

The Fraternity of

Alpha Kappa Lambda



**Judicial Board
Best Practices**

Foreword

Welcome to the Fraternity of Alpha Kappa Lambda Judicial Board Best Practices. This is intended to serve as a resource to chapter officers, advisers, and alumni boards in establishing and providing an operating structure for judicial boards. Undergraduate fraternity chapters are intended to function as autonomous, self-governing entities. A judicial board can help chapters create an atmosphere where the 5 Ideals of the Fraternity and the University mission are preeminent. These best practices, in conjunction with university resources, can assist the chapter in having well trained judicial board members who serve to contribute to providing members with a positive fraternity experience.

Guy L. Davis (Beta Nu '84)
Editor

Table of Contents

Judicial Board Best Practices

Section 1: Philosophy	pg. 1
Section 2: Outcomes	pg. 1
Section 3: Definition of Terms	pg. 1
Section 4: Chapter Bylaws	pg. 2
Section 5: Scope and Authority	pg. 3
Section 6: Judicial Board Members	pg. 3
Section 7: Judicial Board Members Selection and Alternates	pg. 3
Section 8: Judicial Board Members Roles, Responsibilities, and Qualifications	pg. 4
Section 9: Expectations of Judicial Board Members	pg. 4
Section 10: Conflicts of Interest	pg. 5

Judicial Board Operations

Section 1: Types of Violations	pg. 6
Section 2: Complaints and Notice of Hearing	pg. 6
Section 3: Hearing Process	pg. 7
Section 4: Appeal Process	pg. 8
Section 5: Appeal Hearings	pg. 9
Section 6: Sanctions	pg. 10

Appendix Guide

Appendix A: Sample Bylaws Judicial Board Language	pg. 12
Appendix B: AKL Statement of Policy on Hazing	pg. 14
Appendix C: AKL Risk Management Policy	pg. 15
Appendix D: Sample Notice of Allegation/Complaint and Hearing	pg. 18
Appendix E: Sample Notice of Accepting Responsibility	pg. 19
Appendix F: Sample Judicial Board Hearing Agenda	pg. 20
Appendix G: Sample Notice of Judicial Board Hearing Findings and Sanctions	pg. 21
Appendix H: Sample Notice Requesting Appeal of Sanction	pg. 22

Judicial Board Best Practices

Section 1: Philosophy

The Judicial Board of the chapter of Alpha Kappa Lambda exists to hold individual members of the chapter accountable for actions not consistent with chapter and national constitution and bylaws, fraternity policies, university policies and in keeping with our motto Men of Character Committed to Making a Difference.

The Judicial Board is a peer level hearing board intended to promote self-governance, facilitate increased education among chapter members, deter recurring and future problems and allow chapter officers to focus on duties specific to their position.

“Most people who have not been to a Judicial Board hearing think it’s like going to trial. Nothing could be further from the truth. In fact, ample case law, from the U.S. Supreme Court on down, has established that the analogy of the student conduct hearing as criminal court trial is completely inappropriate. A Judicial Board is not a criminal court of law. Rather, it is an administrative process of justice operating in an educational setting. Though we follow procedural guidelines (as required by law), we do not follow the same process used by the criminal or civil courts.

The underlying philosophy is one of education and not punishment. This does not preclude the use of punitive sanctions. Rather, this means the conduct program focuses on the education and the development of the individual respondent as well as the protection of community standards. The Judicial Board plays a precarious balancing act by striving to educate a person who has damaged his or her community and ensuring that the community is safe from damaging behavior by students.”

*Taken from The American College Personnel Association
College Student Educators International
Student Conduct Board Manual*

Section 2: Outcomes

Chapters having a functioning, active Judicial Board will be able to provide an environment where individual accountability is an expectation and chapter members are able to develop educationally and socially in achieving a wholeness of manhood that prepares them to fulfill the obligations of life.

Section 3: Definition of Terms

- 1) **Complainant**, member bringing the referral to report a violation of Fraternity bylaws, policies, university policies or principles of behavior of The Fraternity.

- 2) **Found responsible**, Judicial Board has determined by a preponderance of evidence that the respondent has committed a violation.
- 3) **Hearing**, meeting at which facts and testimony are presented to determine whether the respondent is or is not responsible for the alleged violation or act.
- 4) **Judicial Board**, refers to the members elected and appointed to hearings on matters seen as violations of Fraternity bylaws, policy, university policies, or principles of behavior of The Fraternity.
- 5) **May**, the term “may” is used in the permissive sense.
- 6) **Not found responsible**, Judicial Board has determined that the respondent has not committed a violation.
- 7) **Preponderance of the evidence**, is the term that is the standard of proof that applies to chapter judicial board hearings meaning that a finding of being responsible for a violation must be supported by evidence that is more likely than not that the violation was committed.
- 8) **Probation**, a status imposed on a member for a specific period in which the member must demonstrate conduct that conforms to Fraternity policy, bylaws, university policies or the principles of behavior of The Fraternity.
- 9) **Respondent**, member that allegedly violated Fraternity policy, bylaws, university policies or the principles of behavior of The Fraternity.
- 10) **Sanction**, is any requirement or status that is imposed on a member result of accepting responsibility or being found responsible for a violation. Sanctions are intended to be educational and consistent with the ideals and mission of the Fraternity. In cases of egregious behavior, sanctions may be levied that are more corrective in nature.
- 11) **Suspension**, a status imposed for a specific period that results in the member losing all chapter privileges.
- 12) **Shall**, the term “shall” is used in the imperative sense.
- 13) **Witness**, a witness is any person (member or non-member) who has information regarding an alleged violation or incident.

Section 4: Chapter Bylaws

Judicial Board scope of authority, composition, appointment/election process and officers (Chair etc.) must be an article of the local bylaws. *(See Appendix A: Sample Bylaws Judicial Language)*

Section 5: Scope and Authority

The Judicial Board has jurisdiction over all undergraduate, active members.

In matters where an alleged violation has caused law enforcement and/or University officials to get involved; the Judicial Board shall acquiesce to the instructions and proceedings of law enforcement and the University.

Section 6: Judicial Board Members

- 1) Judicial Board Chairman
 - a) Elected by the chapter for a 1 year term.
 - b) Chapters having the office of Sergeant at Arms may designate that person serve as the Judicial Board Chairman, provided he is elected.
- 2) Secretary
 - a) Elected by the chapter serving a 1 year term.
- 3) Four members appointed by the President
 - a) Done with consultation from the Judicial Board Chairman.
 - b) None of the appointed members should be serving on the Executive Board.
- 4) Appointed members of the Judicial Board may be selected according to either:
 - a) Year in school, one from the freshman, sophomore, junior and senior class or,
 - b) Year of graduation, in Fall 2017 members selected will be from classes graduating in 2017, 2018, 2019, 2020.

Section 7: Judicial Board Members Selection and Alternates

Once the Judicial Board Chairman is elected, he and the Chapter President shall consult on the appointed members making the final appointments. In the event a qualified member from a specific year in school is not available to serve, the Chapter President may appoint another member who meets the qualifications. Appointments to the Judicial Board should be made within 30 days of the election of the Judicial Board Chairman

In the event of vacancies on the Judicial Board by resignation or removal, vacancies should be filled by the Chapter President within 2 weeks.

It is the responsibility of the Judicial Board Chairman to appoint 2 members from different years in school or graduation year, who meet the qualifications to serve as alternate members of the Judicial Board.

Section 8: Judicial Board Members Roles, Responsibilities, and Qualifications

- 1) Role of the Judicial Board Chair
 - a) Presiding officer and lead facilitator for hearing.
 - b) Provide notification of alleged violations, hearings and decisions to respondents, complainants, witnesses and Judicial Board members as prescribed in the Judicial Board Best Practices or local bylaws.
 - c) Maintain decorum and fairness during hearings.
- 2) Role of Secretary
 - a) Responsible for correspondence related to the Judicial Board, including but not limited to notice of Judicial Board hearing, notice of Judicial Board decision(s), and report hearing outcome to National Headquarters (when applicable).
 - b) Track and maintain records of sanction requirements and completion. Notify the Judicial Board Chair and Chapter President of instances when sanction requirements are not met.
- 3) Chapter/Faculty Advisor
 - a) A chapter/faculty advisor or corporate board representative should attend Judicial Board hearings as ex-officio (non-voting) member. For the chapter/faculty advisor virtual or call-in attendance is acceptable.
- 4) Voting
 - a) The Judicial Board Chair, Chapter Secretary, and Chapter/Faculty advisor will not be voting members of the Judicial Board. However, the Judicial Board Chair will vote in the case of a tie.
- 5) Qualifications
 - a) A judicial board member must be a duly initiated member of The Fraternity, must be enrolled full time as a student as defined by the host institution and must have the minimum grade point average required for members to be elected as officers in the chapter.
 - b) Judicial board members must be in good standing (financial, academic, conduct) with the organization and institution.

Section 9: Expectations of Judicial Board Members

- 1) Each member of the Judicial Board will be expected to:
 - a) Model the behavior expected of a fraternity member,
 - b) Attend Judicial Board training sessions and fully learn the Judicial Board process and procedures,
 - c) Promote the purpose and philosophy of the Judicial Board,
 - d) Notify the chair if unable to attend a scheduled hearing well in advance,
 - e) Arrive prepared, on time, and appropriately dressed for a hearing,
 - f) Be fully engaged and present during the hearing process,
 - g) Make decisions based on facts presented during the hearing process,

- h) Agree to recuse oneself if connected to a situation and bring attention to conflicts of interest,
- i) Respect the hearing process and maintain its confidentiality by not disclosing conversation outside of the hearing,
- j) Ability to be impartial and make decisions in the best interest of the chapter, even when that means.

Section 10: Conflicts of Interest

Members of the Judicial Board who present a conflict of interest (i.e., involved in the situation, complaint, etc.) will be asked to recuse themselves at the discretion of the Chair of the Judicial Board or request of the accused member, from the hearing for which the conflict of interests exists.

If a member of the Judicial Board is recused, the Chair shall appoint an alternate member who meets all qualifications, to participate and vote in the hearing.

Judicial Board Operations

Section 1: Types of Violations

Potential violations for which members may be referred to Judicial Board include but are not limited to:

- 1) Violent or threatening behavior towards another brother or guest,
- 2) Disrespectful or poor treatment of brothers or guests,
- 3) Destruction of personal or chapter property,
- 4) Attempted or actual theft, unauthorized possession of another's property,
 - a) Permitting, condoning or engaging in acts of hazing or harassment of members regardless of their member status, (*See Appendix B: AKL Statement of Policy on Hazing*)
- 5) Offenses of University policy or local, state and/or federal laws,
 - a) Violation of AKL Risk Management Policy, (*See Appendix C: AKL Risk Management Policy*)
- 6) Offenses against the bylaws of the Chapter or National Fraternity,
- 7) Violation of chapter standards, which include but are not limited to grades, dues, deadlines, meeting attendance, and chapter participation expectations,
- 8) Violation of existing sanctions or probation,
- 9) Behavior unbecoming a member of Alpha Kappa Lambda Fraternity.

Section 2: Complaints and Notice of Hearing

- 1) A formal complaint/allegation may be made by any member of the Chapter against any other member.
- 2) Complaints/Allegations must be made in writing and submitted to the Chair of the Judicial Board. (*See Appendix D: Sample Notice of Allegation/Complaint and Hearing*)
 - a) After receiving the complaint, the Chair and members of the Judicial Board shall investigate the alleged violation.
 - b) If the Judicial Board determines a violation did in fact occur, The Judicial Board Chair will provide written notification (In person or by email) to the respondent, complainant and any members to testify of the date, time and location of the hearing.
- 3) If the Judicial Board investigates the matter and determines no violation occurred, the Judicial Board Chair will notify the respondent and complainant in writing of the decision not to hold a hearing.

- 4) The Respondent has the right to accept responsibility for the complaint/allegation and waive his right to a hearing. *(See Appendix E: Sample Notice of Accepting Responsibility)*
- 5) The Judicial Board Chair will inform the Chapter President of verdicts and any sanctions levied resulting from hearings.

Section 3: Hearing Process

A Judicial Board hearing is a closed meeting, which means that only board members, complainant and respondent are permitted in the meeting room. Witnesses will be called in as approved by the Judicial Board. The process for the hearing will be conducted as follows:

- 1) Hearing called to order by the Judicial Board Chair. *(See Appendix F: Sample Judicial Board Hearing Agenda)*
- 2) Introduction of the meeting participants and their role.
- 3) Overview of the process.
- 4) Reading of the complaint/accusation.
- 5) Statement by Complainant.
 - a) Presentation of evidence (i.e., witnesses, pictures, statements)
 - b) Questions from the Respondent
 - c) Questions from Judicial Board members
- 6) Statement by Respondent.
 - a) Presentation of evidence (i.e., witnesses, pictures, statements)
 - b) Questions from the Complainant
 - c) Questions from Judicial Board members
- 7) Concluding remarks by complainant.
- 8) Concluding remarks by respondent.
- 9) Witnesses are only to be in the hearing room while they are being questioned.
- 10) Dismiss the Complainant and Respondent from the room.
- 11) The responding member will be notified of the decision and any sanctions within 48 hours of hearing taking place.
- 12) Determine responsibility

- a) If a majority of the members of the Judicial Board vote in the affirmative, the Respondent shall be found responsible. If not, the Respondent shall be found not responsible. The Secretary does not vote and the Judicial Board Chair only votes in the event of a tie.
 - b) The complaint against the Respondent must be established by a preponderance of the evidence, meaning that a reasonable person would accept that “more likely than not” a fact is true or an incident occurred.
- 13) If the respondent is found not to be responsible for a violation or incident, the complaint is closed.
 - 14) If the respondent is found to be responsible for a violation or incident the Judicial Board Chair will lead the board in reaching consensus on recommending sanctions.
 - 15) It is the duty of the Judicial Board Chair to communicate the terms of sanctions in writing to the respondent, with copies to members of the Judicial Board and the Chapter President. *(See Appendix G: Sample Notice of Judicial Board Hearing Findings and Sanctions)*
 - 16) While it is the respondent’s prerogative to discuss his case with chapter members, the Judicial Board Chair, Chapter Secretary and board members are not to discuss aspects of the case or sanctions with members or non-members of the Chapter.
 - 17) If a member of the chapter misses a Judicial Board hearing in which they are named in a complaint, the hearing will continue without them present.
 - 18) A member found responsible for a violation or incident is sanctioned and chose not to attend the judicial hearing, forfeits his right to appeal.
 - 19) The Judicial Board Chair should follow the recommended timelines to ensure that the process from hearing to decision does not take more than 30 days.

Section 4: Appeal Process

- 1) A member who was found to be responsible for a violation or incident and has been sanctioned (other than expulsion) does have the right to appeal. An appeal may be granted for the following reasons:
 - a) Due process was not properly followed which impacted the outcome
 - b) New information and evidence emerged since the time of the hearing
 - c) Sanction given is disproportionate to the violation committed
- 2) If a member intends to appeal his sanction he must submit in writing within 5 days of the decision of the Judicial Board his rationale for appeal of the Judicial Board decision to the Chapter President. *(See Appendix H: Sample Notice Requesting Appeal of Sanction)*

- 3) Upon receiving a request for appeal of a Judicial Board decision the Chapter President shall appoint a panel of 3 members to hear the appeal.
- 4) Members on the panel to hear the appeal must be initiated members of the Fraternity, who were not involved in the initial hearing as Judicial Board members or witness. They maybe Judicial Board alternate members or members of the executive board except for the Chapter President and Secretary or other members of the chapter in good standing.
- 5) Members of the appeal panel will first read the respondents request and rationale for appeal. They will decide if the request merits an appeal hearing or not and notify the respondent of their decision.
- 6) Provided the members of the appeal panel have decided that an appeal hearing is warranted, the Chapter President will provide written notification (In person or by email) to the respondent, complainant and appeal panel members of the date, time and location of the appeal hearing.
- 7) Present during the appeal hearing will be the Chapter President (lead facilitator of the hearing), Chapter Secretary (Takes minutes at the hearing), 3 panel members (hearing the appeal), respondent (member appealing the decision/sanction) and the complainant (member having brought the initial complaint/allegation). The chapter/faculty advisor or corporate board representative should be present during judicial appeal hearings as ex-officio (non-voting) member. Virtual or call-in attendance for the chapter/faculty advisor is acceptable.

Section 5: Appeal Hearings

- 1) Hearing called to order by the Chapter President.
- 2) Review of the request for appeal and minutes from the initial judicial hearing.
- 3) Statement from the complainant member.
- 4) Statement from the respondent member.
- 5) Deliberation by the appeal panel, the Chapter President and Secretary will meet with the panel to record their decision.
- 6) The Chapter President will inform the respondent member of the decision of the appeal panel and status of his sanction within 48 hours of the appeal hearing.

Section 6: Sanctions

- 1) Letter of Reflection and Apology, to be used when a members' behavior reflects poorly on the Fraternity, Greek System or the University.
- 2) Monetary fine.
- 3) Community service
- 4) Completion of educational seminars/courses/workshops conducted with the approval of the National Headquarters or the University that provide the opportunity to understand the conduct expectations for members of the Fraternity.
- 5) Restitution, payment for personal injury cost or to replace property (chapter or individual) that is damaged or stolen.
- 6) Loss of office, member will be removed from the office they hold in the Chapter.
- 7) Loss of seniority in the room selection process or termination of lease/contract and removal from the chapter house (eviction according to local housing statutes).
- 8) Loss of privileges to run for chapter offices in future elections.
- 9) With the assistance of chapter/faculty advisor or corporation/alumni board representative the judicial board make recommend or require a member use professional services (counseling, educational programs) on-campus or community based to assist in resolving behavioral issues. To maintain confidentiality, this type of sanction should only be assigned when an adviser agrees it is appropriate and is willing to verify the member has completed required meetings.
- 10) Suspension from the chapter for a prescribed period of time will result in the loss of all chapter privileges including attendance at chapter meetings, voting privileges, participation in all events including socials and intramurals. Suspension shall be used in cases where a member is charged by the University or Law Enforcement and there is an ongoing investigation by that external body.
- 11) Expulsion, the decision to expel a member is reserved for egregious actions and as a last resort for members who are not willing to correct negative behaviors. Recommendation for expulsion by the Judicial Board must be forwarded to the executive board of the chapter who must act in accordance with Chapter bylaws and initiate expulsion proceedings against the member. Once a member has been voted to be expelled by the chapter, it is then the duty of the Chapter President to notify the National Headquarters as required by Article III, Section 7 A. of the National bylaws. A member who is recommended for expulsion by the chapter has the right to appeal to the Judicial Board of the Fraternity in accordance with Article III, Section 7 B. of the National Bylaws.

Appendix Guide

Appendix A: Sample Bylaws Judicial Board Language

Appendix B: AKL Statement of Policy on Hazing

Appendix C: AKL Risk Management Policy

Appendix D: Sample Notice of Allegation/Complaint and Hearing

Appendix E: Sample Notice of Accepting Responsibility

Appendix F: Sample Judicial Board Hearing Agenda

Appendix G: Sample Notice of Judicial Board Hearing Findings and Sanctions

Appendix H: Sample Notice Requesting Appeal of Sanction

Appendix A: Sample Bylaws Judicial Board Language

Article ____: Judicial Board

Section 1: Purpose and Authority

- 1) The Judicial Board of _____ Chapter/Colony of Alpha Kappa Lambda exists to hold individual members of the chapter accountable for actions not consistent with chapter/colony and national constitution and bylaws, fraternity policies, university policies and in keeping with our motto Men of Character Committed to Making a Difference.
- 2) The Judicial Board has jurisdiction over all active members of _____ Chapter/Colony.

Section 2: Composition

- 1) The Judicial Board shall be composed of six members of this chapter including The Judicial Board Chair (Sergeant at Arms, provided the chapter has this elected office), Chapter Secretary and four appointed members.

Section 3: Elections and Appointments

- 1) The Judicial Board Chair (or Sergeant at Arms) shall be elected by the chapter to a 1 year term at the time of election. The four appointed members of the Judicial Board will be appointed by the president in consultation with the Judicial Board Chairman, to one year terms.
- 2) The Judicial Board Chairman shall appoint two members from different years in school or graduation year, who meet the qualifications to serve as alternate members of the Judicial Board.
- 3) All members of the Judicial Board shall meet the following requirements:
 - a) Be an initiated member of the Fraternity,
 - b) Be in good standing (financial, academic, conduct) with the Chapter, University and National Fraternity,
 - c) Enrolled as a full-time student,
 - d) Have the minimum grade point average (GPA) as required to run for elected office in the chapter.

Section 4: Vacancies and Removal

- 1) In the event of vacancies (of the appointed members) on the Judicial Board by resignation or removal, vacancies shall be filled by the Chapter President in consultation with the Judicial Board Chair within two weeks.
- 2) An appointed member of the Judicial Board may be removed for cause by majority vote of the chapter executive board.
- 3) The Judicial Board Chair and Secretary, being elected officers of the chapter, may be removed for cause in accordance with the provisions outlined in the local bylaws. If

the Judicial Board Chair or Secretary is removed from office, the chapter will in accordance with the bylaws fill or hold an election for the remaining term.

Section 5: Training

The Judicial Board Chair shall work with officials from AKL National Headquarters, the University or other professional association to provide training at the beginning of the term of office for new and continuing members of the Judicial Board.

Section 6: Judicial Board Operations

The Judicial Board will follow hearing procedures, sanctions, and appeal process as outlined in the Judicial Board Best Practices.

Appendix B: AKL Statement of Policy on Hazing

The emphasis on all programs with pledges and/or initiated members shall be on the development and understanding of the dignity and worth of each and every individual; and

The purpose and objectives for all programs shall be discussed with all participants in advance; and

Use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips, wearing apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities and any other activities which are in poor taste and not consistent with fraternal law, ritual or policy or the regulations and policies of the educational institution are prohibited at any and all times in all chapters for pledges and all others.

The Fraternity of Alpha Kappa Lambda will continue to develop our fraternity education program to make it a constructive and meaningful part of our undergraduate brother's experience.

Appendix C: AKL Risk Management Policy

ALCOHOL AND DRUGS

- 1) The possession, sale, use or consumption of ALCOHOLIC BEVERAGES, while on chapter premises or during a fraternity event, in any situation sponsored or endorsed by the chapter, or at any event an observer would associate with the fraternity, must be in compliance with any and all applicable laws of the state, province, county, city and institution of higher education, and must comply with either the BYOB or Third Party Vendor Guidelines.
- 2) No alcoholic beverages may be purchased through or with chapter funds nor may the purchase of same for members or guests be undertaken or coordinated by any member in the name of or on behalf of the chapter. The purchase or use of a bulk quantity or common source(s) of alcoholic beverage, for example, kegs or cases, is prohibited.
- 3) OPEN PARTIES, meaning those with unrestricted access by non-members of the fraternity, without specific invitation, where alcohol is present, are prohibited.
- 4) No members, collectively or individually, shall purchase for, serve to, or sell alcoholic beverages to any minor (i.e., those under legal drinking age).
- 5) The possession, sale or use of any ILLEGAL DRUGS or CONTROLLED SUBSTANCES while on chapter premises or during a fraternity event or at any event that an observer would associate with the fraternity is strictly prohibited.
- 6) No chapter may co-sponsor an event with an alcohol distributor or tavern (tavern defined as an establishment generating more than half of annual gross sales from alcohol) at which alcohol is given away, sold or otherwise provided to those present. This includes any event held in, at or on the property of a tavern as defined above for purposes of fundraising. However, a chapter may rent or use a room or area in a tavern as defined above for a closed event held within the provisions of this policy, including the use of a third party vendor and guest list. An event at which alcohol is present may be conducted or co-sponsored with a charitable organization if the event is held within the provisions of this policy.
- 7) No chapter may co-sponsor, co-finance or attend or participate in a function at which alcohol is purchased by any of the host chapters, groups or organizations.
- 8) All recruitment or rush activities associated with any chapter will be non-alcoholic. No recruitment or rush activities associated with any chapter may be held at or in conjunction with a tavern or alcohol distributor as defined in this policy.
- 9) No member or pledge, associate/new member or novice shall permit, tolerate, encourage or participate in "drinking games." The definition of drinking games includes but is not limited to the consumption of shots of alcohol, liquor or alcoholic beverages, the practice of consuming shots equating to one's age, "beer pong,"

“century club,” “dares” or any other activity involving the consumption of alcohol which involves duress or encouragement related to the consumption of alcohol.

- 10) No alcohol shall be present at any pledge/associate member/new member/novice program, activity or ritual of the chapter. This includes but is not limited to activities associated with “bid night,” “big brother – little brother” events or activities, / “big sister - little sister” events or activities, “family” events or activities and initiation.

HAZING

No chapter, colony, student or alumnus shall conduct nor condone hazing activities. Permission or approval by a person being hazed is not a defense. Hazing activities are defined as:

"Any action taken or situation created, intentionally, whether on or off fraternity premises, to produce mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol, paddling in any form, creation of excessive fatigue, physical and psychological shocks, quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; wearing of public apparel which is conspicuous and not normally in good taste, engaging in public stunts and buffoonery, morally degrading or humiliating games and activities, and any other activities which are not consistent with academic achievement, fraternal law, ritual or policy or the regulations and policies of the educational institution or applicable state law."

SEXUAL ABUSE AND HARASSMENT

The fraternity will not tolerate or condone any form of sexist or sexually abusive behavior on the part of its members, whether physical, mental or emotional. This is to include any actions, activities or events, whether on chapter premises or an off-site location which are demeaning to women or men, including but not limited to verbal harassment, sexual assault by individuals or members acting together. The employment or use of strippers, exotic dancers or similar, whether professional or amateur, at a fraternity event as defined in this policy is prohibited.

FIRE, HEALTH AND SAFETY

- 1) All chapter houses should meet all local fire and health codes and standards.
- 2) All chapters should post by common phones and in other locations emergency numbers for fire, police and ambulance and should have posted evacuation routes on the back of the door of each sleeping room.
- 3) All chapters should comply with engineering recommendations as reported by the insurance company or municipal authorities.
- 4) The possession and/or use of firearms or explosive or incendiary devices of any kind within the confines and premises of the chapter house is prohibited.

- 5) Candles should not be used in chapter houses or individual rooms except under controlled circumstances such as initiation.

EDUCATION

Each chapter or colony shall annually instruct all members in the Risk Management Policy of Alpha Kappa Lambda. Additionally, all members and chapter volunteers shall annually receive a copy of the Risk Management Policy and a copy of the policy shall be available on the AKL website.

Appendix D: Sample Notice of Allegation/Complaint and Hearing

[DATE]

[NAME]

[CHAPTER DESIGNATION]

Dear Brother *[LAST NAME]*:

This letter serves as official notice that an allegation/complaint has been made against you. The allegation/complaint alleges you to be in violation of:

[INSERT ALLEGATION/COMPLAINT]

As a result of the allegation, the Judicial Board requests your presence at *[TIME, DATE, and LOCATION]* to determine responsibility. At this meeting, you will have an opportunity to hear and respond to the evidence upon which the allegations are based.

If you are unable to make the meeting at the time listed above, please notify the Judicial Board Chair within 24 hours from the delivery of this email. Failure to notify the Judicial Board and not appear at the meeting may be interpreted as an admission of responsibility, at which time the Judicial Board will determine an appropriate sanction.

If you would like to acknowledge responsibility for the facts explained within and waive your right to a hearing, you may respond to this document and acknowledge acceptance of responsibility. *[Appendix E: Sample Notice of Accepting Responsibility]*

The procedures for the Judicial Board are available in the Judicial Board Best Practices. Thank you in advance for your cooperation.

Fraternally,

[NAME OF JUDICIAL BOARD CHAIR]

Judicial Board Chair

[EMAIL ADDRESS OF JUDICIAL BOARD CHAIR]

Appendix E: Sample Notice of Accepting Responsibility

[DATE]

[NAME OF JUDICIAL BOARD CHAIR]

Judicial Board Chair

[EMAIL ADDRESS OF JUDICIAL BOARD CHAIR]

I, _____, acknowledge that I have been charged with *[INSERT ALLEGATION/COMPLAINT]* which is a violation of the governing policies of the Fraternity of Alpha Kappa Lambda.

I further acknowledge my behavior reflected poorly on myself and the Fraternity.

By signing here, I waive my right to a Judicial Board hearing, and I accept full responsibility for the violation and accept the sanctions levied by the Judicial Board.

Respondent Signature

Date

Judicial Board Chair Signature

Date

Appendix F: Sample Judicial Board Hearing Agenda

Judicial Board Hearing Agenda

[Meeting Date, Time, and Location]

- 1) Judicial Board Called to Order (by Judicial Board Chairman)
- 2) Introduction of Judicial Board Participants (by Judicial Board Chairman; Judicial Board members, Complainant, Respondent)
- 3) Reading of Notice of Complaint/Allegation (by Judicial Board Chairman)
- 4) Statement by Complainant
 - a) Presentation of evidence by Complainant (i.e., witnesses, pictures, statements)
 - b) Questions from Respondent
 - c) Questions from Judicial Board members
- 5) Statement by Respondent
 - a) Presentation of evidence (i.e., witnesses, pictures, statements)
 - b) Questions from Complainant
 - c) Questions from Judicial Board members
- 6) Closing Comments by Complainant
- 7) Closing Comments by Respondent
- 8) Complainant and Respondent Dismissed
- 9) Deliberations by Judicial Board members and Determination of Responsibility
- 10) Determination of Sanctions (if applicable)
- 11) Adjourn

Appendix G: Sample Notice of Judicial Board Hearing Findings and Sanctions

[DATE]

[NAME]

[CHAPTER DESIGNATION]

Dear Brother [LAST NAME]:

After review of the evidence and relevant information at your Judicial Board hearing on [DATE], the following decision was made regarding the allegations/complaints against you;

[INSERT ALLEGATION/COMPLAINT]: Responsible / Not Responsible

[INSERT ALLEGATION/COMPLAINT]: Responsible / Not Responsible

[INSERT ALLEGATION/COMPLAINT]: Responsible / Not Responsible

As a result of being found responsible for violations of Alpha Kappa Lambda's policies and standards, the following sanction has been assigned:

[SANCTIONS, with details on date of completion requirements.]

Failure to complete the sanctions outlined above within the required timeline will result in further disciplinary action from the Judicial Board. The procedures for an appeal is outlined in the Judicial Board Best Practices. Please do not hesitate to contact me if you have questions regarding sanctions or the appeal process.

Thank you in advance for your cooperation.

Fraternally,

[NAME OF JUDICIAL BOARD CHAIR]

Judicial Board Chair

[EMAIL ADDRESS OF JUDICIAL BOARD CHAIR]

Appendix H: Sample Notice Requesting Appeal of Sanction

[DATE]

[NAME]

[CHAPTER DESIGNATION]

Dear Brother *[LAST NAME]*:

I, *[NAME]* am appealing my expulsion under the premise that;

- _____ Due process was not properly followed, which impacted outcome.
- _____ New information and evidence emerged since the time of the hearing.
- _____ Sanction given is disproportionate to offense committed.

Please provide further evidence or rationale for request for appeal. Please include all documentation as needed.

I acknowledge that the information provided, to the best of my knowledge is accurate.

Respondent Signature

Date

We would like to thank the following Men's Fraternities and Institutions for sharing information related to judicial, standards, and student conduct processes and policies.

- Sigma Tau Gamma Fraternity
- Phi Kappa Sigma Fraternity
- Alpha Sigma Phi Fraternity
- Phi Kappa Tau Fraternity
- Theta Chi Fraternity
- Phi Gamma Delta Fraternity
- Pi Kappa Alpha Fraternity
- Pi Lambda Phi Fraternity
- Delta Upsilon Fraternity
- ACPA – College Student Educators International
- Iowa State University, Dean of Students Office
- Emory University, Office of Student Conduct
- University of San Diego, Office of Ethical Development and Restorative Practices
- Virginia Commonwealth University, Office of Student Conduct and Academic Integrity