

Judicial Bylaws

Be it resolved that the following document shall be known as the:

Judicial Bylaws of the Inter-Greek Council at the State University of New York College at Geneseo

Article I: Purpose

Be it resolved that THIS Judicial policy be subject to all policies governing The Inter-Greek Council of the State University of New York College at Geneseo, and the guidelines as established by the Student Organization Code of Conduct.

Be it further resolved that at anytime a member organization of The Inter-Greek Council and its subsidiary groups undergoes a judicial review the guidelines established within THESE Judicial Bylaws be followed.

Be it known that that the College may initiate disciplinary action under its own procedures at its own discretion.

Article II: Rationale for Judicial Review

Judicial Review shall be deemed necessary in the following instances:

- A. Infraction of the Inter-Greek Council Constitution
- B. Infraction of the Subsidiary Council's constitution of which your organization falls under.
- C. Infraction of the Official Rules contained within the Student Organization Handbook and the Standards of Conduct Bylaws of the Inter-Greek Council.
- D. Infractions of the Student Code of Conduct, Rules for Public Order, Campus Administrative Rules for Students, local/state/federal laws.

Article III : Judicial Committee

- A. The Inter-Greek Council Judicial Committee shall consist of:
 - a. The IGC President, serving as chair and as a non-voting member
 - b. The IGC Secretary, recording minutes from the hearing and as a non-member
 - c. The IGC advisor or a designee (ex-officio and non-voting)
 - d. Five members representing two fraternities, two sororities and one other Greek organization that is selected at random.
 - i. No members of the Committee may be affiliated with the organization accused of the violation.
 - ii. Every semester, each IGC organization will submit the name of one organization member who will serve as the judicial committee

member who can but not necessarily mandatory to be the IGC representative.

- iii. When needed, the IGC President shall choose, by random selection, the individuals who will serve on the judicial committee convened for each incident.

Article IV: Notification

Any organization accused of an infraction shall receive notice of an impending judicial review in the following manner:

- A. The IGC President will provide the accused with an electronic copy as well as a hard written copy, prior notice of a hearing. The notice shall be given at least one week prior to the hearing date (7 days) and shall detail the location and time of the scheduled hearing.
- B. Notice of the hearing will be accompanied by a statement of the charges. This statement will include a description of the alleged incidents and a listing of rules, which were violated as a result of the alleged incidents.
- C. The accused chapter will be given an opportunity within the 7 day window between their notification and their hearing to propose a self-imposed sanction to IGC in order to punish themselves and avoid a hearing. IGC retains the right to refuse any proposed sanction and continue with the judicial process.

Article V: Committee Hearing

- A. The hearing shall be a closed session including the IGC Judicial Committee, the Executive Officers of the accused chapter, and the chapter's college advisor (optional).
- B. The officers of the accused chapter shall have the opportunity to review evidence relating to the alleged violations. They may ask questions of those presenting evidence/testimony, present any relevant information in support of their chapter's position, call a reasonable number of witnesses on their behalf, and have an opportunity to make a final, concluding statement to the members of the judicial committee.
- C. The accused chapter may have a judicial advisor of choice --including an attorney-- present throughout the proceeding. The advisor may not participate directly in proceedings; his or her role is restricted to advising his or her client
- D. At the conclusion of the hearing, everyone except judicial committee members shall be excused from the room. After considering all of the evidence the committee will render a decision. The committee may dismiss the charges for no apparent violation, insufficient evidence, or lack of jurisdiction. If the committee does not decide upon dismissal, it shall weigh the evidence and determine whether the accused is guilty or innocent. If the verdict is guilty, the committee shall decide upon an appropriate disciplinary sanction. All decisions of the committee are determined by a majority vote.

- E. If an accused chapter fails to appear (minimum of one officer is required) before the judicial committee without requesting and being granted a postponement, a decision shall be made by the committee after considering all information available at the time.
- F. The decision of the judicial committee shall be communicated orally to the accused chapter officers at the conclusion of the hearing. A written statement of the findings and the action of the committee will be provided to the accused chapter and IGC within two business days of the hearing.
- G. An appeal of the decision of the judicial committee maybe made within five business days of the written notification of that decision. Appeals must be submitted in writing to the IGC President and will be considered by the members of the Executive Board (excluding any board members associated with the petitioning chapter). Appeals must be based on the following arguments:
 - a. Incorrect conclusion as to the extent of wrongdoing
 - b. Failure of the judicial committee/IGC to follow procedural policy.
 - c. Extremely or unfairly punitive disciplinary action (in this case, it is necessary to distinguish between severe action, which does not constitute grounds for appeal, and extremely punitive action, i.e., out of all proportion of the misconduct which occurred.)

Article VI. Sanctions and Punitive Measures

A Judicial Committee finding against a recognized Greek organization (including chapters on probationary or pre-recognition status) may result in, but not be limited to, the following sanctions:

- A. Reprimand of the Chapter by written warning to that organization.
 - a. The duration of this "warning" status will be noted in the reprimand.
 - b. If the Chapter commits a similar infraction while in "warning" status, the Judicial Committee shall impose a higher level (See B-G below) sanction.
- B. Inform IGC of the violation by the Chapter.
- C. Assess and collect damages.
- D. Assign community service projects.
- E. Assess a fine not exceeding \$500.
- F. Recommend the suspension of privileges provided by the college.
- G. Recommend change in recognition status:
 - a. FULL RECOGNITION WITH WARNING will indicate required corrective action and a schedule for accomplishing the necessary changes. If the required action is not taken, or if the deadline for such changes is not met, Probationary Recognition will be invoked.
 - b. PROBATIONARY RECOGNITION for the Chapter is for a designated period of time and will involve suspension of specific college privileges and the imposition of a schedule of corrective action(s). In the event that further infractions occur, or corrective

action is not taken, the Judiciary Committee will invoke Suspension or Withdrawal of Recognition.

- c. SUSPENSION OF RECOGNITION is for a set period of time during which all activities and privileges of the Chapter are suspended. Failure to comply or continued infractions will be sufficient cause for Withdrawal of Recognition.
- d. WITHDRAWAL OF RECOGNITION requires the Chapter to cease all operations. All campus privileges and college permission for the Chapter to function are revoked. Upon Withdrawal of Recognition, the Chapter shall be ineligible to re-apply for recognition for two years.

If the Chapter fails to comply with these punitive measures, a judicial committee will be convened and additional sanctions will be imposed.