

Bylaws of the Massachusetts Institute of Technology's Interfraternity Council Judicial Committee

November 14, 2019

ARTICLE I Preamble

MIT is committed to self-governance for the Fraternity community. Accordingly, the Chair of the Committee on Discipline and the Dean for Student Life have delegated certain authority and responsibility for response to group student conduct in the Fraternity community to the Interfraternity Council (IFC), specifically to a student judicial board, the Interfraternity Council Judicial Committee (JudComm). The unique advantage of a student judicial board lies in the ability of its members to influence the attitudes and subsequent behavior of other students through a formally constituted judicial mechanism. Peer influence, exercised through the judicial process, can often be more effective in redirecting the behavior patterns of students than other methods of discipline within the institution. These procedures have been developed to ensure that all discipline cases adjudicated by JudComm are handled in a fair, objective, consistent and orderly manner, protecting the rights of all parties to a fair process, as outlined in the procedures in this document.

While these rules and procedures are designed to provide a fair judicial process for all parties, participants in the judicial process should understand that there is a fundamental difference between the nature of Judicial Committee proceedings and proceedings in a court of law. The discipline of students within the MIT community is primarily educational in nature. Rules, procedures and processes of criminal and civil law do not apply to this process. To the degree possible, the JudComm process should remain informal and non-adversarial. The goals of the JudComm process are to ensure adherence to both Institute and IFC policies, to resolve conflicts within the Fraternity community, and to promote high standards of conduct.

ARTICLE II Jurisdiction

- A. JudComm is responsible for all judicial functions of the IFC.
- B. JudComm has the authority to mediate disputes between member Fraternities.
- C. With limited exceptions (such as cases involving hazing, sexual misconduct, serious injury, or death which will, in most cases, be heard by the Committee on Discipline), JudComm is

empowered to act in cases involving alleged violations of the rules and regulations of the IFC, MIT polices, and laws as they may apply to Fraternities.

- D. The final decision on whether JudComm had jurisdiction over a particular complaint shall be made by the Chair of the Committee on Discipline.

ARTICLE III Membership

- A. JudComm shall consist of a Chair, a Secretary and member representatives from Fraternities.

1. Each Fraternity has the right to have at least one member apply to serve on JudComm. The members of JudComm will be determined by the specified application and slating process described below.
 - a) The application period for JudComm will be determined at the discretion of the Chair and must be approved by the Executive Board. The preliminary JudComm slate must be ready for approval by the first Presidents' Council of the Spring term.
 - b) The Chair will create and distribute the application within 1 week of the beginning of the application period.
 - c) Applications must be received before the end of the application period for the applicant to be considered.
 - d) The Chair will lead the review of the applications with the IFC Executive Committee, with the final decision made by the JudComm Chair, and prepare a slate of a minimum of 10 proposed members for JudComm, with no more than 1 member from any Fraternity and no member from the Fraternity of the Chair.
 - e) The slate will be proposed during a meeting of the IFC Presidents' Council, with a vetting period taking place during the meeting, followed by a vote of the IFC Presidents' Council, with the slate approved by a two-thirds vote of all present and voting members of the IFC. Failure to approve the proposed slate will result in a secondary slate being proposed. This secondary slate must be approved by a majority vote of all present and voting members of the IFC.
 - f) In the event that a new JudComm member is needed for the remainder of the academic year, a new nominee must be presented and follow the same voting procedure as above.
2. The Secretary of JudComm will be chosen from the approved slate of a minimum of 10 members as follows:

- a) The Chair will choose a nominee from the members of JudComm and present the choice to the IFC Presidents' Council.
 - b) The nominee will be approved by a two-thirds vote of all present and voting members of the IFC. Failure to approve the nominee will result in a secondary nominee being proposed. This secondary nominee must be approved by a majority vote of all present and voting members of the IFC.
 - c) In the event that a new secretary is needed for the remainder of the academic year, a new nominee must be presented and follow the same voting procedure as above.
- B. All JudComm appointments are normally for one calendar year, starting at the beginning of the spring term and ending at the end of the fall term.
- C. A person may only hold one JudComm position at any time.
- D. The Chair, Secretary and JudComm members must be full time undergraduate students in good standing¹ at the Institute and within their organizations.

ARTICLE IV

Duties

- A. The JudComm Chair shall:
- 1. Organize and oversee the application process and approval of JudComm members.
 - 2. Organize and oversee the nomination process and approval of the JudComm Secretary.
 - 3. Randomly select four unbiased JudComm members to hear a case, but no more than one from any Fraternity and the selected members may not belong to the Complainant or Respondent Fraternity. These four members and the Secretary will compose the Hearing Panel for a case. The JudComm Chair will also select an unbiased JudComm member as an alternative in case one of the other members of the Hearing Panel becomes unavailable or the Chair determines a selected member may have a potential bias.
 - 4. Appoint a JudComm member to temporarily replace the Secretary if the individual is unavailable or recused for a particular case. The appointed Secretary will be one of the panel members from the particular hearing.
 - 5. Meet weekly with representatives from the Office of Student Conduct and FSILG Office to review reports of alleged misconduct.
 - 6. Work with the Office of Student Conduct to ensure houses have all materials

¹ Good standing is defined as fulfilling duties, which include, but are not limited to, attending meeting, trainings, and services as well as keeping all matters, deliberations, and information related to a hearing confidential.

necessary for the hearing of a case and an appeal. Please refer to Section V.G for the specific timeline of providing these materials.

7. Preside at all hearings and participate in deliberations, only voting in the event of a tie.
8. Inform the IFC of hearings and decisions made at regular IFC meetings.
9. Serve as a liaison between JudComm and the IFC Executive Committee.
10. Present a short summary of any hearing decisions at the regular Presidents' Council meeting.
11. Keep an accurate record of all hearings, deliberations, decisions, and actions taken. The record of the hearing shall include the complaint, collected information, decision, and action taken by the Hearing Panel.
12. Ensure that all JudComm members and Secretary conform to these Bylaws and participate in a training program established by the Chair and the designated representatives of the Fraternities, Sororities, and Independent Living Group (FSILG) Office and Office of Student Conduct (OSC). Specifically, the Chair will work with the FSILG Office and OSC to plan a formal training at the beginning of the JudComm's term in February and a refresher training in August or September.

B. The JudComm Secretary shall:

1. Notify all Judicial Committee members of meetings called by the Chair.
2. Ensure that JudComm members attend each hearing to which they are assigned.
3. Meet regularly with representatives from the Office of Student Conduct and FSILG Office and the JudComm Chair to review reports of alleged misconduct.
4. Act as the Chair if necessary. Should both the Chair and Secretary need to remove themselves from a hearing or are otherwise unavailable, the Chair shall appoint an acting chair from the remaining Hearing Panel members.
5. Serve as a voting member of any Hearing Panel.

C. JudComm members shall:

1. Make themselves available to review all cases to which it is possible for them to attend, as requested by Chair.
2. Hear any cases assigned in accordance with these Bylaws.
3. Attend all meetings requested by the Chair.

4. Participate in training and other in-services as needed.

D. Procedural Officer Roles

1. There will be two procedural officers at every hearing. In the event that only one can be present, a waiver will be presented to the respondent Fraternity to continue on with the hearing.
2. Procedural officers will be members of either the FSILG Office or the OSC.
3. The procedural officers will manage the process of sending out written communications to respondent Fraternities, including, but not limited to: Requests for Information (RFIs), charge letters, and outcome letters with assistance from the JudComm Chair or JudComm Secretary if needed.
4. The procedural officers will work with JudComm members and parties involved in hearing proceedings to facilitate scheduling of meetings and will provide all documentation necessary for distribution to parties.
5. The procedural officers will work with the JudComm Chair to provide meals or appropriate refreshments for all hearing panels using funds from the IFC Budget.
6. The procedural officers will ensure that all hearing procedures are followed according to the Judicial Committee Bylaws. They may also clarify definitions of specific rules of IFC and MIT policies.
7. If a respondent Fraternity is found to be responsible for one or more violations, the procedural officers may provide background information regarding the respondent Fraternity's previous record.

ARTICLE V Pre-Hearing Procedures

- A. The following pre-hearing procedure is to be used in the case where a complaint alleges a violation, by a Fraternity, of an IFC rule, MIT policy or procedure, the law, or government rule or regulation.
- B. Complaints must be filed within 60 Institute days² of when the alleged violation occurred. Such deadline may be waived for good cause by the Chair, in consultation with the FSILG Office, or if the alleged violation was reasonably not discovered until after the passage of 60 Institute days. In any event, notice should be made to the respondent Fraternity of the complaint in as timely a manner as is practicable under the circumstances.

² An Institute day is any regular academic day during the Spring and Fall terms, excluding finals period.

- C. The OSC, in consultation with the FSILG Office and the Chair, will send a notification to the respondent and request information within three (3) Institute days after the complaint is shared and reviewed with the JudComm Chair. If the JudComm Chair is unable to meet within five (5) Institute days of receipt of the complaint to review it and determine potential violations, the OSC reserves the right to determine violations and to send the RFI at their discretion. If the JudComm chair is a member of the respondent fraternity, the same timeline applies for the JudComm Secretary.
- D. The respondent Fraternity will receive a copy of the complaint as part of the notification and will have five (5) Institute days³ to respond, including responding to requests for information.
- E. After receiving the complaint and response, the Chair in consultation with OSC and FSILG will determine if there should be a hearing. Both the Complainant and Respondent Fraternity are expected to reasonably cooperate with the Chair in providing information. Failure to cooperate will be considered in deciding the outcome of a case.
- F. The OSC, FSILG Office and Chair will review the charge and other documentation and determine if there should be a hearing. The determination will observe the following criteria:
1. If the case requires no further information from either the complainant or respondent, the Chair will resolve the complaint administratively. The OSC, in consultation with the Chair, will draft an Outcome Letter within two (2) Institute days of the determination which will be maintained by the OSC and FSILG Office as an internal document and will only be considered in the event of any subsequent violations. It will not impose any limitations on rights or privileges on the respondent Fraternity. This restriction applies even in the case of an active probation, with or without stipulations. The letter will remain on file for 4 years.
 2. If the case requires further information from either the complainant or the respondent, the Chair in consultation with the OSC and FSILG Office will resolve the complaint by a hearing panel, following appropriate panel procedures.
 - a) At the discretion of the Chair, OSC, and the FSILG Office, the respondent fraternity will be given the option to accept responsibility for specific charges, and to participate in an expedited hearing panel process.
 - b) Should they agree to the expedited process, the ensuing procedures are outlined in Article VI.
 - c) If not, the case will be taken to a hearing, following the normal hearing procedures. Furthermore, none of the deliberations, notes, or outcomes suggested by the Chair, OSC, or the FSILG Office will be made available to the Hearing Panel prior to or

³ In the event that an incident occurs outside of the regular academic term, specifically IAP or the summer, the Chair, in consultation with OSC and the FSILG Office, will make a determination on the appropriate deadline for a response.

during the hearing.

- G. For cases determined to warrant a hearing, the OSC in consultation with the Chair will provide the Complainant, Respondent Fraternity and all pertinent parties with a notice of the hearing. The notice shall include the time, date and place of the hearing along with a copy of the complaint that is being heard; what is expected of the Respondent Fraternity; a copy of the hearing procedure that will be followed; a list of witnesses the Complainant plans to call; and a list of witnesses the Respondent Fraternity plans to call. A copy of all the materials that will be shared with the Hearing Panel will be made available to the Complainant and Respondent Fraternity at least three (3) Institute days before of the date of the hearing, unless both the Complainant and Respondent Fraternities waive this right.
- H. Members of the Hearing Panel shall remove themselves or be removed from the proceeding if they have a conflict of interest or bias, as follows:
 - 1. Any member of the Hearing Panel can remove themselves or can be removed by the OSC representative for the hearing, FSILG representative for the hearing, or the Chair. If the concern for conflict of interest is regarding the Chair, the decision will be made, in the event of a conflict of interest or bias, by the FSILG office designee. Conflicts of interest or bias can be raised by a Complainant, Respondent Fraternity, the Chair, or representative of the FSILG Office or OSC.
 - 2. If the Chair decides that a Hearing Panel member may have a conflict of interest or other bias, the Chair will replace this member with the alternate Hearing Panel member.
 - 3. The decision whether to remove or not remove a Hearing Panel member on the basis of conflict of interest or bias will be final.

ARTICLE VI

Expedited Panel

- A. The respondent Fraternity will have the right, but not the obligation to meet with the Chair, Secretary, 2 randomly selected members of the Judicial Committee, and at least one procedural officer from either OSC or the FSILG Office to present any additional information not reflected in their written response.
- B. The aforementioned group, excluding the respondent Fraternity will reach a determination on the case by deciding the appropriate sanctions. The OSC in consultation with the Chair will draft a formal resolution, stating both the charges the respondent Fraternity was found responsible for, as well as the associated sanctions as determined by the Hearing Panel and communicate them to the respondent Fraternity. The resolution will be made available no more than two (2) Institute days after the expedited panel meets.

ARTICLE VII
Hearing Procedures

- A. The hearing shall occur within a reasonable time period of the complaint being filed, but in no case more than 30 Institute days after, unless extenuating circumstances arise. If that is the case, the Chair or OSC shall notify the respondent Fraternity and complainant of the delay. If either party requests additional time to prepare for a hearing, a decision to grant the request will be made by the Chair.
 - 1. The OSC or Chair shall notify the Respondent Fraternity if a hearing is to take place as soon as that decision has been made.
 - 2. In the event that the hearing does get delayed, the OSC or Chair will notify the Respondent Fraternity immediately with the reason for the delay.
- B. Attorneys for either party will not participate in the IFC JudComm process including but not limited to attending the hearing, serving as witnesses, or submitting documents.
- C. Hearings are only open to the JudComm members, the Complainant and Respondent Fraternity members, witnesses, individuals requested by the Chair, and OSC and FSILG Office designees. In certain circumstances, the Chair may further limit attendance if found to be necessary for procedural fairness reasons.
- D. The Hearing Panel, consisting of the Secretary and four members of the JudComm randomly chosen by the Chair (see IV.A.3), will hear a case.
- E. The Respondent Fraternity may choose up to three representatives to speak on its behalf at a hearing. These representatives must be active Fraternity members and none of these representatives may be a member of the JudComm. The Respondent Fraternity may also have an advisor present. An advisor must be a present non-lawyer member of the MIT community or an alumnus of the respondent Fraternity. Advisors cannot speak during the hearing, but may write notes or talk in private with the Respondent Fraternity. In addition, no lawyer may attend a hearing.
- F. Appendix A outlines the typical hearing procedure. No hearing can take place without at least one procedural officer present.
- G. Following the hearing, the Hearing Panel shall deliberate in private and decide whether the Respondent Fraternity is responsible, based on a preponderance of the evidence standard, for one or more violations of MIT policies or rules, IFC policies or rules, and/or federal, state, or city laws and in a finding of responsibility, determine sanctions.
- H. All decisions will be made by a majority of the Hearing Panel members with the desire to reach a general consensus.

- I. A written copy of the decision will be made available to the Complainant, Respondent Fraternity, IFC President, OSC designee and the FSILG Office within two (2) Institute days from the date of the hearing.
- J. The Respondent Fraternity has the right to be present at the hearing and be heard, however failure to appear and participate shall not prevent a hearing from going forward and being adjudicated. The Complainant must be invited to the hearing unless the Chair, in agreement with the FSILG Office, determines that the Complainant shall remain anonymous. In that case the Respondent Fraternity may submit a series of questions, to be reviewed for relevancy by the Chair, at least two (2) Institute days before the hearing, and every effort will be made by the Chair to have the Complainant's answers to those questions available at the hearing. The Complainant will not be required to answer any or all of the questions submitted by the Respondent Fraternity.
- K. The Hearing Panel's consideration and determination of complaints are confidential.
- L. During recruitment, the Rush Infractions Board shall be established and empowered with jurisdiction over allegations of recruitment infractions as outlined in Appendix B.

ARTICLE VIII

Sanctions

- A. Whenever it is in the best interest of the IFC and the Institute, the Associate Dean of the FSILG Office or the Associate Dean of the OSC has the authority to temporarily suspend the rights and privileges of a Respondent Fraternity. A temporary suspension should stay in place while a complaint against the accused Fraternity is pending. Notice of a temporary suspension will be provided to the Respondent Fraternity and is not appealable.
- B. The following sanctions are available after a hearing on a complaint against a Respondent Fraternity:

- 1. Organizational Warning

The Hearing Panel may issue a formal warning letter placed in the Respondent Fraternity's disciplinary file, which makes a matter of record any incident of misconduct and a finding of responsibility. The letter will be maintained in the disciplinary file for four years.

- 2. Organizational Probation

The Hearing Panel may place a Respondent Fraternity on a period of probation, which means that the Respondent Fraternity would be encouraged to be especially thoughtful in decision-making, as further violations of policy will likely result in more serious sanctions. The conditions set forth by the Hearing Board will be for a set

time period no longer than four years.

3. Organizational Suspension

With this sanction, a Fraternity is no longer in good standing with the IFC, but continues to be a recognized MIT Fraternity. The suspension decision will detail the types of access to programs and privileges associated with the suspension, depending upon the nature of the violation(s). Suspension of access and privileges can include, but is not limited to: restrictions on ability to host or participate in social functions or other events, restrictions on other social privileges, restrictions on the ability to recruit (rush) and ability to hold new member intake programs. The suspension must be for a minimum of one year and cannot exceed four years.

4. Loss of Recognition

This sanction is available for a finding of serious or repeated misconduct. A sanction of Loss of Recognition is defined as a loss of status as a recognized IFC Fraternity by the IFC and the Institute, and all rights and privileges associated with such recognition, for at least four years. A Fraternity that is sanctioned with Loss of Recognition is not eligible for reinstatement (which is not guaranteed) as a recognized Fraternity for a minimum of four years. The decision to impose a sanction of Loss of Recognition is not final but a recommendation to the Chair of the Committee on Discipline, who makes the final decision, after consulting with the JudComm Chair.

5. Additional Sanctions

In addition to the above status sanctions, the Hearing Panel may design educational sanctions, fines, and additional options as appropriate.

- C. After finding a Respondent Fraternity responsible for misconduct, the Hearing Panel can review any matters or records related to the Respondent Fraternity's conduct and disciplinary action that occurred within the past four years from the date of the misconduct to determine appropriate sanctions.

Article IX
Appeals

- A. The Respondent Fraternity has the right to one appeal if a written appeal is filed with the Chair no later than five Institute days of the date the decision letter is made available to the Respondent Fraternity, unless such deadline is extended in writing by the Chair, the FSILG Office, the OSC, or the Chair of the Committee on Discipline.
- B. An Appeal may only assert on one or more of the following grounds:

1. New Facts: New information unavailable at the time of the hearing that would have significantly affected the outcome of the case. Evidence that was withheld by a Fraternity or that could have been discovered and presented with reasonable effort shall not constitute grounds for appeal.
 2. Procedural Error: Substantial departure from Bylaws that significantly affected the outcome of the case.
 3. Severity of Sanction: Sanction imposed is too severe in light of the facts provided at the hearing and findings made and the range of appropriate sanctions for conduct in question.
 4. Material Finding: A material finding that formed a basis for the JudComm's decision was substantially against the weight of the evidence that was before the JudComm when it made the decision.
- C. Except in cases of a finding of Organizational Suspension or Loss of Recognition, an appeal will be decided by a two member panel consisting of a member of the FSILG Office and the OSC or other representative of the Office of the Dean for Student Life, neither of whom acted as a procedural officer for the hearing that led to the finding on appeal (generally this would be the Associate Dean and Director for FSILGs and the Associate Dean of the Office of Student Conduct). The Appeal Decision will be made after consulting with the Chair, Secretary, and any other individual within their discretion, and reviewing any relevant information. The Appeal Decision can be one of the following and will be final: Affirm the decision, modify the decision, or remand for further consideration with instructions to the Chair.
- D. In cases of decisions of Organizational Suspension, an appeal will be decided by the Chair of the Committee on Discipline. In cases of Loss of Recognition, an appeal will be decided by the Chancellor. The bases for appeal will be the same in these cases as described in Article VIII.B, and Appeal Decisions will be final.
- E. A written copy of the Appeal Decision will be provided to all involved parties within ten Institute days of the fraternity's written appeal submission.

Article X Amendments

These Bylaws may be modified at any meeting of the IFC Presidents' Council by a two-thirds vote of all present and voting members of the IFC.

APPENDIX A
Hearing Procedures

ARTICLE I
General Order of Events

1. Call to order
2. Introduction of Hearing Panel members
3. The Judicial Committee Chair shall determine if all pre-hearing procedures have been correctly observed and brief participants on the hearing procedure to be followed
4. Confirm no concern of bias/conflict of interest
5. Introductions and description of the hearing procedures to the parties.
6. The charges in the complaint are read and the Chair may ask the Respondent Fraternity to either admit or deny responsibility.
7. Opening statements by both the Complainant and the Respondent Fraternity.
8. Complainant's testimony followed by the opportunity of the Respondent Fraternity and Hearing Panel to question the Complainant.
9. Complainant's witnesses' testimony followed by the opportunity of the Respondent Fraternity and the Hearing Panel to question the Complainant's witnesses
10. Respondent Fraternity's testimony followed by the opportunity of the Complainant and the Hearing Panel to question the respondent Fraternity
11. Respondent Fraternity's witnesses' testimony followed by opportunity of the Complainant and the Hearing Panel to question the respondent Fraternity's witnesses
12. Chair may call witnesses to aid the Hearing Panel
13. Closing statement by the Chair, including when decision is expected to be made
14. Recess for deliberation and determination of sanctions

ARTICLE II
Examples of Sanctions for Organizational Probation and Suspension

1. Requiring financial restitution for labor, damage, or other material loss to the Complainant.
2. Community service relevant to the charge.
3. Attending/presenting educational programs related to recruitment, pledging, new member education, leadership development, and/or risk management related issues.
4. Withdrawal of the privilege to hold social events with or without alcohol.
5. Withdrawal of postering and advertising privileges.
6. Meeting with representatives of the FSILG Office on a regular basis to review the current status and progress toward meeting all sanction requirements.
7. Hosting educational speakers related to the violations for which they have been found responsible.
8. Restrictions on the ability to recruit (rush) and ability to hold new member intake programs.

APPENDIX B
Rush Infractions Board (RIB) Rules and Regulations

ARTICLE I
Purpose

This document will outline sanctions and procedures meant to enforce the IFC Recruitment policy. It is meant as a supplement to the IFC Judicial Committee Bylaws and all policies, unless specifically noted here as different, are consistent with the Judicial Committee Bylaws.

Article II
Jurisdiction

- A. With limited exceptions, the RIB shall be responsible for judicial functions of the IFC during recruitment periods, including pre-orientation, orientation, formal recruitment, and campus preview weekend (CPW) as defined by the IFC Recruitment rules. All other infractions will be handled by the IFC Judicial Committee.
- B. The Rush Infraction Board acts in cases involving alleged violations of the IFC Recruitment Rules and other violations deemed to affect recruitment by the JudComm and Recruitment Chairs, in consultation with the FSILG Office and OSC.
- C. All processes involving the Rush Infraction Board shall be expedited as to prevent extreme disruptions during the recruitment period. However, the JudComm Chair, a representative from the FSILG Office, and a representative from the OSC may determine that the complaint should be handled pursuant to the process outlined in the Bylaws for non-rush complaints and if so, the usual JudComm process will be followed.

ARTICLE III
Membership

- A. The Rush Infraction Board is composed identically to a Hearing Panel as described in the Bylaws. The Judicial Committee Chair will not vote, but will only serve in an advisory capacity to the Rush Infraction Board.

ARTICLE IV
Pre-Hearing Procedures

- A. Complaints need to be in writing and must be filed no later than one day after either the date of the alleged violation or discovery of alleged violation except in the case of extenuating circumstances or egregious violations. This is to ensure that the hearing and appropriate sanctioning can take place in a timely manner.
- B. All reasonable efforts will be made to provide the Respondent Fraternity the opportunity to respond in writing. However, the need for timely resolution outweighs the need for written response. Failure to provide a written response or not having the opportunity to respond in

writing will not be considered a procedural violation.

- C. A hearing should be scheduled to occur no later than 10 PM the day after the complaint is received except in the case of extenuating circumstances. A day is defined per the Recruitment Rules.
- D. Complaints must contain compelling support (photographs, witness testimony, etc.) for a complaint to go to a hearing before the RIB.
- E. All hearings will be called at the discretion of the JudComm Chair and the FSILG Office and OSC.
- F. In consultation with the JudComm and IFC Recruitment Chair, the FSILG Office or OSC can impose temporary administrative sanctions if such sanctions are deemed necessary to protect the integrity of MIT, IFC or the recruitment process.

ARTICLE V Hearings

- A. The Hearing Panel shall consist of the Secretary and four members of the JudComm, randomly chosen by the JudComm Chair. The procedure for these hearings shall follow the same procedure as outlined in Appendix A (Hearing Procedures).

ARTICLE VI Sanctions

- A. All fines and sanctions listed below are the recommended fines and sanctions for the given offenses. The fine issued will not be more than five times the recommended fines listed below. The maximum penalty for offenses will be Loss of Recognition.
- B. The display of paraphernalia in poor taste will result in the following fines. What is considered poor taste is up to the discretion of the IFC Recruitment Chair.
 - a. \$50 per poster in poor taste.
 - b. \$100 per T-shirt in poor taste.
 - c. \$500 per event in poor taste, the immediate closure of said event, and the loss of one eligible event date.
- C. Distribution of paraphernalia during improper times as indicated by the Recruitment Rules will result in the following fines:
 - a. \$50 per poster.
 - b. \$100 per T-shirt.
 - c. \$200 per digital offense.⁴
- D. Unwarranted contact with a recruitee, as outlined in Article 1 Section 6 of the Recruitment Rules, will result in a fine of \$100.

⁴ A digital offense is defined as the active distribution of documents, event information, or other materials transmitted electronically, at the discretion of the IFC Recruitment Chair.

- E. Revealing the affiliation of a PRC will result in a fine of \$200.
 - a. A second offense will result in educational sanctions in addition to the \$200.

- F. Each freshman found in a Fraternity house before the recruitment period will result in a fine of \$200, except with the approval of the IFC Recruitment Chair.
 - a. An additional offense will result in another fine of \$200 and the loss of the ability to entertain freshmen through jaunts and on-campus events during the first day of formal recruitment.

- G. Hosting an event during a time prohibited by the Recruitment Rules including during pre-orientation and orientation, will result in the loss of a recruit event.

- H. Finding alcohol in the combined living area or personal bedrooms of Fraternity members during prohibited times will result in the following fines. What constitutes a single offense will be determined by the JudComm Chair.
 - a. The first offense will carry a warning and immediate removal.
 - b. Houses found with alcohol will be notified within 48 hours, in writing, by the Judicial Committee Chairman
 - c. Additional offenses will result in the following fines per container:
 - i. \$5 per ounce of liquid the container can hold if the alcohol is less than or equal to 20 proof.
 - ii. \$10 per ounce of liquid the container can hold if the alcohol is greater than 20 proof.
 - d. If the offense during CPW is extreme, the organization will further lose its ability to host pre-freshmen during the following year's CPW.
 - e. Drinking with prospective new members will result in additional recruitment sanctions at the discretion of the IFC Judicial Committee Committee or the Rush Infraction Board.

- I. If alcohol inspectors do not complete their inspections and email the Judicial Committee Chair their results, the organization of the inspectors will be fined \$250. This is to ensure that all organizations keep each other accountable for the inspection process.

- J. During CPW, coercing freshman into switching housing assignments will result in the loss of the privilege to host freshmen during the following year's CPW.

- K. Organizations that fail to report a complete list of pre-freshmen they are supposed to be hosting during CPW will be fined \$100 for each offense, with multiple offenses resulting in the loss of the privilege to host pre-freshmen for CPW in future years.
 - a. Inaccuracy in reports will result in fine of \$25 per inaccuracy.

- L. Fraternity member attendance at events that the IFC Recruitment Chair has specified as prohibiting Fraternity member attendance will result in a fine of \$50 per member per offense.

- M. Wearing letters or paraphernalia during times or at events at which the IFC Recruitment Chair has specified they are prohibited will result in a fine of \$50 per offense.

- N. Failure to run Clearinghouse during times specified by the Recruitment Rules will result in a fine of \$50 per hour it is not run.

- O. Inaccuracy in Clearinghouse data will result in a fine of \$25 per offense.

- P. Indicating that a bid will be given prior to the first allowed day for giving bids will result in a fine of \$100 per offense.
- Q. Offering an early bid will result in a fine of \$500 per offense.
- R. Closing bids prior to the end of formal recruitment will result in a fine of \$100.
- S. Actively recruiting a recruitee who has already joined another organization will result in a fine of \$500. Consideration will be placed on the methods used to recruit.
- T. Taking freshmen on off-campus jaunts when prohibited will result in the loss of the privilege to jaunt for one day per offense, beginning with the next day jaunts are permitted.
- U. Holding a jaunt that exceeds the allowed time per jaunt will result in the cancellation of the following jaunt.
- V. Holding a jaunt outside of the allowed time for jaunts, as defined in the Recruitment Rules, will result in the loss of the privilege to have jaunts on the next day jaunts are permitted.
- W. Holding an event catering to women by a non-coed organization will result in the cancellation of the event and a \$200 fine. What events are judged as catering to women is at the discretion of the IFC Recruitment Chair in consultation with the Panhellenic Association.

ARTICLE VII

Appeals

- A. Appeals must be filed with the Judicial Committee Chair no later than seven Institute days after the decision is made available.
- B. Sanctions will be in effect until a decision is reached on the appeal.
- C. Appeals shall be heard by the JudComm Chair, a representative from the FSILG Office and a representative from the OSC. The purpose of this arrangement is to expedite the appeals process. Appeals may be made only on the following grounds:
 - a. There was a substantial procedural violation, which would likely have resulted in a different decision; and/or
 - b. The sanction given is too severe for the violation(s).
 - i. The impact of the sanction on recruitment is not necessarily an indication of severity.
 - ii. Significant deviation from precedent is not necessarily an indication of severity if the RIB had a defensible and articulated reason for the deviation.
- D. Appeal decisions will be made within 12 hours after the hearing has been completed.
- E. All other guidelines for appeals will be followed in accordance with the appeals process stipulated in the JudComm Bylaws.

Article VIII
Post-Hearing

- A. Following the hearing and appeal, the JudComm Chair and Secretary will write a report of the hearing/appeal process and the finding. This report will be sent to the IFC President. The JudComm Chair will also notify all of the IFC Fraternity Presidents and Recruitment Chairs within one Institute day following the hearing/appeal of the result.