

The University Relationship and Guidelines for General Fraternities and Sororities

These guidelines describe the relationship between the University of San Diego and the general fraternities and sororities, which are members of an umbrella organization (NALFO, NAPA, NIC, NMGC, NPC, NPHC, etc.), or as approved by the Assistant Vice President, Student Affairs. These guidelines also describe the policies, procedures, standards and expectations governing fraternities and sororities at the University of San Diego.

I. Relationship between the University of San Diego and USD General Fraternities and Sororities.

A. Rationale: The nationally or internationally-affiliated chapters of fraternities and sororities at the University of San Diego operate in a mutually beneficial relationship with the University. Continuation of the University contribution through advising and support is essential to ensure maximum benefit of the community both to the University and to the individual students in the fraternity/sorority community. Fraternities and sororities can make a positive contribution to the co-curricular experiences of student members and to the quality of student life in general.

B. Policies: Although all registered student organizations must comply with the *University of San Diego Student Code of Rights & Responsibilities*, the unique nature of fraternities and sororities requires additional consideration. University regulations and procedures affecting fraternity and sorority members also play an important role in maintaining the standards of the fraternity/sorority community. For a complete listing of Fraternity/Sorority Standards Board procedures, see Appendix A.

C. Responsibilities of the USD Division of Student Affairs:

1. Through advising, to act as liaison between general fraternities and sororities and the University to enhance communication and public relations.
2. To provide information to the fraternities and sororities regarding University policies, procedures and regulations, and State and local laws affecting fraternities and sororities.
3. To act as a source of information and as a liaison between new students and the fraternities and sororities. This may include information in University publications, mailing brochures to new students, and distributing lists of interested students to the organizations to facilitate membership selection.
4. To collect information on officers, members, grade point average standings, activities, policies, Council minutes, and updated constitutions and bylaws.
5. To facilitate the annual registration of fraternity/sorority organizations with the USD Associated Students.
6. To act as a consultant to Councils and chapters for their organizational development including: officer training, advising, attending meetings, and reviewing constitutions, bylaws, contracts, activity, and other proposals as requested.
7. To refer solicitors, leaders of philanthropic projects, and others to fraternity organizations.
8. To assist the governing councils in investigating allegations of misconduct by fraternities or sororities and to facilitate the process used in discipline matters (including attendance at discipline hearings, and notification of chapter leaders and advisors).
9. To organize, implement and evaluate leadership, educational, and developmental programs including workshops, seminars, classes, and retreats.

10. To publish timely information and other materials for chapter officers and the fraternity/sorority community.
11. Through correspondence, meetings, conferences, and telephone contacts, maintain cooperative relationships with local alumni, community groups, the professional staffs and volunteer officers of national fraternities and sororities, professional and fraternity-related organizations, campus organizations, public and private agencies, and other University offices and departments. This will include regular meetings with the alumni chapter advisors.
12. To review and approve University policies, procedures, and regulations relating to fraternity/sorority affairs.
13. To grant permission to colonize a chapter on the campus and to revoke registration with cause.
14. To regularly recognize the positive endeavors of the fraternity/sorority community and encourage recipients (individuals and chapters) to notify the University of awards, achievements, and community relations events.

D. Responsibilities of the general fraternities and sororities:

1. To align objectives and activities of the fraternity/sorority chapters with the mission of the University of San Diego.
2. To encourage intellectual, personal, spiritual, and social development of their student members. To comply with all applicable University policies and procedures, as well as all applicable laws and regulations, and to be responsible for compliance by chapter members of the same.
3. To be responsible, as a community and as individual chapters, for the conduct of the chapter members at chapter sponsored functions, both on and off campus.
4. To promote conduct consistent with high values and ethics, based on the purposes and principles of fraternity and sorority founding.
5. To operate from sound business practices with respect to chapter finances and business relations with the chapter members, the University, and the community.
6. The University does not recognize or permit fraternity or sorority housing. Chapters shall ensure that their members do not make representations of any nature to the contrary.
7. Registration of general fraternities and sororities:
 - a. Annual process for renewing registration
 - 1) The Student Activities and Involvement Office will distribute information for renewing registered student organization status to all chapter presidents at the beginning of the fall semester.
 - 2) The chapter must complete the annual registration form online through Torero Orgs by the deadline issued through the Student Activities and Involvement Office.
 - 3) The Associated Students' Student Organizations Committee will review all submitted materials, verify that the requirements listed in section "c" below have been met, and will submit any revisions of chapter governing documents to the Associated Students for approval. The president of the chapter will receive confirmation that registered student organization status has been

granted in full or on a conditional basis, or a letter indicating why registration status was denied. A decision to deny registration status may be appealed to the Assistant Vice President, Student Affairs.

b. Process for a new general fraternity or sorority to attain registered student organization status

1) A general fraternity or sorority desiring to become established at the University of San Diego must first meet the membership or affiliation requirements of the governing council that best meets the organization's purpose. The requirements for membership or affiliation are found in the Constitutions and Bylaws of those organizations. Final approval for the chartering group of any new fraternity or sorority will be given by the Assistant Vice President, Student Affairs or his/her designee.

2) After attaining membership or affiliation in the appropriate Council, the chapter or chartering group must obtain Club Registration materials from the Student Activities and Involvement Office and follow the same procedures outlined above for continuing organizations.

c. Requirements for maintaining Registered Student Organization Status

1) General fraternities or sororities are required to be members or affiliates in good standing of the Interfraternity Council or Panhellenic Association.

2) Chapters and their members must adhere to the Guidelines for Fraternity/Sorority Activities included in Part II of this document.

3) On a semesterly basis, each chapter must file the following information with the Assistant Director for Fraternity and Sorority Life.

a) Officer Directory, Chapter Information Sheet, signed Statement of Chapter President's responsibility, Directory of Advisors, and signed Statement of Advisor Responsibility, by the first Friday of the semester and changes as they occur.

b) Statement, signed by every chapter officer, that he/she has received a copy of "The University Relationship and Guidelines for General Fraternities and Sororities," and that he/she understands his/her responsibilities as outlined in Section III of this document.

c) Roster of initiates and new members (pledges, Associate Members, etc.) by the end of the third week of each semester and changes as they occur. The roster should also include the names of any "social affiliates."

d) Copies of chapter and national/international constitutions and bylaws, and policies, and any changes to those documents as they occur.

e) Certificate of liability insurance. All chapters are required to submit, as part of the annual registration process, a certificate of liability insurance that states the amounts of coverage and names the University as co-insured, using the following language in the certificate:

"The University of San Diego is hereby declared to be an additionally insured under the terms of this policy. This insurance policy will not be canceled without thirty (30) days

notice to the Division of Student Affairs, University of San Diego.”

- 4) The chapter president agrees to accept full responsibility for the chapter’s adherence to the Constitutions, Bylaws, rules and discipline procedures of the Interfraternity Council or the Panhellenic Association, University policies and directives by authorized University officials, the *USD Student Code of Rights and Responsibilities*, and local, state, and federal laws. Accordingly, the chapter president must become familiar with such policies, laws, regulations, directives, and procedures, and must educate the chapter membership.
- 5) Each chapter must maintain an active membership of ten or more members. Exceptions to this may be granted by the Assistant Vice President, Student Affairs.
- 6) No fraternity or sorority may pledge (associate) or initiate any individual who is not matriculated and regularly enrolled for credit in at least nine units at the University of San Diego. No fraternity or sorority may pledge (associate) any USD student unless the student has completed one full-time semester (12 units) at USD or is transferring to USD with a minimum of 24 units from his or her previous university.
- 7) No fraternity or sorority may pledge (associate) or initiate any individual who does not have a minimum 2.5 cumulative grade point average. Individual councils or associations may set higher required minimum grade point averages for members, and each fraternity and sorority will be subject to the applicable required minimum grade point average of its council or association.
- 8) All active members must be regularly enrolled in at least nine units at the University of San Diego.
- 9) It is the right of the undergraduates in each chapter to select their own members within the context of allowing no discrimination on the basis of race, color, religion, national origin, ethnic background, age, marital status, pregnancy, sexual orientation, gender identity, gender expression, mental disability, physical disability, veteran status, or other characteristic protected by state or federal law.
- 10) All fraternities and sororities may be required to fill out informational questionnaires, which have been reviewed and approved by the Division of Student Affairs.
- 11) Fraternities and sororities are responsible for voluntarily incurred debts to the University and/or the Associated Students (such as phone bills, duplication services, damage to University property, etc.) and are expected to maintain good credit ratings in the community and to employ principles of sound business practice in business relationships with members.
- 12) All chapters are expected to cooperate with the University administration and the Interfraternity and Panhellenic Councils in building and maintaining constructive community relationships with neighbors of the University, including the beach community.
- 13) Fraternities and sororities are expected to set and maintain appropriate academic standards for pledging (association) and maintaining active membership status. Any organization whose grade point average falls below a 2.5, or whose statistics show may be adversely affecting the academic performance of members, will be offered assistance in reviewing and revising its policies and practices with regard to academics.

14) Advisors are critical to the success of the individual chapters and the fraternity/sorority community. They provide continuity from year to year, wisdom from experience, and a perspective broader than that of the undergraduate members. It is the responsibility of the undergraduate members to regularly seek out the advice of their respective chapter advisors. Each chapter must have a chapter advisor and alumni advisory board. At a minimum, the University expects the following of the chapter advisor/alumni advisory board:

- a) Meet regularly with chapter officers,
- b) be familiar with University policies governing fraternities and sororities and ensure that the chapter complies with such policies,
- c) regularly review chapter finances,
- d) review the chapter's new member development (pledging) program and ensure that no chapter activities involve hazing in any form,
- e) assist University officials in addressing problems or other situations involving the chapter,
- f) be represented at meetings of chapter fraternity/sorority advisors,
- g) to attend and support chapter activities.

15) Each chapter must remain in good standing with the national/international fraternity or sorority.

16) Advisors are critical to the success of the organization. It is required as a part of the annual registration that each organization recruit a faculty or staff advisor in addition to their alumni advisors. These advisor names must be reported to the Student Activities and Involvement Office at the beginning of each academic year.

17) No chapter shall sponsor an auxiliary organization or activity which connotes membership of any kind in their group (e.g., "little sisters," "sweethearts," etc.) other than full membership as ascribed by the national/international constitution.

d. Suspension or Revocation of Registered Student Organization Status

1) Any time a chapter fails to meet the requirements in this document, the Assistant Vice President, Student Affairs or his/her designee may suspend or revoke the chapter's registration status. Prior to taking such action, the Assistant Vice President, Student Affairs or his/her designee will conduct a conference with the chapter president and chapter advisor. The chapter president and chapter advisor shall be given not less than five (5) business days' notice prior to the conference. Decisions by the Assistant Vice President, Student Affairs or his/her designee to suspend or revoke a chapters' registration are final.

2) A chapter whose registration is suspended loses the right to use the name of the University, to use University or Associated Students facilities, to schedule activities on campus, to advertise on campus, and other privileges enumerated in the *USD Student Code of Rights & Responsibilities*. A suspended fraternity or sorority must continue to comply with all of the requirements stipulated

in this document. Failure to comply with these requirements will prevent the suspended chapter from having registration reinstated. Suspension of registration status also results in a concurrent suspension of all privileges and rights associated with membership in the Interfraternity Council or Panhellenic Association. If a chapter registration is suspended, the Assistant Vice President, Student Affairs or his/her designee shall have the authority in his or her discretion to impose terms and conditions that must be met by the chapter to the satisfaction of the University before the suspension may be removed. If a chapter's registration status is revoked, the organization will cease to operate, and the University will request that the national/international organization withdraw its charter from the local chapter.

3) Failure by individuals to comply with these regulations or with sanctions imposed for violations of these policies may result in the individuals being referred to individual disciplinary procedures as specified in the *USD Student Code of Rights & Responsibilities*.

II. Guidelines for Fraternity/Sorority Activities

A. Approval, Review, and Sponsorship of Activities

1. Definition of Chapter Sponsored Activity: An event will be considered a chapter-sponsored activity under one or more of the following conditions:

- a. The event is advertised and the advertisement makes any mention of the fraternity or sorority.
- b. Before the activity occurs, the activity is discussed during a chapter meeting, information about the activity is distributed during a chapter meeting, and/or the activity is mentioned in the minutes of a chapter meeting. Discussion refers to an active conversation between two or more members, or the discussion is endorsed by chapter officers.
- c. Transportation to the activity is provided by the chapter.
- d. The chapter creates or causes to be created any promotional materials for the activity, including t-shirts, cups, etc.
- e. The chapter is involved in any fashion with the sale of tickets for the activity or the sale of promotional items which mention the activity.
- f. Chapter funds are used in any way in connection with the activity (e.g. promotions, food, beverages, entertainment, space rental, etc.)
- g. The chapter provides maps, information, or tickets to the activity for its members and/or guests.
- h. The activity is listed on the chapter calendar.
- i. All Council sponsored events such as Greek Week, and chapter-sponsored events such as fraternity philanthropy weeks, are considered sponsored by all chapters who participate.
- j. In the planning of the event, the organizers explicitly consider, refer to, or classify the event as a chapter event.

2. All chapter-sponsored activities conducted on campus require approval via the Event Registration process. Event registration forms are available online at <http://www.sandiego.edu/slic>. Additional approval may be required, depending on the nature of the event planned.
3. All chapter-sponsored activities conducted off campus must complete an off-campus event registration form (available online at <http://www.sandiego.edu/student-leadership/events/on-campus-event-registration.php>) or have a copy of the (inter)national paperwork submitted to the Assistant Director for Fraternity and Sorority Life or his/her designee at least 2 weeks (14 days) prior to the event. If an activity conducted off campus is of a large magnitude (anticipated attendance more than double the chapter size or 200 persons, whichever is larger), a Social Event Planning form is required. Off campus events that are overnight must be educational in nature. All social events require the organization to provide transportation.
4. Chapters are responsible for events they sponsor. When an event is sponsored by more than one organization, each sponsor is responsible for all activities arising out of or relating to the event, including but not limited to adequate planning, actual event behavior, and post-event accountability for all in attendance.
5. Chapters may not sponsor events in Mexico without prior approval from the Assistant Director for Fraternity and Sorority Life or his/her designee. In order for approval to be given, the chapter must meet all terms of the USD Travel Guidelines (see Section II, H, below), must provide evidence of chapter liability insurance coverage in Mexico, and the event must be philanthropic in nature. Social events, especially those with alcohol present, may not be held in Mexico.
6. USD does not allow any activity by individuals or student organizations that involve the selling or auctioning of services by individuals. Chapters and chapter members shall not engage in any such activities.
7. The USD Ticket Office is the preferred method of ticket sales for events. Organizations may sell tickets outside of the USD Ticket Office with permission from the Director of University Centers and Staff Development.
8. All philanthropic events are expected to be alcohol free. Organizations are responsible for the conduct of people participating in and attending their philanthropic events. In its discretion, the Dean of Students or Student Activities and Involvement Office may approve an exception to be granted for alcohol to be present at events when the attendance is not exclusively undergraduates and where the circumstances otherwise warrant the exception to be granted.
9. Organizations that wish to sponsor an event that involves gambling (e.g. poker or Texas Hold 'Em tournaments, casino nights, etc.) must obtain advance approval from the Student Activities and Involvement Office to ensure compliance with California law. Current law does not make these events possible for undergraduates.
10. All chapter-sponsored activities must follow the Interfraternity Council and Panhellenic Council established Community Standards (Appendix B) for planning events.

B. Advertising and Publicity *(Please see the USD Student Code of Rights & Responsibilities for further regulations)*

1. Chapters or Councils may not co-sponsor any of their activities or display advertising on or off campus for an alcohol distributor or tavern (tavern is defined as an establishment generating more than half of annual gross sales from alcohol).
2. Alcoholic beverages may not be implied, stated, or pictured in chapter advertisements.
3. Announcements for events where alcoholic beverages will be present shall clearly state the limitations on attendance; as such, events may not be open to the campus community but must be closed, invitation-only, events.

4. All publicity is expected to be in good taste and in compliance with University posting policies. (*Refer to the USD Student Code of Rights & Responsibilities*). The USD Alcohol Policy is available at <http://www.sandiego.edu/conduct/the-code/university-policies/alcohol-policy.php>.

C. Alcoholic Beverages and Illegal Substances

1. In addition to the following policies, fraternities and sororities and their members are required to comply with the University's policy for the use of alcoholic beverages when sponsoring or participating in any activity. (*Refer to the USD Student Code of Rights & Responsibilities*)

2. Use of illegal drugs is strictly prohibited.

3. In promoting events, alcoholic beverages may not be referred to in publicity, including signs, fliers, mailings, promotional materials including t-shirts and glassware etc. and media announcements. Use of words such as "beer," "brew," "wine," "cocktails," "open bar," "booze," "mixed drinks," "spirits," etc. (list is not all-inclusive — other terms may be considered violations) is prohibited; however, use of such terms as "beverages," and "refreshments," etc. is acceptable. Illustrations must not make reference to alcoholic beverages (i.e., no pictures of kegs, cocktail glasses, beer mugs, etc.). Social event themes may not include alcohol or alcohol related themes (e.g. Margaritaville Party).

4. At all chapter sponsored events where alcoholic beverages are consumed, provisions shall be provided for the free and conspicuous distribution of non-alcoholic beverages in adequate supply. An "adequate supply" is defined as a quantity sufficient to provide at least one beverage serving per hour for all members and guests. All events serving alcohol must provide substantial, high in protein, non-salty food, especially during the first and last hours of the event.

5. No fraternity or sorority shall permit any person who is under the age of twenty-one or anyone who is obviously intoxicated to consume alcoholic beverages at chapter-sponsored events. At Bring Your Own Beverage events, sponsoring or co-sponsoring chapters will be responsible for checking ID to determine legal drinking age. An organization sponsoring or co-sponsoring an event shall make reasonable efforts to provide for the safety of any members or guests who exhibit intoxication.

6. No fraternity or sorority shall at any time expect, suggest or compel members or new members/pledges/associates to consume alcoholic beverages.

7. Fraternities and sororities must be familiar with and comply with State of California laws regulating the sale and consumption of alcoholic beverages. No tickets or invitations may be sold to chapter or council events where alcoholic beverages will be present, even if alcohol will be provided through a cash bar or brought by individual guests. Chapters are prohibited from providing alcoholic beverages to members or guests by selling tickets or cups, charging admission or entertainment fees, by taking a collection, by dues rebates, by maintaining a "special fund" or account or by using any direct or indirect means of collecting money from persons attending chapter functions.

8. Organized competitions involving the consumption of alcoholic beverages (chugging contests, "beer baseball," "beer pong," "quarters," etc.) are prohibited at all chapter-sponsored events.

9. No "grain alcohol" nor any such distilled liquor that exceeds 100 proof, or above 50% pure grade alcohol per volume (e.g., "Everclear," etc.) shall be served in any form or mixture during a chapter sponsored or Council sponsored event.

10. Fraternities shall comply with Interfraternity Council regulations establishing a completely dry fraternity

recruitment. Sororities shall comply with Panhellenic Council regulations prohibiting alcoholic beverages at recruiting or pledging events. **No alcoholic beverages shall be present at any chapter or Council recruitment function, regardless of location.** A recruitment function is defined as any chapter activity occurring during the official recruitment period established by the Interfraternity Council or Panhellenic Council, or any event held at any time where the primary purpose is membership recruitment.

11. No alcoholic beverages shall be present at any associate member programs or activities, including but not limited to: initiation or pre-initiation activities; associate member retreat; associate member presents; and big brother/sister revealing.

12. No chapter may purchase alcoholic beverages through the use of any chapter funds or credits nor may the purchase of same be undertaken or coordinated by any member on behalf of the chapter. Purchasing bulk alcohol from a distributor and then reselling the alcohol to the members and guests at the function is prohibited. Chapters may not sell, in any fashion, alcohol to members, pledges/associates, or guests.

13. The purchase and/or use of any bulk quantity of alcoholic beverages or providing a common source of alcohol (e.g. kegs, “beer balls,” alcoholic punch, coolers filled with canned beer, open bars, etc.) is expressly prohibited.

14. If the event is BYOB (bring your own beverage), all alcohol consumed at the function is individually purchased and consumed by the person who has brought and purchased the alcohol.

- a. A limit on the number of beverages and types of beverages must be announced before the event.
- b. A single bar area must be established where designated servers of legal drinking age (who are not consuming alcohol) may distribute the beverages to those who have brought their own alcohol. No minors may consume alcohol at any time.
- c. Designated servers must not serve anyone who is visibly intoxicated.
- d. Each person is allowed only one alcoholic beverage at a time.

15. No chapter may host an “open” party where alcohol is present. Non-members attending a chapter function may do so only by personal invitation of a chapter member who shall assume personal responsibility for the welfare of the guest and any damage to property caused by said guest. Chapters must abide by the guest list limitations set forth by their (inter)national organization.

16. A list of members, new members/associates/pledges with their birthdates, and non-members should be located at the entrance of the event so their invitation and identification can be checked. The use of wristbands to delineate those of age from those who are not are strongly recommended.

17. In the event a member is sent back to campus from an event due to the inability to care for himself or herself, the chapter is responsible for contacting the Resident Assistant on duty and bringing the member to Missions Crossroads. If the RA is not available, the chapter shall be responsible for contacting the Department of Public Safety.

18. These policies shall also apply to the Interfraternity Council, the Panhellenic Council, Greek Week, Order of Omega, and all other inter-Greek functions.

19. Members violating University, Council or chapter policy relating to alcohol should be referred by their organization to the Center for Health and Wellness Promotion, Counseling Center, and/or Health Center.

D. Fund Raising

1. When sponsoring events on campus for the purpose of raising funds, fraternities and sororities must adhere to the

University's general fund-raising policies for registered organizations, as listed in the *USD Student Code of Rights & Responsibilities*.

2. Fraternities and sororities must adhere to State and local laws governing public solicitation of funds by nonprofit organizations.

3. Whenever a fraternity or sorority, Greek Week, Interfraternity Council, Panhellenic Council, or Order of Omega raises funds from the public for a charitable organization, the chapter or council is expected to keep complete records of receipts and disbursements (including canceled checks) and to make these records available to University officials upon request.

4. The following policies apply to "free drawings":

a. Each ticket must contain the following information:

- 1) The name of the fraternity/sorority/Council
- 2) Amount of donation and the word "donation" printed after the amount (for example, \$1.00 DONATION).
- 3) "FREE DRAWING" printed at the top of the ticket. Do not use the word "raffle."
- 4) Major prize(s) offered.
- 5) Date and place of actual drawing.
- 6) Where proceeds are going, if other than the chapter's or Council's treasury.
- 7) Space for contributor's name, address, and phone number.
- 8) Specify, "winner must be present to win" or "winner need not be present to win."

b. In order to comply with State law, an organization cannot require "consideration" for the tickets. Contributions must be voluntary. The organization cannot require an individual to purchase any goods or service in exchange for a ticket.

c. Alcoholic beverages may not be offered as a prize.

d. It is recommended that someone who is not affiliated with the chapter or Council conduct the actual drawing.

5. Chapters sponsoring a Casino Night should contact the Student Activities and Involvement Office prior to organizing the event to ensure that the event is conducted in a manner consistent with California Law.

E. Hazing

1. Members of fraternities and sororities may not engage in any hazing activities. Both California Law and USD policy prohibit hazing. Engaging in hazing may result in disciplinary action, up to and including separation from the University, as well as suspension or revocation of a chapter's registration.

2. Hazing is prohibited under California law. The California Penal Code 245.6 provides:

Hazing means any method of initiation or preinitiation into a student organization or student body, whether or not the organization or body is officially recognized by an educational institution, which is likely to cause serious bodily injury to any former, current, or prospective student of any school, community college, college, university, or other educational institution in this state. The term "hazing" does not include customary athletic events or school-sanctioned events.

3. Behavior that may not constitute “hazing” under the California Penal Code nevertheless may constitute a violation of these Guidelines or other applicable USD policy. For the purpose of these Guidelines, hazing includes the definition set forth under the California Penal Code as well as any action taken or situation created which, regardless of location, intent or consent of the participants:

- a.** produces, or is reasonably likely to produce, bodily harm or danger, mental or physical discomfort, embarrassment, harassment, fright, humiliation, intimidation, degradation, or ridicule, or otherwise compromises the dignity of an individual;
- b.** compels an individual to participate in any activity which is unlawful, perverse, publicly indecent, contrary to the rules, policies or regulations of the University, or which is known by the compelling person to be contrary to the individual’s genuine moral or religious beliefs; or
- c.** will impair an individual’s academic efforts.

4. Examples. The following are examples of unacceptable behavior and forms of hazing, even where the conduct may not necessarily constitute a violation of the California Penal Code:

- a.** Any form of physically demanding activity (calisthenics, runs, etc.) not part of an organized voluntary athletic contest or not specifically directed toward constructive work.
- b.** Paddling, shoving, or otherwise striking individuals.
- c.** Compelling individuals to wear, carry or publicly display any article or apparel, especially items which are unusual, uncomfortable, degrading, or physically burdensome. It is understood that students may choose to wear pledge/associate member pins, pledge class T-shirts that are consistent with the University’s policy concerning harassment or other appropriate apparel, compelling them to do so is hazing. Examples include, but are not limited to wooden paddles, painted rocks, T-shirts with degrading slogans or names on them, notebooks, etc.
- d.** Depriving individuals of the opportunity for sufficient sleep (six hours continuous sleep per day minimum), nutritious edible meals, or access to means of maintaining bodily cleanliness.
- e.** Activities that interfere with an individual’s academic efforts by causing exhaustion, loss of sleep, or loss of reasonable study time or by preventing an individual from attending, or participating in class.
- f.** Compelling individuals to consume alcohol or drugs.
- g.** Compelling individuals to eat or drink foreign or unusual substances or compelling the consumption of undue amounts or odd preparations of food.
- h.** Having substances thrown at, poured on, or otherwise applied to the bodies of individuals.
- i.** Morally degrading or humiliating games or any other activities that makes an individual the object of amusement, ridicule, or intimidation.
- j.** Transporting individuals against their will, blindfolding individuals, abandoning individuals at distant locations, or conducting any “kidnap,” “ditch,” or “road trip” that might in any way endanger or compromise the health, safety, or comfort of any individual.

- k.** Causing an individual to be indecently exposed.
- l.** Violating accepted social customs in regard to sex and relations between the sexes and/or any violations of Sexual Misconduct.
- m.** Activities that require a person to remain in a fixed position for a long period of time.
- n.** Compelling an individual to become branded or tattooed.
- o.** “Line-ups” involving intense or demeaning intimidation or interrogation, such as shouting obscenities or insults.
- p.** Assigning activities (pranks, scavenger hunts, etc.) that compel a person to deface property, engage in theft, or harass other individuals or organizations.
- q.** Tests of courage, bravery or stamina.
- r.** Intentionally deceiving new members prior to initiation to make them believe that they will not be initiated or will be hurt or struck.
- s.** Intentionally creating a mess and compelling individuals to clean it up.
- t.** Excluding an individual from social contact for prolonged periods of time.
- u.** Imposition of many hours of silence, during which time an individual may not speak while going about his or her daily routine.

Further information regarding hazing can be found online at <http://www.sandiego.edu/greek-life/>.

5. Any activity as described above upon which the initiation or admission into or affiliation with the organization is directly or indirectly conditioned, or implied to be conditioned, or which occurs during a pre-initiation or initiation activity shall be presumed to be “compelled” activity, the willingness of an individual to participate in such an activity notwithstanding. Behavior in which only pledges/associate members participate in may be interpreted as “compelled” behavior (See II, E, 4). Any indication that a deviation from pledge/associate member class behavior that may result in the loss of membership or other consequences will be considered a violation of the Fraternity/Sorority Guidelines.

6. Enforcement

- a.** It shall be the specific responsibility of the chapter president to see that this policy is communicated each semester to all members (initiates and new members/pledges/associate members), and to see that his/her chapter strictly adheres to the policy.
- b.** Fraternities and sororities should understand that not only is the chapter responsible for preventing hazing in any form, but any and all members involved in a hazing violation will be held personally accountable for their actions.
- c.** Chapters are responsible for controlling the actions of their alumni members during initiation or pre-initiation activities.

- d. The Assistant Vice President, Student Affairs will be notified promptly of all alleged hazing incidents; the handling of such cases is subject to the Assistant Vice President, Student Affairs' review.
- e. The (inter)national office of a fraternity or sorority will be notified of any hazing charges pending against their chapter and will be informed of the disposition of the case. For serious or repeated violations, the (inter)national office will be requested to take appropriate corrective action in addition to the sanctions imposed by the Fraternity/Sorority Standards Board or the University.
- f. Any established hazing case may result in revocation of registration for the chapter and a recommendation to the national/international office of the fraternity or sorority of revocation of their charter.
- g. Fraternities and sororities are expected to comply with the provisions of the Interfraternity and Panhellenic Councils' Constitutions and Bylaws.
- h. Hazing is a crime in the State of California, as defined above. Incidents of hazing will be reported to the appropriate law enforcement agency if the investigation of the incident provides sufficient evidence to indicate that the matter falls within the hazing definition in the California Penal Code.

Further information regarding hazing sanctions and outcomes can be found online at <http://www.sandiego.edu/greek-life/>.

F. Harassment and Abusive Behavior

1. Fraternities and sororities may not engage in any organizational activities involving sexual misconduct (whether verbal or physical) or behavior that is lewd, obscene, or otherwise inappropriate.
2. Fraternities and sororities may not engage in any organizational activities involving physical or verbal behavior that makes persons the subject of harassment, intimidation, or hostility because of their race, religion, color, gender, disability, pregnancy, sexual orientation, gender identity, gender expression, or national origin.
3. Fraternities and sororities must adhere to the letter and spirit of the provisions for diversity in the USD Mission Statement.
4. Fraternity and sorority members shall not engage in any physical abuse of the person or property of any member of the campus community nor may chapter members threaten such physical abuse.

G. Noise Ordinance

Chapters are expected to adhere to the noise ordinance set forth in the Municipal Code of the City of San Diego. The ordinance establishes a noise curfew between the hours of 10:00 p.m. and 8:00 a.m., during which loud or raucous yelling, shouting or singing outdoors, or using amplified sound, which is audible 50 feet from the source, is expressly prohibited. The ordinance also establishes maximum decibel limits that vary according to the land use zone and the time of day. In addition, a chapter officer may be cited by the police for disturbing the peace any time of the day if a citizen is willing to sign a complaint and if the chapter has failed to comply with a lawful order to cease creating the disturbing noise. Noise permits can be issued for one-time events by the City of San Diego Noise Abatement Office. In certain locations on campus and in the community, such permits may be required prior to chapter events.

H. Travel Guidelines (Taken from the *USD Travel Guidelines* — these policies are applicable to all registered student organizations)

- 1.** All fraternities and sororities planning to have an event off campus which involves providing commercial transportation for students must have those students sign a Release of Liability form and a Transportation waiver releasing the University from any liability for the student off campus. Waiver forms are available online at <http://www.sandiego.edu/greek-life/forms/>. Trip participants may not leave campus unless a signed waiver is received. The signed waivers are to be submitted to the Student Activities and Involvement Office following the event.
- 2.** A list which includes the name and ID number of each student traveling must be given to the Student Activities and Involvement Office prior to departure from campus.
- 3.** All transportation companies used (charter buses, rental cars, etc.) must carry insurance. A certificate of insurance from the carrier with USD named as additional insured must be given to the Student Activities and Involvement Office prior to departure from campus. If renting a vehicle, drivers must be sure to purchase full comprehensive and collision insurance.
- 4.** All publicity and invitations must state arrival and departure time clearly. Students should be made aware that they are responsible for their own transportation if they are late for the previously stated departure time.
- 5.** Automobile Transportation Individuals who use personal auto travel for fraternity/sorority organization events should ensure:
 - a.** Existence of current auto insurance and its applicability if drivers are rotated.
 - b.** The proper licensing and eligibility of all drivers.
 - c.** Compliance with all applicable traffic laws, including but not limited to those addressing speed limits.
 - d.** Availability and use of passenger restraints (seat belts).
 - e.** Compliance with all applicable laws addressing the operation of a vehicle under the influence of drugs and alcohol.
 - f.** The proper maintenance and operating condition of the vehicle.
 - g.** Availability of basic safety and repair equipment.
 - h.** Operators of USD vehicles must possess a valid driver's license applicable to the type of vehicle to be driven and be clear to drive prior to event.
- 6.** Air Travel — In selecting an air carrier for organizational travel, fraternities and sororities should be aware that the University requires the use of carriers which possess \$150 million of liability insurance. Major United States airlines carry this insurance and verification is not necessary. In the event a travel agency proposes the services of a charter company, an insurance certificate of \$150 million, naming USD as an additional insured is required.
- 7.** Bus Travel — Bus travel is often used by fraternities and sororities as a means of transportation to and from sponsored activities. Bus travel is permitted on commercial bus companies which possess \$5 million of liability insurance and which name USD as an additional insured. A current list of bus companies carrying this insurance is available in the Student Activities and Involvement Office.

8. Travel Agents — The agent should be made fully aware of all air travel and bus travel guidelines prior to negotiating trip arrangements.

a. The travel agency that the student organization works with should be informed that lodging facilities must be provided by a travel industry rating service (i.e. AAA Travel Guidelines, etc.) If this is not available, the lodging facility must possess \$1 million of liability insurance, certification of which must be submitted to the Student Activities and Involvement Office.

b. Under no circumstances should money be sent directly by student participants to the travel agency. All expenses must be paid by University check, which will be generated and sent to the travel agent once proper documentation and certification has been received and all necessary contracts have been signed.

9. Travel Emergency Procedures — for accidents occurring off campus.

a. When an accident occurs involving injuries or major damage, the chapter member should be immediately Call 911 to report the accident to the police agency having jurisdiction in the area of the accident. As soon thereafter as feasible, it should be reported to the University Department of Public Safety. Incidents involving USD vehicles must also be reported to the Director of Risk Management who will obtain the necessary information required by the insurance company.

b. If an accident occurs involving minor damages with NO injuries, insurance information must be exchanged between vehicle operators and must include the following information: name, address, telephone number, driver's license number and expiration date, name of insurance carrier and/or agent and policy number, make, model, license number of vehicles involved. If the vehicle involved is a USD Vehicle, forward all pertinent information regarding the accident to the USD Director of Risk Management as soon as possible.

c. Upon receipt of information concerning an accident involving a USD vehicle, the USD Director of Risk Management will forward all information to the University's insurance representative.

10. All travel arrangements and plans must be made according to the Interfraternity and Panhellenic Councils established Community Standards (Appendix B).

11. Fraternities and sororities that do not follow all sections of the travel guidelines will be subject to having publicity removed and/or scheduling privileges (which promote the event) revoked.

III. Responsibilities of Chapter Officers

A. Chapter officers shall be responsible for ensuring that chapter members adhere to: all governing principles of the Interfraternity or Panhellenic Councils; all policies, procedures and directives promulgated by the University of San Diego; and all local, state, and federal laws regarding fraternity or sorority activities. The chapter president shall have the duty to inform chapter members of these regulations. Annually, as part of the Greek organization registration process, each fraternity officer will sign a statement agreeing that he/she has received a copy of "The University Relationship and Guidelines for General Fraternities and Sororities," and a copy of the signed statement will be filed with Assistant Director for Fraternity and Sorority Life.

B. Chapter officers shall be held accountable for organized chapter activities. Examples of such activities include but are not limited to: recruitment activities, initiation rites, philanthropic events, sports competitions, and parties.

C. Although all members are personally responsible for their own behavior, a specific chapter officer may be held personally accountable for the misconduct of chapter members during organized chapter activities. Circumstances that might warrant this personal responsibility include but are not limited to:

1. Inappropriate and/or unacceptable activities which are sanctioned by the chapter by means of discussion and/or planning at a chapter meeting, officers' meeting, or committee meeting.
2. An officer's personal participation in such an activity.
3. An officer's failure to act appropriately upon witnessing such an activity.
4. An officer's failure to act appropriately in preventing such an activity when he/she had prior knowledge.
5. An officer's failure to act appropriately in taking corrective action after learning of such an activity.
6. An officer's negligence in his/her responsibility to educate the group regarding established laws, regulations, policies, directives, and procedures.
7. An officer's failure to cooperate fully with law enforcement personnel or with University officials, including failure to identify chapter members known by the officer to be involved in an incident.

IV. Governance

A. The University recognizes that the governing bodies for the fraternity/sorority community are the Panhellenic Council and the Interfraternity Council. Each council consists of an executive board and at least one representative from each of the registered campus chapters.

B. Each sorority and fraternity also has an executive board, a constitution, and bylaws, which govern the chapter. In addition, each chapter must abide by its (inter)national organization's constitution and bylaws. The Unanimous Agreements of the National Panhellenic Conference also guide the respective sororities.

C. When a complaint is received by the Director of Community and Leadership Development regarding a fraternity or sorority, the president of the accused fraternity/sorority will be notified, and a copy of the notice will be sent to the chapter advisor/advisory board chair of the accused fraternity/sorority.

D. Organizational conduct matters are typically referred to the Fraternity/Sorority Life Standards Board. Conduct matters involving individuals are referred to the Dean of Students or his/her designee. Action by the Assistant Vice President, Student Affairs or his/her designee may run concurrently with action by the Fraternity/Sorority Life Standards Board; one type of conduct action does not necessarily affect the other.

E. All conduct action is subject to the review and approval of the Assistant Vice President, Student Affairs.

V. Revision and Review

A. Revisions to "The University Relationship and Guidelines for General Fraternities and Sororities" and the Fraternity/Sorority Standards Board procedures are subject to review by the Panhellenic Council President and the Interfraternity Council President and approval by the Assistant Vice President, Student Affairs.

B. Prior to any revision, regardless of the source of the proposed revision, input shall be sought from the USD Office of Student Affairs, the Interfraternity and Panhellenic Councils and the chapter alumni advisors.

C. The Interfraternity and Panhellenic Councils may initiate a proposal for revision of this document by a joint recommendation. The fraternity/sorority chapter alumni advisors may initiate a proposal for revision of this document by joint resolution. The Office of Student Affairs may initiate a proposal for revision of this document and may establish procedures to address proposed revisions which will include the submission of the proposed changes to the Interfraternity Council and Panhellenic Council for input prior to approval of the revisions by the Assistant Vice President, Student Affairs.

D. This document shall be reviewed on an annual basis by the Assistant Director for Fraternity and Sorority Life and the Assistant Vice President, Student Affairs.

APPROVED:

Cynthia Avery, Ed.D.
Assistant Vice President, Student Affairs

June 6, 2017
Date

**Appendix A
Fraternity/Sorority Life Standards Board (FSLSB)**

JURISDICTION

The Assistant Vice President, Student Affairs has designated the Director of Community and Leadership Development to receive complaints regarding fraternities and sororities and their members' behavior. These complaints may come from other fraternities/sororities, University offices, faculty, staff, students, and the community. The Panhellenic and Interfraternity Councils have jurisdiction over all member groups ("organizations" or "fraternities/sororities") to enforce Panhellenic Council policy, Interfraternity Council policy, *Fraternity/Sorority Guidelines*, and University policies, rules and regulations. The Panhellenic Council and Interfraternity Council have individual jurisdiction over their respective areas in enforcement of rules regarding membership selection/recruitment. In some cases, the Fraternity/Sorority Life Standards Board (FSLSB) may hear recruitment violations that are also a violation of the *Student Code of Rights & Responsibilities* ("The Code") or the *Fraternity/Sorority Guidelines (FSG)*.

All University disciplinary actions against individual members will be referred to the Assistant Dean of Students or his/her designee. All organization incidents, investigations, referrals, and hearing outcomes are at the discretion of the Assistant Vice President, Student Affairs. When classes are not in session, the Assistant Vice President, Student Affairs may direct that matters be handled administratively.

FSLSB hearings will be conducted through hearing boards comprised of six student representatives from the FSLSB and a faculty/staff representative from the University's trained hearing board pool (the "Hearing Board"). FSLSB hearings are administrative in nature and are governed by the procedures set forth in this Appendix A. FSLSB hearings are not trials and are not governed by the rules of procedure and evidence typically used in a court of law.

RECEIPT OF COMPLAINTS

Allegations of misconduct involving fraternities/sororities and/or their members shall be submitted in writing to the Director of Community and Leadership Development and shall contain, to the extent possible, the following information: (1) the name of the organization(s) and/or individual(s) involved in the alleged misconduct, (2) the date and time of the alleged misconduct, (3) the location of the alleged misconduct, (4) a description of the alleged misconduct, (5) the complainant's firsthand knowledge of the alleged misconduct, and (6) the name(s) of any witnesses to the alleged misconduct.

When the circumstances warrant, the Director of Student Leadership and Engagement may determine that the identity of a complainant will not be disclosed to the FSLSB, to the Hearing Board considering the complaint, or to the organization(s)/individual(s) involved in the complaint. The identity of the complainant may be shared with other University officials as needed to enable those officials to perform their responsibilities. Anonymous reporting is available via the Department of Public Safety website, <http://www.sandiego.edu/safety/reporting/anonymous.php>.

When an allegation of misconduct is made against a fraternity/sorority and/or a member, the Director of Community and Leadership Development and the governing council presidents (“Presidents”) shall determine whether FLSB procedures apply or if the allegation should be referred to the Assistant Dean of Students or his/her designee. Charges of misconduct by individuals will normally be referred to the Assistant Dean of Students or his/her designee. Student conduct procedures under *The Code* may run before, after, or concurrently with an FLSB hearing; one type of disciplinary action does not necessarily affect the other. Sorority/fraternity misconduct need not be officially sanctioned by the entire membership in order to be considered grounds for possible disciplinary action against a chapter. The misconduct of a single member may provide sufficient grounds for action against the entire sorority or fraternity, so long as it is related to, or impacts, the chapter.

INVESTIGATION AND REFERRAL TO A FRATERNITY/SORORITY LIFE STANDARDS HEARING BOARD

Once it is determined that a complaint is subject to the FLSB procedures, the decision as to whether a complaint should be referred to a FLSB Hearing Board for possible action against a chapter is made by the Presidents jointly and in consultation with the Director of Community and Leadership Development

Before a complaint is referred to a Hearing Board, the Presidents and the Director of Community and Leadership Development will conduct an initial investigation regarding the complaint. The investigation may include but is not limited to a review of related documents, interviews, or requests for written statements from any person involved in the alleged incident. Following the initial investigation, an official representative of the organization (typically the President) and the chapter advisor will meet to discuss the allegations with the Presidents and the Director of Community and Leadership Development. If the Presidents jointly conclude that the issue can be resolved within the chapter, the case may be referred to the IFC and/or Panhellenic Presidents who will work with the appropriate chapter president(s) to determine an informal resolution and the case will be closed.

In order for a case to be referred to a Hearing Board, the Vice Presidents must jointly determine that there is sufficient information to believe that a policy violation may have occurred and that the alleged group may be responsible. If the Vice Presidents also jointly conclude that a hearing is in the best interest of the fraternity/sorority community, they may refer a case to a Hearing Board for either a full hearing or an expedited hearing, even when the complainant desires that no disciplinary action be taken. All stages of the FLSB proceedings are subject to review and approval by the Assistant Vice President for Student Affairs or his/her designee.

Actions taken or pending by an organization’s own internal discipline body, the (inter)national office of the organizations, or through the court system will not necessarily affect the determination of whether or not a case is referred to a Hearing Board or to the Assistant Dean of Students or his/her designee.

An organization may be subject to disciplinary action through the FLSB concurrent with or in addition to any criminal or civil sanctions pursued through the court system. Similarly, individual members of a fraternity/sorority may be subject to disciplinary action under *The Code* before, after, or concurrent with any FLSB action against the organization.

INTERIM MEASURES

Prior to investigation and resolution, the Assistant Vice President, Student Affairs or his/her designee may in his or her discretion place interim measures on an organization and/or individual to protect the health and safety of students and/or the community or otherwise where the circumstances warrant such interim measures. These restrictions may include, but are not limited to, removal of privileges or suspension of activity.

ROLE OF THE GOVERNING COUNCIL PRESIDENTS

The responsibilities of the Panhellenic Council Vice President of Wellness and the Interfraternity Council Vice President of Wellness and Standards, as they pertain to complaints regarding organizations, are: (1) To participate with the Director of Student Leadership and Engagement in the investigation of incidents of alleged misconduct, (2) To determine whether a case is to be referred to a FLSB Hearing Board, (3) To prepare a written report to the Hearing Board identifying the facts found during and the results of the preliminary investigation, (4) To refer cases to the governing council presidents for follow-up discussion and informal resolution, and (5) To serve as an ex-officio, non-voting, member of the FLSB Hearing Boards.

ROLE OF THE DIRECTOR OF COMMUNITY AND LEADERSHIP DEVELOPMENT

The responsibilities of the Director of Student Leadership and Engagement, as they pertain to complaints regarding organizations are: (1) To ensure that all organizations are informed of relevant Panhellenic Council and Interfraternity Council policies, Fraternity/Sorority Guidelines, University policies, regulations and expectations, and applicable local, state and federal laws, (2) To oversee, provide advice regarding, and/or participate in the investigation of all complaints regarding fraternity/sorority organizations, (3) To assist with the resolution of disciplinary problems, (4) To assist and advise Presidents with their responsibilities, (5) To assist and/or consult with other University officials in the response to a complaint involving a fraternity/sorority, including but not limited to representatives from the Department of Public Safety, Office of Residential Education and the Office of Student Affairs, (6) To perform other duties as assigned by the Assistant Vice President, Student Affairs.

ROLE OF THE ASSISTANT DIRECTOR OF FRATERNITY AND SORORITY LIFE

The responsibilities of the Assistant Director of Fraternity and Sorority Life: (1) To ensure that all organizations are informed of relevant Panhellenic Council and Interfraternity Council policies, University regulations and expectations, and applicable local, state and federal laws, (2) To assist and advise the Panhellenic Council President and Interfraternity Council President with their responsibilities, (3) To serve as the Advisor to the Fraternity/Sorority Life Standards Hearing Board, (4) To see that appropriate records are maintained for the Office of Student Affairs, including hearing referrals and the decisions of Hearing Boards to include violations for which the organization was found responsible, and the evidence supporting the decision, and the recommended sanction., (5) To refer individual members to the Office of the Assistant Dean of Students for possible conduct violations uncovered in the hearing process, (6) To coordinate arrangements for hearings with assistance from Community and Leadership Development Assistant, and (7) To perform other duties as assigned by the Assistant Vice President for Student Affairs and the Director of Community and Leadership Development

ROLE OF THE ASSISTANT VICE PRESIDENT, STUDENT AFFAIRS

The Assistant Vice President, Student Affairs or his/her designee has the authority to review all actions of the FLSB and, where necessary, direct that further action be taken. The Assistant Vice President, Student Affairs or his/her designee also serves as the final avenue of appeal.

ROLE OF THE ASSISTANT DEAN OF STUDENTS

The responsibilities of the Assistant Dean of Students, as they pertain to complaints regarding fraternity/sorority organizations are: (1) To serve as the Advisor to the Fraternity/Sorority Life Standards Board in the absence of the Assistant Director of Fraternity and Sorority Life or his/her designee, (2) To receive complaints against individual students identified in connection with a complaint against or involving a fraternity/sorority organization, and (3) To coordinate training and to provide advice on conduct best practices.

All University disciplinary action against individual members will be referred to the Assistant Dean of Students or his/her designee for action pursuant to *The Code*.

ROLE/PURPOSE OF THE FRATERNITY/SORORITY LIFE STANDARDS BOARD

The FLSB is designated to handle complaints against fraternity/sorority organizations. Conduct cases against individual students are referred to the Assistant Dean of Students or his/her designee. FLSB hearings are administrative in nature and governed by the procedures set forth in this Appendix A. FLSB hearings are not trials and are not governed by the rules of procedure and evidence typically used in a court of law.

STRUCTURE OF THE FRATERNITY/SORORITY LIFE STANDARDS BOARD

The FLSB shall be composed of student and faculty/staff voting members, with the students slated by IFC and Panhellenic and trained by the University. Applications for the Standards Board will be open to all organizations on Panhellenic Council and IFC. Each organization will have one representative able to serve on the FLSB. Additionally, organizations may have an alternate representative trained to serve on the FLSB. The term of service will be September – May.

Once the members of the FLSB are selected, a training session will take place to review their responsibilities, applicable procedures, and other information pertinent to their role on the FLSB.

FLSB HEARING BOARDS

FLSB hearings are conducted through FLSB Hearing Boards. The student members of a Hearing Board to consider a particular complaint will be selected from among the members of the FLSB. The Hearing Board shall consist of six student representatives (three representatives from fraternities and three representatives from sororities/women's fraternities), and one faculty/staff member from the trained University hearing board pool. The Vice Presidents will be ex-officio, non-voting members of the Hearing Board. The Assistant Director of Fraternity and Sorority Life will serve as the Advisor to the Hearing Board, and he/she will be required to be in attendance at all informal conferences and hearings. The Hearing Board will be convened by the Director of Community and Leadership Development who will select and convene the hearing board members in a specific case.

No FLSB member may serve on a Hearing Board that is considering a case in which his or her own organization is either the complainant or the accused. All Hearing Board decisions require a majority vote of the voting members of the Hearing Board.

Specifically, a Hearing Board will:

1. Review all evidence available to it.
2. Mediate disagreement inside the fraternity and sorority community as well as between the community and fraternity/sorority organizations.
3. Determine responsibility based on evidence of a violation of Panhellenic and Interfraternity Council Constitutions,

- fraternity/sorority policies or regulations, and/or any provision of *The Code*.
4. Recommend appropriate sanctions or penalties when an organization is found responsible for a violation.

The Hearing Board will evaluate complaints and determine whether or not an organization is responsible for a violation using a “preponderance of evidence” standard. Hearing Board members must consider all evidence properly before them. In so doing, it is their responsibility to objectively consider, evaluate and weigh the evidence, and to determine whether it is more likely than not that a violation occurred.

In instances where chapters assume responsibility for the alleged violation(s), an expedited process may be used. An expedited process must be agreed to by the chapter, the Director of Student Leadership and Engagement and the Panhellenic Council and Interfraternity Vice Presidents. This process permits the Hearing Board to meet with the chapter representatives and determine appropriate sanctions.

WITNESSES

The Hearing Board has the authority to require members of organizations to appear as witnesses. A member should be served with a notice to appear at least 48 hours before the scheduled hearing. If a member fails to appear without an adequate reason and prior notice, the Hearing Board may levy a fine up to \$100 against the chapter for purpose to be determined by the hearing board.

Faculty/staff members, students who are not members of fraternity/sorority organizations, and others may be requested to appear as witnesses at hearings.

Although witnesses are not placed under oath during hearing, every witness is expected to speak the truth. If it is determined that a fraternity/sorority organization or one of its members clearly and deliberately lied to a Hearing Board, the Hearing Board shall take disciplinary action against the organization, and the individual may be referred to the Assistant Dean of Students or his/her designee.

HEARING BOARD DECISIONS

Responsibility must be established using a “preponderance of evidence” standard. This standard requires a determination by the Hearing Board that the violation(s) more likely than not occurred.

A decision of a Hearing Board must be by majority vote of the voting members of the Hearing Board and must be based upon evidence presented during or in connection with the hearing.

The Hearing Board’s decision will be in writing. The written decision should briefly describe the outcome of the hearing, whether or not the organization was found responsible for an alleged violation(s), the basis for the decision, the violation(s) (if any), the sanctions recommended (if any), and notice of the right to appeal any decision, including sanctions, to the Assistant Vice President, Student Affairs or his/her designee.

A copy of the written decision shall be given to the accused fraternity/sorority organization, the Assistant Vice President, Student Affairs, the Director of Community and Leadership Development, the Assistant Director for Fraternity and Sorority Life, the governing council presidentst, and the organization’s alumnae/alumni advisor. At the discretion of the Assistant Vice President for Student Affairs, a copy of the decision may be mailed to the (inter)national headquarters of the organization. A copy will be retained in the Chapter Discipline file.

CHAPTER RIGHTS

A chapter has the right to:

1. A timely hearing before a FSLSB Hearing Board.
2. Receive written notice via email of all alleged violations and the time of the scheduled hearing. This will be sent to the chapter president as the spokesperson with 5 business days notice.
3. Examine all evidence at the time of the hearing and hear all testimony presented.
4. Have an alumni/alumnae advisor present at the hearing, as observer.
5. Have its executive board present at the hearing, as observers.
6. Respond to the complaint.
7. A decision based on the evidence presented and supported by a “preponderance of the evidence”.
8. Receive timely, written notification of the results of the hearing.
9. An appellate review, as outlined below.

APPEAL PROCESS

Any Hearing Board decision may be appealed by the accused fraternity/sorority organization to the Assistant Vice President for Student Affairs or his/her designee. To be considered, the appeal must be delivered in writing to the Assistant Vice President for Student Affairs within five business days of notification of the Hearing Board’s decision.

In its written appeal, the organization must state one or more of the following grounds for its appeal, and all discussion during the appeal must relate to these grounds:

1. There is significant new evidence
2. Violation of process

On appeal, the Assistant Vice President, Student Affairs or his/her designee may reverse, modify or sustain the Hearing Board's actions or refer a case back to the Hearing Board. The Assistant Vice President, Student Affairs or his/her designee will notify the fraternity/sorority organization in writing of his/her decision on the appeal. The decision of the Assistant Vice President, Student Affairs or his/her designee is final.

SANCTIONS

Where a fraternity/sorority organization is found responsible for a violation, the Hearing Board has the authority to impose appropriate sanctions, including but not limited to any one or a combination of the following sanctions:

1. A warning.
2. Probation, defined as a period of time, not to exceed one year, during which an organization is ordered to conform to all established policies and regulation, with the consequences of misconduct during the probationary period specified in advance.
3. Monetary fines.
4. Educational sanction, with the Hearing Board determining the requirements of the program(s) and assigning responsibilities for cost, planning, etc. to the organization.
5. Suspension of specific Panhellenic or Interfraternity Council privileges such as Chapter social events, recruitment, intramural sports, Council sponsored social functions, etc., for a definite period of time.
6. A membership review.
7. Suspension from the Panhellenic or Interfraternity Council involving exclusion for all privileges of membership for a definite period.
8. Dismissal, involving exclusion from all privileges of membership for an indefinite period.
9. Expulsion from Panhellenic or Interfraternity Council, involving final exclusion from the privileges of membership.
10. Financial or other restitution for property damage or physical injury.
11. Letter to the national or international office of the organization.

It is the policy of the University of San Diego Associated Students to revoke the registration status of any organization dismissed or expelled from the Panhellenic or Interfraternity Council. If an organization is expelled from the Panhellenic or Interfraternity Council, the University will request that the (inter)national officers revoke the Chapter's Charter.

DISCIPLINE RECORDS & NOTICE

A member of the Hearing Board shall be designated to take notes at all hearings. These notes shall include a copy of the original complaint, a copy of all written documentation pertaining to the case, the date and location of the hearing, a list of all witnesses who appeared at the hearing with a brief summary of the testimony of each, a copy of all notices to appear that were sent out, and a copy of the decision.

Minutes of all Hearing Board hearings shall be maintained in Maxient, the University's conduct record keeping system. Notice for all hearings shall be sent to the chapter president and the chapter advisor in accordance with The Code. When deemed necessary, the (inter)national organization may also be notified.

Appendix B

Community Standards

Adopted by IFC and Panhellenic, Fall 2010

1. Centralized Bus pickup (Maher, UC) for social events.
2. Chapters have the ability to choose between a rotating bus pickup and a centralized bus pickup.
3. Mandatory bus pickup and drop off on campus for members under the age of 21 who also live on campus.
4. Bus drop off at many locations on the beach instead of just one.
5. All members must take the same bus back that they came on.
6. Chapters must have somebody on their risk management team check in people at each bus in a more strict way.

7. Bid Night celebrations cannot be on the same night as bid distribution. Chapters must have new member education programs on drinking before their first event, organized on a per chapter basis.