. Following the imposition of a temporary injunction, the IFCJC shall investigate the complaint. If the injunction is appealed, the IFCJC will conduct a hearing within seventy-two (72) hours after the appeal is filed, in order to determine whether enjoined activity constitutes a violation.
- Section 6** - IFC Governing Board members may issue a fraternity a sanction approved by the IFC Vice President for Judiciary for minor offenses such as:
- (a) Not showing up for Party-Patrol
  - (b) Not cleaning up trash or litter surrounding fraternity property to support timely and responsible clean-up after events

### **ARTICLE II** **Organization and Responsibilities of Members**

- Section 1** - The IFCJC shall consist of the IFC Vice President for Judiciary, who shall serve as its Chairman, an Executive Committee of five Vice Chairmen and three Head Support Officers, and a sufficient number of Judges, Investigators, Counselors, and General Counsels to perform the functions of the IFCJC. All members of the IFCJC, except the Chairman, who is elected by the IFC Presidents’

Council, shall be selected through an examination and interview process to be conducted by the Chairman. In addition, all members of the IFCJC, except the General Counsels, shall be members of IFC fraternities.

*1) The Chairman of the IFCJC will interview candidates for the positions of IFCJC Vice Chairman for Trials, IFCJC Vice Chairman for Sanctions, IFCJC Vice Chairman for Compliance, IFCJC Vice Chairman for Chapter Standards Board, and IFCJC Vice Chairman for Scheduling.*

*2) The Chairman of the IFCJC will propose to the IFC Governing Board at least 7 individuals for the 5 IFCJC executive positions.*

*3) In these proposals, the Chairman of the IFCJC will propose different IFC men for specific positions. The five candidates whom the IFCJC Chairman deems most qualified will each give a short speech in front of the IFC Governing Board.*

*4) The IFC Governing Board will confirm or refute these candidates' appointments by vote. A vote of confirmation requires a majority vote of the IFC Governing Board. The Chairman for IFCJC abstains from voting except in the case of a tie.*

*5) If one or more candidates are refuted, the IFC Governing Board will interview additional candidates, including but not limited to the two alternates already chosen by the IFCJC Chairman. To be confirmed, one of these candidates must receive a majority of the votes of Governing Board members in favor of confirmation.*

*5) Upon confirmation of different IFCJC executives the Chairman of the IFCJC will introduce these new IFCJC officers to IFC Presidents' Council. During this introduction each newly elected officer will make a short statement to IFC Presidents' Council about their goals for the coming year.*

All other members of the IFCJC shall be selected through an examination and interview process to be conducted by the Chairman. In addition, all members of the IFCJC, except the General Counsels, shall be members of IFC fraternities.

- (a) **Chairman.** The Chairman shall have the overall responsibility for the organization and function of the IFCJC. He shall organize and supervise the selection of the Judges, Investigators, Counselors, and General Counsels, as he deems appropriate. He shall maintain a complete and up-to-date Judiciary file. He shall serve as Trial Chairman at all trials and appellate hearings he deems significant. If he is unable to act as Trial Chairman at a trial, any one of the Vice Chairmen may preside. He shall administer all sanctions.
- (b) **Vice Chairman for Trials.** The Vice Chairman for Trials shall be responsible for arranging for Judges to be present at trials, and serving as Trial Chairman for trials at which the Vice President for Judiciary cannot be present. He shall be responsible for educating and maintaining the Judge pool.
- (c) **Vice Chairman for Scheduling.** The Vice Chairman for Scheduling shall be responsible for setting trial and hearing panel dates, times, and locations. He shall coordinate with all parties relevant to a case in order to ensure a fair and timely proceeding. He shall serve as Trial Chairman for trials at which the Vice President for Judiciary cannot be present.
- (c) **Vice Chairman for Sanctions.** The Vice Chairman for Sanctions shall be responsible for giving written notice of the final decision of the IFCJC to all found guilty, recording

the sanction in the IFCJC files, and serving as Trial Chairman for trials at which the Vice President for Judiciary cannot be present. He shall also be responsible for recording sanction reports submitted by Chapter Standards Boards in a similar manner to IFCJC sanctions.

- (d) **Vice Chairman for Compliance.** The Vice Chairman Compliance shall be responsible for ensuring all found guilty by the IFCJC or Chapter Standards Boards, when such a case does not arise under original Chapter Standards Board jurisdiction, comply with sanctions, and, with approval of the Chairman, for aiding those found guilty with questions or confronted with unforeseen circumstances, but only when the convicted Fraternity has made a good-faith effort to comply. He shall also be responsible for serving as Trial Chairman for trials at which the Vice President for Judiciary cannot be present.
- (e) **Vice Chairman for Chapter Standards Boards.** The Vice Chairman for Chapter Standards Boards shall be responsible for assisting fraternities in the formation and maintenance of individual Chapter Standards Boards, as discussed in these Judiciary Committee Standards and Procedures, as well as for serving as Trial Chairman for trials at which the Vice President for Judiciary cannot be present. He shall also be responsible for maintaining documents for all Chapter Standards Boards as submitted to him.
- (f) **Head Counselor.** The Head Counselor shall assign IFCJC Counselors, including himself, to represent accused fraternities. He shall be responsible for organizing and educating the Counselor pool.
- (g) **Head Investigator.** The Head Investigator shall have the responsibilities of coordinating and overseeing all IFCJC investigations. He shall be responsible for organizing and educating the Investigator pool.
- (h) **Head General Counsel.** The Head General Counsel shall not be a member of an IFC fraternity. He or she shall assign IFCJC General Counsels, including himself or herself, to represent complainant parties. He or she shall be responsible for organizing and educating the General Counsel pool.

Section 2 - As soon as possible in the spring semester, the Chairman shall select the necessary number of individuals to serve as Judges, Investigators, Counselors, and General Counsels based on a process involving an examination and interview.

- (a) The Chairman shall interview those applicants whose scores on the examination are deemed sufficient to demonstrate a working knowledge of the IFCJC.
- (b) At his discretion, the Chairman shall also interview all incumbent Judges, Investigators, Counselors, and General Counsels seeking reappointment, reviewing each incumbent's work and involvement with the IFCJC.
- (c) Based on the examination scores and the interviews, the Chairman shall select the Judges, Investigators, Counselors, and General Counsels for the upcoming year and inform those chosen of their appointment.

Section 3 - The Vice Chairmen, Head Counselor, Head Investigator, and Head General Counsel shall be selected by an election process within the new IFCJC or by the appointment of the Chairman.

Section 4 - The Vice Chairmen, Head Counselor, Head Investigator, and Head General Counsel shall hold their respective positions for one year. Each may be impeached by a unanimous vote of the IFCJC

Executive Committee, and the officer in question shall not vote in these proceedings. A replacement shall be appointed as soon as possible to fill the vacant position.

Section 5 - General Responsibilities of Judges, Counselors, Investigators, and General Counsels:

- (a) **Judges.** Are responsible for serving on the Trial Panel at trials to which they have been assigned.
- (b) **Counselor.** Is responsible for counseling all accused fraternities referred to him by the Chairman and the Head Counselor.
- (c) **Investigator.** Is responsible for the investigating all complainants referred to him by the Chairman and the Head Investigator.
- (d.) **General Counsel.** Is responsible for counseling all complainant parties referred to him or her by the Chairman and the Head General Counsel. He or she shall not be a member of an IFC fraternity.

Section 6 - No person acting in the capacity of a Judge, a Counselor, an Investigator may serve in any other position on the IFCJC during the same term.

Section 7 - No president of a fraternity on the IFC may serve on the IFCJC.

**ARTICLE III**  
**IFC Standards of Conduct**

**FRATERNITIES AND THEIR MEMBERS ARE SUBJECT TO SANCTION FOR MISCONDUCT INVOLVING:**

Section 1 - Physical abuse of any person on fraternity owned or controlled property or at fraternity sponsored or supervised functions, or conduct which threatens or endangers the health or safety of any person.

Section 2 - Damage to fraternity property, or to property owned by a member of a fraternity, or to a visitor or guest of a fraternity.

Section 3 - Unauthorized entry into or occupation of fraternity facilities that are locked, closed to student activities, or otherwise restricted to use.

Section 4 - Unlawfully blocking or impeding normal pedestrian or vehicular traffic on or adjacent to fraternity property.

Section 5 - Disorderly conduct on fraternity owned, operated, or controlled property or at fraternity sponsored functions. Disorderly conduct shall include, but is not limited to acts which tend to breach the peace, or which are deemed lewd, indecent, or obscene. Disorderly conduct may also include expression that exceeds the bounds of constitutionally protected speech.

Section 6 - Conduct that is incompatible with the good character and personal responsibility expected of all members of the fraternity community and that dishonors the fraternity system at the University of Virginia.

Section 7 - Violations of University policies and procedures referenced in the FOA.

**Section 8** - Failing to comply with the IFC Standards for Parties and Social Events.

**Section 9** - Failing to comply with the IFC Rush Regulations.

**Section 10** - Failing to comply with the city/county ordinances governing residences, including garbage, shoveling snow from sidewalks, and noise levels.

**Section 11** - Any violation of Federal, State, or Local law that directly affects the University's pursuit of its proper educational purposes to the extent such violations are not covered by other Standards of Conduct and only where a specific provision of statute or ordinance is charged in the complaint.

**Section 12** - Conduct that intentionally violates the rules of confidentiality or obstructs the operations of the IFCJC.

**Section 13** - Hazing in violation of the Virginia statute or University regulations.

**Section 14** - Failing to comply with directions of IFC officials acting under provisions 1-13 set out above.

#### **ARTICLE IV** **Investigative Procedure**

**Section 1** - The IFCJC Head Investigator shall appoint an Investigator to investigate each valid complaint referred to the IFCJC.

**Section 2** - Throughout the investigative and trial procedures, the accused fraternity shall be represented by its president and/or vice-president. Any fraternity acting as a complainant shall be likewise represented.

**Section 3** - It shall be the duty of the Investigator to conduct a thorough, fair, and comprehensive investigation on behalf of the IFCJC in every case.

**Section 4** - Investigators shall follow a standard format for preparing the report. The report should be presented to the Trial Chairman, General Counsel, and Counselor involved no later than seventy-two (72) hours prior to the parties' presentation of their cases.

**Section 5** - The Investigator may, at the discretion of the Trial Chairman, appear at each trial for which he conducted the investigation. If the Investigator appears, he shall present the report to the Trial Panel prior to the parties' presentation of their cases and shall remain at the trial to answer any questions that the trial panel might have. If the investigator does not appear, the Trial Chairman shall ensure that the Trial Panel members have a copy of the investigator's report prior to the parties' presentation of their cases.

**Section 6** - The Investigator or the General Counsel shall be required to present a summary of the past record of the accused to aid the Trial Panel in determining sanctions if the accused is found guilty of the alleged offense. It shall be made after the verdict is reached, but before sanction is decided upon. The accused's representative must be present during the summary.

#### **ARTICLE V** **Trial Procedures**

- Section 1** - A trial shall be held within 60 academic days (excluding Summer Session or holidays) after a complaint has been filed with the IFCJC, where a trial is deemed necessary by the Chairman, unless circumstances deemed extraordinary by the Chairman make a trial within that time frame impossible.
- Section 2** – A trial shall first have a proceeding to address the question of guilt, followed by a separate proceeding to address the question of sanction.
- Section 3** - The accused shall be given notice of all charges, reasonable notice of the time and place of trial, and shall be assigned a Counselor to represent them in the proceedings.
- Section 4** - The complainant shall be given reasonable notice of the time and place of trial and shall be assigned a General Counsel to represent them in the proceedings.
- Section 5** - The Counselor for the accused and General Counsel for the complainant shall provide one another, upon request, the nature of the evidence (i.e. a written summation of the witnesses, testimony, documents, and other pieces of evidence which the relevant side will present at trial) within a reasonable time before the trial. Reasonable time here is defined to mean sufficient time for the opposing side to incorporate the relevant evidence into the preparation of their case. The Trial Chairman will be the sole determinant of whether or not reasonable time was given.
- Section 6** - All trials shall be closed except when an open trial is requested by the accused and deemed by the Trial Chairman to be in the best interests of all parties involved.
- Section 7** - All parties shall be informed that the Honor Code of the University of Virginia shall apply to all trial proceedings.
- Section 8** - The parties involved, the Investigator, the Counselor, and the General Counsel may meet with the Chairman before the trial to discuss and clarify the issues to be brought forth in the trial. If either party objects to the potential assignment of a potential judge on the IFCJC judges list, the party must make an objection and its basis known at this time. The Chairman shall resolve any challenges that are made in his sole discretion. The parties will not be allowed to introduce further challenges to the judges at trial.
- Section 9** - The Trial Panel shall be composed of five (5) representatives, consisting of four (4) judges and one (1) chairman. Additional members of the IFCJC may observe the trial to gain experience, but may not take part in the trial. Judges will be notified in advance of their selection for a given case and shall notify the Vice Chairman for Trials if they feel that their judgment regarding any question of guilt or sanction will be unduly biased and request removal from the panel.
- Section 10** - The accused shall have the right to be present at all trial proceedings at which evidence is presented. This requirement shall in no way be construed to deprive the IFCJC of its right to try an accused in absentia upon proper proof that the accused was given reasonable notice of the trial. If a decision is made try an accused in absentia, the Trial Panel shall make specific findings that the accused was given reasonable notice of the hearing and of the charges against them.
- Section 11** - The complainant must make every effort to be present at all trial proceedings at which evidence is presented, in order to fully inform the Trial Panel of the charges and evidence against the accused. Should the complainant be unable to appear, he or she should request a continuance from the Chairman, who may grant such an extension at his discretion. Failure to appear or to request a continuance may result in the dismissal of the charges at the discretion of the majority of the Trial Panel.

- Section 12** - If the parties so desire, the trial shall begin with an opening statement by the complainant followed by a similar statement by the accused.
- Section 13** - If the accused chooses to admit guilt, he should so indicate at the commencement of the trial.
- (a) The Trial Chairman shall question the accused following such an admission in the opening remarks to ensure that the accused understands the consequences of this admission.
  - (b) If, in the opinion of the Trial Panel, the admission of guilt has been thoughtfully made in full awareness of the circumstances, the Trial Panel shall proceed to hear evidence concerning sanctions and to determine the sanction(s).
- Section 14** - Witnesses shall be presented first by the complainant and then by the accused with the opportunity for each party or counsel to cross-examine the opposing party's witnesses. This right to cross-examine is subject to the supervision of the Trial Chairman, and may be repealed for misuse at the discretion of the Trial Chairman.
- Section 15** - The IFCJC may call in any witnesses it deems necessary.
- Section 16** - The Trial Chairman may at any time excuse the participants and spectators to call the judges into conference as the need demands.
- Section 17** - At no time prior to or during the trial on the question of guilt shall any evidence of the past record of the accused be allowed.
- Section 18** - If the parties so desire, the trial shall conclude with a closing statement by the complainant followed by a similar statement by the accused.
- Section 19** - The Trial Panel shall then privately deliberate, and upon a majority vote, may find the accused guilty or not guilty. The Trial Chairman shall then recall the parties and announce the verdict.
- Section 20** - If the accused is found not guilty, the case is closed.
- Section 21** - If the accused is found guilty, the Trial Panel shall proceed to hear evidence concerning sanctions and to determine the sanction(s).
- (a) If there is no evidence of past offense(s) committed by the accused, the Trial Panel shall allow the complainant and the accused to make a statement about the sanction. The Trial Panel shall then privately determine what sanction to impose, and the Trial Chairman shall recall the parties and announce the decision.
  - (b) If there is evidence of past offense(s), then the evidence of the past offense(s) will be heard. The accused shall have an opportunity to rebut the evidence, and the Trial Panel shall allow the complainant and the accused to make a statement about the sanction. The Trial Panel shall then privately determine what sanction to impose, and the Trial Chairman shall recall the parties and announce the decision.
- Section 22** - The decision of the Trial Panel is automatically subject to appeal within the IFCJC. Grievances may also be addressed to the Director of the Office of Fraternity & Sorority Life, who may offer advice to the Chairman and suggest alternatives. The Chairman, however, is in no way obliged to follow said advice.

**Section 23** - The accused, if found guilty, may appeal within two weeks for an Appellate Hearing, as provided in these Standards and Procedures, on the basis of:

- (a) Grossly inappropriate sanction;
- (b) Violation of fundamental fairness in the notice or the opportunity to be heard afforded the accused; or
- (c) Substantial new evidence that could not reasonably have been uncovered by the accused before the trial.

**Section 24** - All parties shall be notified, in writing, of the results with all deliberate speed.

**Section 25** - At his discretion, the Chairman may release IFCJC case information to a media organization, provided that the names of individual persons, details of the incident other than what was available in the filed complaint form, and anything that was said or occurred at the trial, are kept strictly confidential.

## **ARTICLE VI** **Hearing Procedures**

The rationale behind a hearing is to create an arbitration mechanism whereby minor offenses by fraternities without recent prior offenses can be resolved without investigation.

**Section 1** - At the discretion of the Chairman, any complaint may first be heard at a hearing to resolve the dispute.

**Section 2** - All parties involved shall be contacted as soon as possible after the filing of the complaint to schedule a hearing.

**Section 3** - A Trial Chairman, two (2) judges, and representatives of both parties shall be in attendance at the hearing.

**Section 4** - The Trial Chairman shall read the complaint to the parties and the accused shall have an opportunity to answer the allegations. The complainant shall also have an opportunity to comment. The members of the Hearing Panel may ask questions at any time.

**Section 5** - At any time during the proceedings above, either of the parties may request that the complaint go to trial. Normal investigative and trial procedures as described in these Standards and Procedures shall then apply.

**Section 6** - After all parties have had an opportunity to address the complaint, the Hearing Panel shall deliberate privately as to guilt and sanction. The Trial Chairman shall then recall the parties to read the decision.

**Section 7** - All parties shall be notified, in writing, of the results with all deliberate speed.

**Section 8** - Appeal of sanctions and grievances may be made in accordance to procedure as outlined in these Standards and Procedures.

**Section 9** - If for any reason either party does not appear at the hearing and fails to notify the Chairman in advance of legitimate reasons for their absence, the panel shall find against the absent party. If neither party attends without reason the case is considered dropped.

**Section 10** - For alleged rush violations, the following rules and procedures apply:

- (a) If possible, a rush hearing shall be conducted within seventy-two (72) hours of the filing of the complaint. The parties involved shall be the accused, the complainant, and the Hearing Panel.
- (b) The composition of the Hearing Panel and procedure of the hearing with regard to rush violations shall be the same as that of a regular hearing.
- (c) Appeal of sanctions and grievances may be made in accordance to procedure as outlined in these Standards and Procedures.
- (d) The IFC Rush Regulations are contained in Exhibit B of these Standards and Procedures, in addition to any policies adopted by the IFC Governing Board, with reasonable notice given to the Presidents' Council of the IFC.

## **ARTICLE VII** **Appellate Hearing**

**Section 1** - An accused found guilty in an IFCJC proceeding may request an Appellate Hearing within fourteen academic days after the IFCJC has rendered its decision. The IFCJC will entertain motions for appeal only on one of the grounds listed in these Standards and Procedures. The appellant shall bear the burden of demonstrating that any of these grounds are applicable and can be established by clear evidence.

**Section 2** - When an appeal is requested in a timely fashion based on an appropriate ground, an Appellate Review Board shall convene within a reasonable time, composed of five members of the IFCJC Executive Committee, not including the Trial Chairman who sat on the original trial.

**Section 3** - The Appellate Review Board shall review motions for appeal in order to determine the validity and materiality of the appeal. The Appellate Review Board reserves the right to interview any party involved in the original trial in order to collect information relevant to its decision. If it deems so, the Appellate Review Board may decide to convene an Appellate Panel within a reasonable time, composed of a new Trial Chairman and four judges who did not sit on the original trial. The decision by the Appellate Review Board to convene an Appellate Panel may be done by a majority vote of the Appellate Review Board.

**Section 4** - For an appeal of sanctions pertaining to an alleged rush violation, the Appellate Review Board shall meet within thirty-six (36) hours of the submission by the fraternity, if possible.

**Section 4** - In all Appellate Hearings, the appellant and the appellee shall be accorded a reasonable opportunity to present their respective positions on appeal and views of the underlying case. No new evidence shall be allowed unless the appellant has demonstrated to the satisfaction of the Appellate Review Board that the evidence is substantial and could not reasonably have been uncovered before the original trial. The appellee shall be allowed to rebut such a claim.

**Section 5** - The original Trial Chairman whose decision is being appealed may be present before the Appellate Hearing panel for informational purposes.

**Section 6** - Following an Appellate Hearing, the panel may, upon a majority vote: (1) Affirm the original decision of the IFCJC; or (2) Order a trial de novo. In the event that the Appellate Hearing Panel shall grant a trial de novo, the case shall be heard at a future date and time by the Appellate Panel, whose decision shall be final.

## **ARTICLE VIII**

### **Chapter Standards Boards**

**Section 1** - A fraternity's Chapter Standards Board has original jurisdiction over disputes within the fraternity. These cases are not subject to IFCJC review. A fraternity's Chapter Standards Board may also hear a case involving IFCJC disciplinary issues that the fraternity wishes to handle as an internal matter. In such cases, a majority vote of the IFCJC Executive Committee approving a "Petition for Use of Chapter Standards Boards" that is submitted by the fraternity is required to bring a case to a Board. The decision of a Chapter Standards Board is then subject to review and appeal as provided in this Article. The Petition shall include (1) The name of the fraternity, (2) the assigned IFCJC case number, (3) the name(s) of the accused individual(s) and (4) the name(s) of the complainant(s).

**Section 2** - Each fraternity is free to set up its own methods of operation for its Chapter Standards Board, subject to approval by a unanimous vote of the IFCJC Executive Board.

(a) Beginning October, 2004, each fraternity will be required to have filed a "Chapter Standards Boards Policies" form, signed by the fraternity's president, if it wishes to utilize a Chapter Standards Board. The form will be submitted to the Vice Chairman for Chapter Standards Boards. This document shall include (1) the name of the fraternity; (2) a general description of its Board's composition, election methods and members' duties (to ensure compliance with this Article); and, (3) a statement that the Chapter Standards Board has been duly adopted by the Fraternity in accordance with its rules.

(b) Each fraternity must also submit an annual "Chapter Standards Board Composition" form to the IFCJC Vice Chairman for Chapter Standards Boards. This document will include (1) the name of the fraternity, (2) members of its Chapter Standards Board and (3) contact information for any members who are assigned specific duties pertaining to Sections 3 through 8.

**Section 3** - All cases heard by Chapter Standards Boards and their relevant documentation shall be subject to the Honor Code of the University of Virginia.

**Section 4** - All cases must be heard by the appropriate Chapter Standards Board within two weeks of a Petition's approval.

**Section 5** - A "Chapter Standards Board Verdict Report" must be submitted to the Vice Chairman for Chapter Standards Boards within one week of the resolution of a case by a Chapter Standards Board.

**Section 6** - A "Chapter Standards Board Sanction Report" must be submitted to the Vice Chairman for Sanctions within one week of the resolution of a case by a Chapter Standards Board.

**Section 7** - A "Chapter Standards Board Compliance Report" must be submitted to the Vice Chairman for Compliance upon completion of any sanction imposed by a Chapter Standards Board. If the

sanction is not completed satisfactorily or in a timely manner, a unanimous vote of the IFCJC Executive Committee will bring the case before an IFCJC trial panel.

Section 8 - Either party may appeal a case taken to a Chapter Standards Board on any of the grounds for appeal of an IFCJC case listed in these Standards and Procedures. The appellant shall bear the burden of demonstrating that any of these grounds are applicable and can be established by clear evidence. The appeal will be reviewed by the Vice Chairman for Chapter Standards Boards, who will approve or deny the appeal. A granted appeal will bring the case before an IFCJC trial panel.

Section 9 - Failure to comply with any of these sections, as determined by the Vice Chairman for Chapter Standards Boards, will bring the case before an IFCJC trial panel.

## **ARTICLE IX**

### **Sanctions**

The IFCJC has the authority to impose sanctions on any fraternity found guilty of violations.

- (a) The IFCJC attempts to correct violations, to insure further violation will not occur, and to impose rehabilitative sanctions as deemed appropriate.
- (b) The IFCJC considers each case on its own merit, while trying to establish consistency across similar levels of severity and culpability.
- (c) The IFCJC may, at its discretion, impose any sanctions that it deems appropriate and just. Possible sanctions include, but are not limited to, the following:
  - (1) **Admonition.** An oral statement to a fraternity that is has violated the established rules. No admonition shall be entered as a permanent part of the fraternity's judiciary file.
  - (2) **Warning.** Notice in writing that continuation or repetition of conduct found wrongful, within a stated period of time, may be cause for more severe disciplinary action.
  - (3) **Reprimand.** A written censure for violation of a specified regulation, including the possibility of more severe disciplinary sanctions in the event of another violation within a stated period of time.
  - (4) **Fines and Projects.** Assessing any fine or assigning any project that is appropriate to a given case.
  - (5) **Restitution.** Reimbursement for damage to or misappropriation of property.
  - (6) **Social Probation.** Restricting the privileges of any IFC fraternity to sponsor social events, including but not limited to:
    - i. A party or social event, using pooled fraternity funds, at that fraternity's house
    - ii. A party or social event, using pooled fraternity funds, at a third-party venue, including b but not limited to apartments, satellite houses, and bars.
    - iii. Any other social event using pooled fraternity funds and involving alcohol, including but not limited to philanthropies, Bid Night parties, Parents' Weekend parties or date functions, and Alumni events, unless it is approved by the IFCJC
  - (7) **Social Probation.** Restricting the social privileges of any IFC fraternity.
  - (8) **Restricted Rush Privileges.** Restricting the rush privileges of any IFC fraternity.

- (9) **Recommendation for Withdrawal of Recognition.** Recommendation to the IFC Presidents' Council that IFC recognition is removed.
- (10) **Recommendation to enjoin rentals:** Recommendation to the IFC Executive Committee to enjoin all fraternities from renting their houses to a certain organization.

**ARTICLE X**  
**Ratification and Amendment**

These articles may be ratified, altered, amended, or revoked by a vote of two-thirds of the entire membership of the IFC Presidents' Council.

Certified to be a true copy of the Judiciary Committee Standards and Procedures of the Inter-Fraternity Council at the University of Virginia, Incorporated as duly adopted on April 5, 2007 by the Presidents' Council.

\_\_\_\_\_, Secretary

Dated: \_\_\_\_\_

## EXHIBIT A

### IFC STANDARDS FOR PARTIES AND SOCIAL EVENTS

Section 1 - Not terminating fraternity parties by midnight Sunday through Wednesday; on Thursday, by 1:00 am the following morning; and on Friday and Saturday, by 2:00 am the following mornings. A party is defined as any social function planned or sponsored by a Fraternity and held on Fraternity property.

Section 2 - Failure to monitor fraternity parties by checking for age on a valid University of Virginia student ID, using a proper guest list, giving proper marks, and restricting all alcoholic beverages to fraternity property and the following items:

- (a) Fraternities must not allow a person to enter their party who does not have a valid University of Virginia student ID,
- (b) Subsequently, is not on the guest list, or
- (c) Subsequently, is not personally recognized and vouched for by a brother of that fraternity.
- (d) Individuals checking identification at entrance of fraternity may not inquire, "Are you party patrol?" or any other method to identify a party patrol member.
- (e) A proper mark for a person of age 21 years or older is any agreed upon mark other than an "X".
- (f) A proper mark for a person of under age 21 years is an "X".
- (g) The person working the source of alcohol may not in any way be alerted to the presence of party patrol (i.e. "runner").
- (h) A trash can or other receptacle must be present at all working exit[s] in use during a social event.
- (i) Upon request at the source of alcohol, an alternate, non-alcoholic beverage must be made available.**

Section 3 - Failing to observe the requirement that all fliers or posters advertising fraternity parties make neither direct nor indirect references to alcohol.

Section 4- The Office of Fraternity and Sorority Life must be contacted at least 2 weeks before an event where an IFC fraternity rents its house out to another organization. Uniformed, off-duty police must be present at any function when a fraternity rents its house out. Private security alone is not sufficient.

The IFC Executive Committee must be notified of all formal house rentals and of other cooperative events involving the fraternity and some other organization or organizations.

In addition, each fraternity renting out its house shall require a police officer to be present in its contract. The contact information of the police officer must be given to the host fraternity 24 hours before the party is scheduled to take place.

## EXHIBIT B

### IFC RUSH REGULATIONS

- Section 1 - No rush activities are to occur outside the period of formal rush. These activities include, but are not limited to, the following:
- (a) Trips made by a fraternity outside of Charlottesville that contain first-year men or potential rushees.
  - (b) Having first-year men or potential rushees at fraternity sponsored events (not including fraternity philanthropy events).
- Section 2 - No alcohol is to be present during any **spring** rush function. **No alcohol is to be present during Open Houses in fall rush.**
- Section 3 - Fraternities may not sponsor parties during the **spring** rush period.
- Section 4 - During No Contact days, no contact may take place between rushees and fraternity members.
- Section 5 - During Open House, no contact may take place between rushees and fraternity members except during designated Open House times. **No alcohol is to be present at any Open House.**
- Section 6 - During Final Hours, no contact may take place between rushees and fraternity members except during designated Final Hours times.
- Section 7 - Fraternities are prohibited from interfering with the ability of rushees to participate in other fraternities' rush events.
- Section 8 - Bid Day Procedure:
- (a) On Bid Day, no bids shall be extended except during the designated times.
  - (b) A fraternity shall not allow men who are given bids to physically join that fraternity during the designated times for all fraternities to extend bids.
  - (c) A fraternity shall not distract nor coerce rushees who are traveling to accept bids from other fraternities.