

**THE FRATERNITY/SORORITY REVIEW BOARD of TEXAS STATE UNIVERSITY**

**RULES OF OPERATION**

**ARTICLE I: NAME**

This organization will be known as the Fraternity/Sorority Review Board (FSRB) of Texas State University.

**ARTICLE II: PURPOSE**

Through self-governance, accountability and education, the FSRB will enforce the policies set forth by these "Rules of Operation;" Interfraternity Council (IFC), Multicultural Greek Council (MGC), Panhellenic Council (PHC), and National PanHellenic Council (NPHC) Constitutions and Bylaws; SA/PPS No. 07/10 Fraternity and Sorority Use of Alcohol at Social Events; University Hazing Policies for all Recognized Student Organizations (RSO's); and, other related documents and forms.

**ARTICLE III: JURISDICTION**

Section 1. The FSRB has authority in dealing with violations of any of the above stated documents, unless their authority is superseded by a higher body (i.e. The Office of Student Involvement, Dean of Students Office, Vice President for Student Affairs).

Section 2. Exception: Violations of Council Specific Policy Violations. *(Example: PHC Recruitment Policies will be adjudicated using the procedures provided by the National Panhellenic Conference (NPC), as outlined in the NPC Manual of Information. The Fraternity/Sorority Review Board does not have jurisdiction over PHC recruitment violations.)*

Section 3. Upon referral by the Office of Student Involvement and/or the Dean of Students Office, the FSRB may handle cases of violations of the Student Code of Conduct involving chapters.

Section 4. The FSRB will not adjudicate any cases of individual students violating the Student Code of Conduct.

Section 5. This Board reserves the right to hold a chapter accountable for the actions of an individual of that chapter.

**ARTICLE IV: COMPLAINTS**

Section 1. Any individual or organization may file a complaint with FSRB by filling out a "Complaint against an IFC/MGC/PHC/NPHC Chapter" Form, or submitting either a

hand-written or typed letter, signed and dated, as evidence of complaint. No anonymous complaints will be accepted. However, a chapter president or University staff member may serve as witness or informant for a member who wishes to remain anonymous.

Section 2. Any legitimate complaint is reviewed by the FSRP Chairs and the FSRB advisors. If deemed necessary, a review will be scheduled.

Section 3. Concerning all violations of the above stated documents, a person(s) having reasonable cause to believe a Fraternity/Sorority organization or a member has violated the provisions must notify the Dean of Students Office – Greek Affairs or the Office of Student Involvement, within three working days after the incident occurred.

Section 4. Complaints can only be filed against an organization. Complaints may not be filed against individual members. Complaints that indicate individual responsibility will be referred to the Dean of Students – Student Justice Office.

#### **ARTICLE V: MEMBERSHIP**

Section 1. ADVISORS: The Fraternity/Sorority Review Board Advisors (FSRB advisors) shall be designated by the Assistant Dean of Students – Greek Affairs.

Section 2. The FSRB Chairs will be the elected judicial officers of the four Greek governing councils. These officers shall act in the capacity as non-voting members. These are elected executive positions on each council.

Section 3. The FSRB will be comprised of no more than one (1) member from each IFC, MGC, PHC and NPHC organization. Each chapter will nominate one member to serve on the FSRB. Members of the FSRB must meet the following minimum requirements to serve on the Board:

- Must be an active member, in good standing, of their fraternity/sorority. May not serve on the board during their first semester of membership in their organization.
- Must have a minimum 2.50 cumulative grade point average (GPA).
- Must be in good disciplinary standing with the University.
- Must be able to serve for the entire academic year.
- Cannot serve as a Greek Council Executive Officer, and it is recommended that they not serve as Chapter President, at the time of appointment.
- Attendance is required at all meetings, including training sessions. Two (2) excused (prior approved) absences are allowed per justice. Exceeding the limit will be grounds for dismissal from the FSRB.

- Attire for FSRB meetings and training is business casual. Business attire is appropriate for hearings.
- The FSRB materials binder, which a member of the board receives, is property of the Dean of Students Office – Greek Affairs. The binder is on loan to the FSRB member for the duration of time they serve on the board. In the event the binder is lost, destroyed or not returned, the FSRB member will be charged for the cost of the binder itself and the copying of its contents.

Section 4. Ex-Officio Members: The ex-officio, or non-voting members may be, but are not limited to: 1) the FSRB advisors; and, 2) designated graduate assistants working with the Dean of Students Office – Greek Affairs. All ex-officio members, with the exception of the FSRB advisors, wishing to attend a review must receive prior permission from the FSRB advisors.

**ARTICLE VI: PROCESSING COMPLAINTS** *(See Appendix A – FSRB Work Flow)*

Section 1. Upon receipt of a “Complaint against an IFC/MGC/PHC/NPHC Chapter” Form, the FSRB Advisors and Chairs will meet to review the materials provided.

Section 2. If the complaint lacks merit, or if the FSRB lacks jurisdiction, the complaint is dismissed and the complainant and accused chapter are notified in writing.

Section 3. Under certain circumstances related to the severity or timeliness of the incident, the Advisors and Chairs reserve the right to send a complaint directly to a Hearing Board.

Section 4. If the complaint meets the following criteria, a mediation process will be initiated. *(See Appendix B for a description of the Mediation Process.)*

- A. The complaint is properly prepared, and includes appropriate detail on the incident.
- B. It is determined that a clause of one of the above-noted governing documents has been violated.
- C. It appears that a violation has occurred.

Section 5. The Mediation Process may end in one of three results:

- A. The organization admits responsibility for violating the stated policy. In that case, the mediation will seek to come to an agreement on sanctions. If an agreement is reached, the mediation agreement will go to the full FSRB for approval.
- B. The organization admits responsibility for violating the stated policy. In that

case, the mediation will seek to come to an agreement on sanctions. If an agreement on sanctions cannot be reached, the process of determining sanctions will be sent to a Hearing Board.

- C. The organization does not admit responsibility for violating the stated policy. The case will be sent to a Hearing Board.

Section 6. Adjudication of the complaint and/or the sanction will follow the Board Hearing Process, as described in *Appendix C*.

Section 7. If the nature of the alleged violation is of a serious nature that may involve individual safety or a threat to the community, the Associate Vice President for Student Affairs - Dean of Students, in consultation with the Vice President of Student Affairs and the Office of Student Involvement, may immediately place the accused chapter on an interim suspension status.

#### **ARTICLE VII: ENFORCEMENT & SANCTIONS**

Section 1. The FSRB shall have authority to impose restrictions or limitations in all disciplinary reviews involving the Fraternity/Sorority chapter's adherence to those documents stated in Article II.

Section 2. The FSRB will have power to impose limitations or restrictions on a chapter, if it is deemed necessary.

Section 3. Previous violations of policies by the chapter can be considered in the sanctioning process. That information may not be considered in determining responsibility.

Section 4. The FSRB will review the completion of sanctions and make final determination when all sanctions have been completed. Written notification will be sent to the chapter upon completion of all sanctions.

#### **ARTICLE VIII: APPEALS**

Section 1. Appeals must be made in writing to the Dean of Students within seven (7) calendar days, signed and dated, after the receipt of the Fraternity/Sorority Review Board's decision.

Section 2. Appeals can be made only if the respondent feels any or all of the conditions below have been met:

- A. A substantial procedural error that unreasonably impaired either party.
- B. An unduly harsh recommendation for restrictions or limitations against the accused chapter.

- C. New evidence of a substantive nature not available at the original review.
- D. Substantiated bias on the part of any judicial board member or administrative review officer.

Section 3. Decisions of the FSRB that result in the suspension or expulsion of a chapter will be automatically sent to the Dean of Students for final review and approval. The Chapter will be given seven (7) calendar days to provide additional information before a final determination is made by the Dean of Students to enforce the suspension or expulsion of a chapter handed down by the FSRB if an appeal is not already made by the fraternity/sorority under review.

#### **ARTICLE IX: TRAINING**

Section 1. Training will be presented by the FSRB Advisors at the start of each semester. The training will follow the agenda found in *Appendix F*.

Section 2. FSRB members may not participate in a Mediation or Hearing Process until they have completed training.

#### **ARTICLE X: MEETINGS**

Section 1. The FSRB shall hold business meetings at least three times per semester. Additional meetings may be scheduled as needed by the FSRB Chairs and FSRB Advisors.

Section 2. A quorum is required to conduct business, or take any votes. Section 3. The following items shall appear on the meeting agenda:

- A. Review and approval of mediations, and sanctions. Vote to approve completed mediations, as needed.
- B. Review of Hearing Boards.
- C. Review and update on any on-going sanctions.
- D. Additional training.

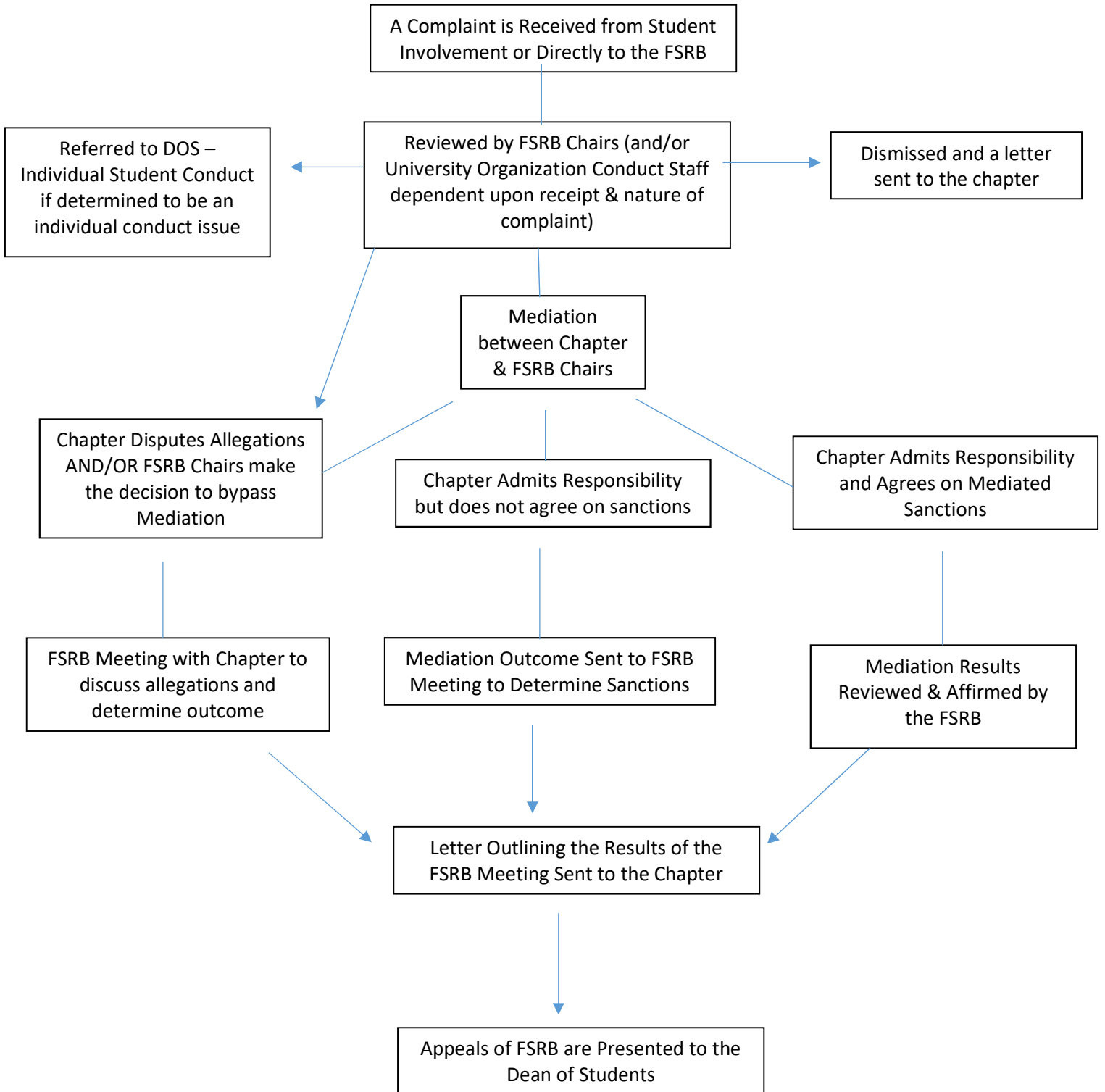
#### **ARTICLE XI: AMENDMENTS**

Section 1. The Fraternity/Sorority Review Board Rules of Operation may be amended only by a majority vote of the FSRB Members.

Section 2. Amendments may not supersede any policies of the IFC/MGC/PHC/NPHC Constitutions & Bylaws, University Conduct Processes or University Policies.

#### **APPENDIX A – FSRB WORK FLOW PROCESS**

**TEXAS STATE UNIVERSITY  
FRATERNITY & SORORITY REVIEW BOARD  
WORK FLOW PROCESS**



**APPENDIX B – THE MEDIATION PROCESS**

Section 1. Notification

- A. In the case of a mediation, the Chair for the respective council shall present written notice to the chapter(s) at least seventy-two (72) hours or three (3) days prior to the hearing.
- B. The “Notice to Appear” issued by a Chair must include the following:
- Name of complainant.
  - Date, place and nature of incident.
  - Document(s) violated and specific violation(s).
  - Procedure for mediation.
  - Date, time and place of mediation.
  - Statement regarding the right of the respondent to review the file prior to the review.
- C. Once the “Notice to Appear” has been issued, the Chair will place it in a sealed envelope labeled “confidential,” to be picked up at the Dean of Students – Greek Affairs Office. The Chair will also call the chapter president to notify them of its location. The letter will only be released to the chapter’s president, chapter advisor, or faculty/staff advisor. They will be required to sign a receipt upon accepting the letter.

Section 2. The Mediation Meeting

- A. The mediation meeting will be facilitated by one of the FSRB Advisors using the mediation script in Appendix A-1.
- B. The FSRB will be represented by the Chair from the council of chapter, along with two members of the FSRB (one male and one female). If the Chair’s chapter is scheduled for review, they will defer presentation to one of the other council Chairs.
- C. The Chapter shall be represented by no more than three individuals. It is recommended that this include the chapter president and chapter advisor.
- D. The presiding FSRB Chair will present the case on behalf of the complainant. This will include the date, place and nature of the incident; any appropriate documents or details regarding the incident; and the specific policies violated by the incident.
- E. An audiotape recorder will be used to record the mediation proceedings. This audiotape is confidential, and will remain in the chapter’s closed FSRB file. The FSRB files may only be accessed by the Chairs, the FSRB Advisors, and Senior University Administrators, as needed.
- F. The audiotapes and the FSRB files are maintained by the Dean of Students – Greek

Affairs Office for a period of five (5) years.



## **APPENDIX C – THE HEARING BOARD PROCESS**

### **Section 1. Notification**

- A. In the case of a hearing, the Chair for the respective council shall present written notice to the chapter(s) at least seventy-two (72) hours or three (3) days prior to the hearing.
- B. The “Notice to Appear” issued by a Chair must include the following:
  - 1) Name of complainant.
  - 2) Date, place and nature of incident.
  - 3) Document(s) violated and specific violation(s).
  - 4) Procedure for hearing.
  - 5) Date, time and place of hearing.
  - 6) Witnesses for respondent.
  - 7) Witnesses for complainant, requested by FSRB.
  - 8) Statement regarding the right of the respondent to review the file prior to the review.
- C. Once the “Notice to Appear” has been issued, the Chair will place it in a sealed envelope labeled “confidential,” to be picked up from the DOS-Greek Affairs Office. The Chair will also call the chapter president to notify them of its location. The letter will only be released to the chapter’s president, chapter advisor, or faculty/staff advisor. They will be required to sign a receipt upon accepting the letter.

### **Section 2. The Hearing Board**

- A. The Hearing Board shall consist of seven (7) members chosen from the body of all trained FSRB members. An effort will be made to have representatives from each council, and the largest number from the council of the accused chapter.
- B. The Hearing Board will be advised during the process by one of the FSRB Advisors.
- C. Each member is required to keep the content of the hearing confidential. Breaking this confidence is grounds for immediate dismissal upon proof provided by the Chairs, and confirmed in writing by the FSRB advisor.

- D. In the event any active FSRB member's chapter is involved in a violation, that member will not be called to the hearing and may not serve as a witness. The FSRB member has the option of sending a written statement with the chapter representative to the hearing, if the information the FSRB members possesses is relevant.

Section 3. Presenter(s) of Information

- A. The presenter(s) of information regarding the violation will be the FSRB Chairs, depending on which documents/policies have been violated. The presenters of information reserve the express right to request the presence of witnesses, additional chapter members, etc.
- B. If the presenters' chapter is scheduled for review, they will defer presentation to their counterparts.
- C. The Presenter(s) of Information will be assisted by one of the FSRB Advisors. That FSRB Advisor will also be responsible for facilitating the hearing according to the designated procedures.
- D. The FSRB can request a chapter member to be present at a FSRB review. Failure to appear may result in further judicial action against the respondent.

Section 4. Council Vice President of Standards/FSRB Chairs

- A. All vice presidents/FSRB chairs shall be responsible for confirming arrangements of all necessary meetings/reviews. They are also responsible for notifying chapters that have violations, etc. via the "Notice to Appear" form. Written and oral communication of the review must be given to the board members, respondents and the Dean of Students – Greek Affairs Office.

Section 5. Review Procedures

- A. Adjudication of the incident will be facilitated by the vice presidents of standards/FSRB chairs acting as presenters of information, the chapter's president/representatives and any other appropriate parties.
- B. A review will not be suspended due to the absence of a respondent unless upon good cause shown.
- C. The FSRB, by a majority vote of those present may agree to suspend or discontinue the review of a chapter.

- D. The hearing and order of testimony shall follow "The Fraternity/Sorority Review Board Hearing Procedure" document.
- E. Each party is limited to no more than five (5) witnesses and no more than two (2) non-speaking individuals per hearing.
- F. Counsel secured by the respondent may be present at the review. This individual may counsel but not represent the chapter. Furthermore, counsel may speak only when directly asked questions by the justices or the presiding chief justice.
- G. This is a hearing of peers; and, therefore, legal counsel or representation is not permitted for either the complainant or the respondent during the hearing, whether oral or written.
- H. One conference session recess, lasting no more than ten (10) minutes each, will be allowed for both the respondent and complainant.
- I. An audiotape recorder will be used to record the hearing proceedings. This audiotape is confidential, and will remain in the chapter's closed FSRB file. The FSRB files may only be accessed by the Chairs, the FSRB Advisors, and Senior University Administrators, as needed.
- J. The audiotapes and the FSRB files are maintained by the DOS – Greek Affairs Office for a period of five (5) years.

Section 6. Discussion

- A. The FSRB shall discuss the reviews proceedings in closed session with both voting and non- voting (ex-officio) members present in order to impose restrictions or limitations.
- B. The discussion session should proceed as follows:
  - 1. Review the facts;
  - 2. Determine whether respondent's conduct constitutes a violation of any relevant documents. This is done by a simple majority vote of the FSRB members present, in which abstentions are prohibited;

3. Any restrictions or limitations imposed against the respondent will be in accordance with "The Fraternity/Sorority Standards Board Code of Ethics" document:
4. The FSRB advisor has advisory authority in all judicial proceedings, but does not have a vote;
5. Contact between any FSRB member and a respondent is strictly prohibited. Violations thereof could include immediate dismissal of any FSRB member and/or restrictions/limitation levied against the respondent.
6. The Assistant Dean of Students – Greek Affairs and the Associate Director of the LBJ Student Center - Director of Student Involvement shall be notified in writing of any and all restrictions or limitations involving FSRB;
7. The FSRB advisor shall conference with the FSRB when necessary to discuss any matter pertaining to interpretation of any and all documents listed in Article II of the FSRB Rules of Operation.
8. The decision reached during the discussion session will be provided to the chapter president within 5 (five) working days after the review concludes.

## APPENDIX D – SANCTIONING GUIDELINES

### Fraternity/Sorority Review Board Restrictions and Limitations

The following document is a list of possible restrictions and limitations the Fraternity/Sorority Review Board may impose for a chapter under review. Additional limitations and restrictions not included in this list may be considered and placed on chapters at the time of the review.

1. Suspension or expulsion of membership in the respective Greek Governing Council.
2. Monetary Fines.
3. Required sponsorship of an educational program on the topic of the issue where the chapter's violation occurred.
4. Educational summaries provided by every chapter member on the topic of the issue that was violated by the chapter.
5. Collect money from every chapter member and donate it to an appropriate charity.
6. Donate time to an appropriate organization.
7. The loss of voting privileges to the chapter's respective Greek Governing Council.
8. Have a ratio of non-alcoholic functions per every event hosted with alcohol.
9. Social Probation with the loss of the ability to host any events including the use of alcohol at athletic tailgates, alumni events and parent events.
10. The loss of the right to participate in major university events and to participate in university non-Greek activities.

**APPENDIX E – FSRB COMPLAINT FORM**

**FRATERNITY/SORORITY REVIEW BOARD (FSRB) COMPLAINT FORM**

**TEXAS STATE UNIVERSITY**

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*The FSRB only handles complaints of violations against a registered fraternity or sorority. If the information provided indicates that the issue should be handled as an individual case, it will be referred to the Dean of Students Office - Student Justice staff.*

Your Name: \_\_\_\_\_

Organization Filing Complaint (if applicable): \_\_\_\_\_

Phone Number: \_\_\_\_\_ E-Mail Address: \_\_\_\_\_

*Any student, faculty, administrator, community resident or fraternity/sorority may initiate a complaint. If you are making this complaint on behalf of an organization, please provide a name, phone and e-mail for an individual contact.*

Complaint Against: \_\_\_\_\_

*Complaints may be filed against registered fraternity or sorority chapters. If more than one chapter is involved, list them all on this form.*

Date, Time, and Location of the Incident: \_\_\_\_\_

*You should provide additional details of the incident in your description.*

Please explain the incident as specifically as possible, either on the space provided below, or on an attached, typed piece of paper. You may also send, or attach, photos or screen shots/computer images related to the incident. Please include any policies or regulations that were violated by the chapter(s) involved, if you are aware of those policies.

This complaint must be submitted to either the Director of Student Involvement - Associate Director of the LBJ Student Center, on the fourth floor of the LBJ Student Center #4-2.1, or the Dean of Students – Greek Affairs Office, also on the fourth floor of the LBJ Student Center #4-14.1. It can also be submitted electronically by e-mail to [greek\\_affairs@txstate.edu](mailto:greek_affairs@txstate.edu). The report should be submitted in a timely manner, any delay in providing this information may impact the investigation and subsequent processing of the complaint.

The complaint will be reviewed by the Advisors, and Chairs, of the Fraternity/Sorority Review Board to determine the next step in the process. You can review the possible steps by reading the Fraternity/Sorority Review Board Rules of Operations on the Greek Affairs website at <http://greekaffairs.dos.txstate.edu/>

**Description of Incident:** *(Please provide as much detailed information as possible. In particular, make sure to include dates, times, locations, names, etc. Photos and screen shots can also be submitted as part of this report. You may add additional pages as needed.)*

**Complainant's Affirmation:** I affirm that the information provided in this complaint are true to the best of my knowledge, and unless noted otherwise in the description, come from first-hand knowledge of the incident.

SIGNATURE: \_\_\_\_\_ DATE: \_\_\_\_\_

## APPENDIX F: FSRB TRAINING AGENDA

- Cover
- Table of Contents
- Introductory Information (contact snapshot)
  - Contact information
  - The Role of FSRB & Member Information
  - FSRB as it relates to organization conduct (Student Involvement & Greek Affairs)
  - Flow chart
  - Stats/Facts (annual report)
- The Basics of the FSRB (FSRB Committee snapshot)
  - Departmental relationships
  - Responsibilities
  - Ethics
  - \*Lightbulb\*: time commitment, confidentiality, objectivity
- The Nitty Gritty (Buzzwords snapshot)
  - Definitions & terminology
  - Commonly referenced policies in org. conduct
  - Hazing memorandum
  - \*Activity\*: Matching game
- How To: FSRB Committee pt. 1 (Flowchart of first part of investigative process – before and during – snapshot)
  - Preponderance of Evidence
  - Questioning students
  - \*Skit\*: Questions
- How To: FSRB Committee pt. 2 (Sanctions) (Flowchart of the second part of the investigative process – after – snapshot)
  - Decision making
  - Common sanctions handed down
  - Types of findings
  - Appeal processes
  - \*Activity\*: Note-taking
  - \*Skit\*: Group think
- Case Studies
  - Minor violation
  - Major violation
  - \*Q&A\*
- Space for Notes



## **APPENDIX G: FSRB CODE OF CONDUCT**

### **FSRB CODE OF CONDUCT**

WHEREAS, the goals of Texas State University Fraternity/Sorority Review Board (FSRB) are to ensure the following:

- That the policies and high standards of Texas State University's Greek Community are upheld
- That the Greek Community is accountable for all its actions, both individually and as a chapter
- That all arbitrations and reviews be conducted in an atmosphere of friendliness with enough emphasis given to the formal procedure needed to maintain an air of dignity
- That all restrictions/limitations are appropriate and deal specifically with the area in which a violation occurred
- That all restrictions/limitation are educational in purpose for the chapters involved.
- That all proceedings are confidential and not discussed by any involved party with anyone not involved
- That all decisions made in arbitration or in review by either the Council Executive Officers and the FSRB will be upheld
- That all parties involved in a review or arbitration are treated fairly and respectfully
- That past organizational offenses are not considered when determining if a violation has occurred, but may be considered when discussing restrictions/limitations

WHEREAS, the goals of the Greek Council Executive Officers are to ensure the following:

- That members selected to be on the FSRB are fair, nonbiased, open-minded and moral individuals
- That the FSRB is comprised of an equal representation of members from every IFC/MGC/NPHC/PHC chapter at Texas State University, to the best of the Vice Presidents' abilities
- That FSRB training procedures are educational, realistic and provide ample opportunity for discussion
- That appropriate procedures take place in all areas concerning a complaint, arbitration or review
- That restrictions/limitations are appropriate to the violation

- That the Greek Community is educated on the procedures and polices set forth in the Fraternity/Sorority Review Board Rules of Operation
- That all documents relating to standards are updated in a timely manner
- That the Greek Council Vice Presidents and the FSRB take swift and appropriate action concerning violations which affront the ideals and policies of Texas State University's Greek Community.