

## South Alabama IFC Greek Board of Magistrates Standards

### ARTICLE I. Responsibilities

#### Section A. The responsibilities of the VPJD

1. Promptly assist with selection of new members to the GBM upon taking office.
2. Initiate and lead in the training of the incoming ~~VP~~ and new members at the end of the year of service. This may be accomplished in many different ways, but must include a face to face meeting between incoming and outgoing chairs to explicitly explain the function and purpose of the GBM and to pass along tips and pointers.
3. Select, via the same application and interview process, a new member when a vacancy arises due to dismissal or withdrawal.
4. Train the new members of the hearing board.
5. Determine if enough evidence exists to warrant hearings.
6. Determine whether mediation should be used in the case of a dispute between organizations.
7. Schedule hearings.
8. Select the GBM hearing board for each case.
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### Section B: Individual vs. Organizational Actions

1. The first item to be determined by the VP, as well as by the hearing board during a hearing, is whether an infraction was committed by an organization or by individuals within that organization. The criteria for determining whether an action is an individual or organizational activity are as follows:

- a. The chapter pays for any part of the
- a.

#### Section E. Evidence

1. All evidence must be properly documented (i.e. dates, times, names, and other information).
  - a. Written and/or Interview Evidence: Written or interview evidence must be presented in its entirety, including verbatim documentation, if such

5. The mediation team will assist the organizations in achieving a solution to the dispute.
6. Mediation shall be closed to the public.
7. All organizations involved must have representation and may not have more than two members present.
8. The mediation will continue until an agreeable solution is met or until all parties

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- I. to a private hearing
- II. to appear at the hearing with an advisor
- III. to present testimony of witnesses, documentary, or other evidence
- IV. to appeal

#### Section B. Who Attends Hearings

1. The president of the organization charged with misconduct (or their designee), and one additional member is allowed to be present at the hearing.
  - a. These individuals are allowed to question all witnesses.
  - b. These individuals are also allowed to examine evidence.
2. There must be a minimum of five GBM members present during a hearing, not including the VPJD.
3. GBM advisor will be present.
4. The organization charged with misconduct has the right to have an advisor present during the hearing.
  - a. The advisor may not present any evidence, question witnesses, or address GBM.
  - b. The role of this individual is only to advise the organization.
5. In a case in which an aggrieved party is present, the party shall have the same rights at the organization charged with misconduct.
6. Witnesses are permitted at the hearing only while presenting evidence or while being questioned in process of the trial.
7. The GBM has the right to call before it all witnesses and/or documentary evidence it considers to be essential to rendering a decision. Penalties may be assigned to the chapters which fail to appear or provide evidence before the GBM.
8. As the board is not a court of law, attorneys are not permitted for either party at the hearing.
9. If a chapter's representative fails to appear at the hearing, the GBM may, by majority vote, select one of the following courses of action:
  - a. Reschedule the hearing
  - b. Render a decision based on the available information

#### Section C. During the Hearing

1. Hearings of the GBM are closed to all individuals not specified in these bylaws.

2. The board has the responsibility to consider impartially all relevant testimony and evidence, determine the facts and, if a violation is found, impose appropriate sanctions.
3. The board may ask questions of either party for clarification of context, complaint, response, etc and may call witnesses as it sees fit.
4. The VP-JD shall oversee the hearing, ensuring that procedures are followed and a fair hearing is held.
5. The GBM supports a self-governed student community, and as such is a student centered conduct process. Advisors have no standing in the hearings, except to provide advice to their respective parties in a quiet manner. Advisors may not actively represent or speak for their respective parties.

#### Section D. Order of Proceedings

1. VP-JD will read the charges against the group.
2. Accused party will enter a plea of "responsible or not responsible" to each charge.
  - a. If accused party pleads not responsible
    - i. Accused party will present testimony.
    - ii. Hearing board will direct clarification questions to accused party.
    - iii. Hearing board will call witnesses to present testimony.
    - iv. Accused party may rebuttal testimony.
    - v. Accused party will be allowed to question all parties and call witnesses.
    - vi. Hearing board may further question the accused party.
    - vii. Accused party may make a closing statement.
    - viii. Hearing board will advise the accused party of the appeals process.
    - ix. Hearing board will recess in private session for deliberation.
    - x. The outcome of the hearing will be emailed to the chapter president.
  - b. If accused party pleads responsible:
    - i. Hearing board may question the accused party to ascertain the reasoning behind the accused party's actions. The aim of determining the motive for the violations is to help in providing sanctions that are educational.
    - ii. Accused party will make a statement.
    - iii. Hearing board will recess in private session for deliberation.
    - iv. The outcome of the hearing will be emailed to the chapter president.

#### Section E. Deliberation:

1. After the closing statements everyone leaves the room except ~~the VP~~ and the hearing board.
2. The hearing board will deliberate in a fair and consistent manner.





#### Section D: Possible Sanctions

\*For clarification, the sanctions hereunder in no way limit the scope of sanctions

3. Representatives of the organization who contact individual board members regarding the details, outcome/ruling, of the hearing or the charges passed may be further sanctioned.

#### ARTICLE V . APPEALS

1. All appeals must be submitted in writing or via email within two business days of notification of the outcome of the hearing.
2. Appeals will be granted at the discretion VP-JD and may only be made on the grounds of unfair or disproportionate sanctions as relate to both the severity and scope of the violation(s).
3. The Director UDC will hear the appeal.