



Sigma Tau Gamma Fraternity®
Chapter Management Program

**JUDICIAL BOARD
MANUAL**

FOR THE
**Chapter Judicial Board
and
Chapter President**

Property of
Sigma Tau Gamma Fraternity, Inc.
P. O. Box 54
Warrensburg, Missouri 64093
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Sigma Tau Gamma Fraternity Inc.®



Chapter Management Program

The Principle of Leadership calls us to perform our leadership duty, no matter what our position in our chapter. Your first chapter duties may be to vote thoughtfully and responsibly in chapter meetings and to serve on a chapter committee. These responsibilities are not to be taken lightly. As you progress in your membership you may be called upon to serve as a committee chairman or even a chapter officer. Your ability to perform in these higher offices will rest upon the skills you have built along the way. The Principle of Leadership demands that we accept personal responsibility for the whole fraternity, doing whatever is needed to fulfill our role. In an elected office, the responsibility becomes even greater. We are entrusted with the care of others. More than this, we are entrusted with not just the now, but with the history of our chapter. We must do what is right, whether or not it is popular.

Elected Officers and Divisions

There are four divisions in the chapter management program each administered by an elected vice president. The vice presidents are equal. However, in the absence of the president, there is a line of succession. It is: 1) Executive Vice President, 2) Vice President of Membership, 3) Vice President of Programs, 4) Vice President of Finance. Most other positions come under the administration of one of the divisions. Members filling these positions are generally appointed by the officer in charge of the division, with the advice and consent of the chapter.

Appointed Offices

There are many important leadership roles in the fraternity. Every office is important. Most are functional offices to which members are appointed. Sometimes, service in one of these offices is a prelude for advancement to an elected office. Just as often, a member will find that an appointed office fits his talents perfectly, and it is in this role that he makes his greatest leadership contribution to the Fraternity. Often a member will serve in more than one role. For example, a member serving as chapter secretary will likely also serve as a member of a recruitment committee and perhaps even as a big brother in the fraternal education program, thereby fulfilling three important chapter functions. The quality of a member's service in an appointed office is the key criteria of suitability for elected office.

Judicial Board

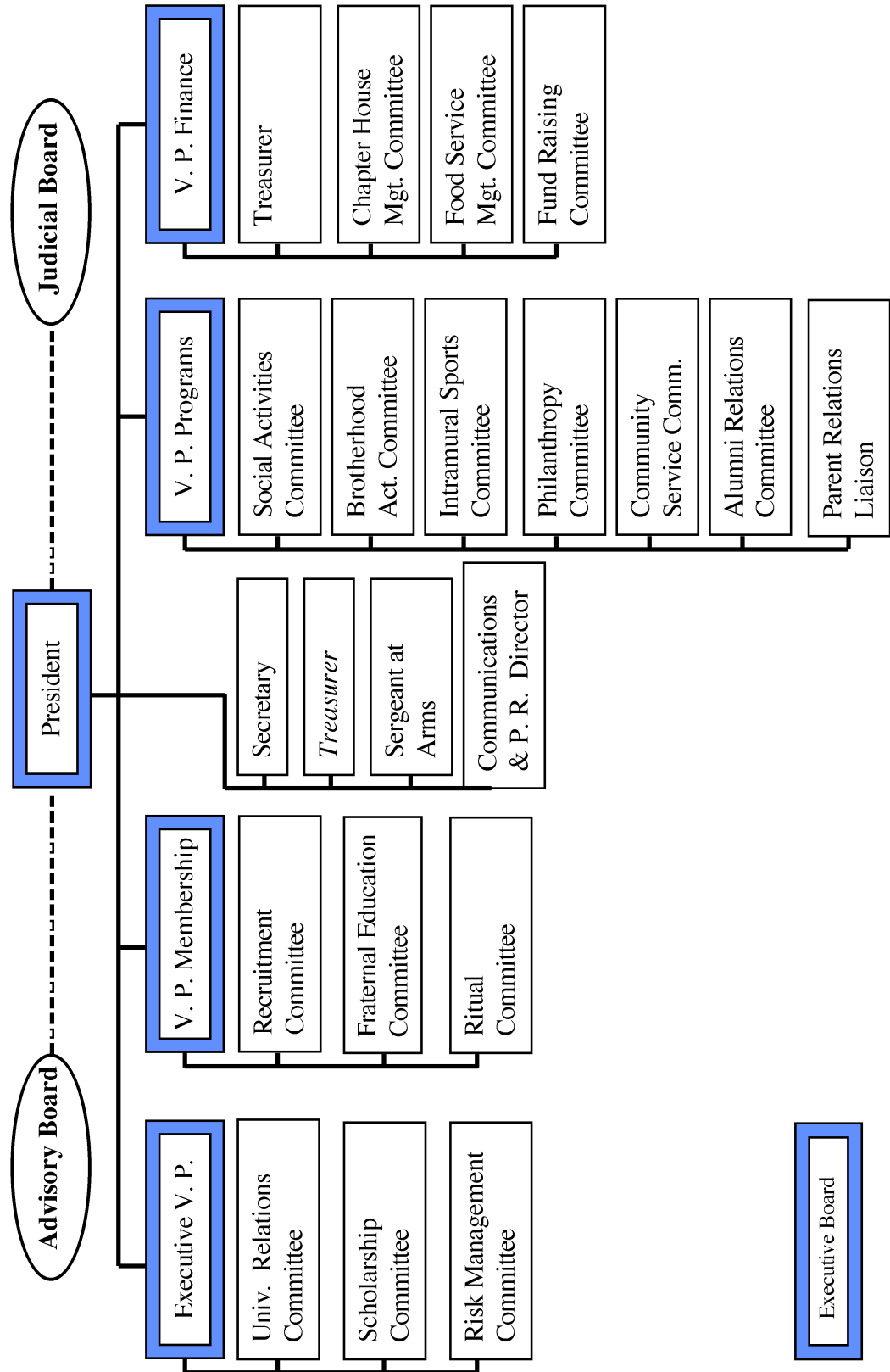
The Chapter Judicial Board is composed of three undergraduate members, an alumni member and a chapter advisor. The undergraduate members (together with one alternate) are elected each semester. The Chapter Judicial Board resolves questions of interpretation of the chapter by-laws and has original member discipline jurisdiction.

When considering issues of interpretation of chapter by-laws, the Judicial Board must be careful to avoid any decision that places the chapter in conflict with the Constitution, Laws or Policies of the national Fraternity. The publication Constitution & Laws and Policies is available from the Fraternity headquarters. It is the definitive source for this information. Care should be taken to reference the most recent edition of this publication.

The same publication contains the *Due Process Procedures Policy Statement*. This statement describes exactly how to proceed with issues of member discipline. If the Judicial Board fails to follow these procedures as stated, appellate boards will be forced to reverse its decisions.

It would be unfair to elect Judicial Board members after an issue of interpretation is raised, or after a member is charged with a violation requiring Judicial Board action. Therefore, Judicial Board member must be elected at the beginning of each semester.

Chapter Management Program





These Due Process Procedures were written by a panel of attorneys and adopted by the Board of Directors, April 5, 1997. They are an interpretation of Law 8, Discipline, which is incorporated herein. The Fraternity Laws were amended at the 42nd Grand Chapter, and these procedures were updated on December 28, 2006 to comply with the amended Law 8.

Pursuant to Law 8. Discipline, of the **Laws of Sigma Tau Gamma Fraternity, Inc.** the Board of Directors does, hereby enact these supplementary procedures for the clarification and uniform administration of due process. Law 8. Discipline is printed in **serif type**. The supplementary procedures are printed in **sans-serif type**.

Law 8. Discipline

Law 8A. Collegiate and Alumni Member Discipline

SECTION 1. Charges may be brought against a collegiate member or alumni member of the Fraternity by any Fraternity member or chapter advisor for one or more of the following offenses:

1. Flagrant breach of the obligations assumed upon initiation.
2. Violation of the Constitution, Laws, Policies or Ritual of the Fraternity.
3. Refusal or persistent failure to meet financial obligations.
4. Failure to maintain good, acceptable academic standing as defined by the college or university.
5. Failure to comply with college or university regulations.
6. Condoning the practice of hazing or by violating the provisions of the Code of Conduct as defined by the Fraternity.
7. Violation of the Risk Management Policy, as defined by the Fraternity, including the prohibition against the purchase of beverage alcohol through the chapter treasury or by individual members in the name of or on behalf of the chapter..
8. The possession, sale and/or use of any illegal drugs or controlled substances on chapter premises or at any Fraternity sponsored event or at any event that would suggest association with the Fraternity to a normal observer.
9. Violation of chapter by-laws or policies by collegiate members.
10. Encouraging or conspiring by an alumni member with a collegiate member or chapter to violate the Constitution, Laws, Policies, or Rituals of the Fraternity or provisions of the Code of Conduct and Risk Management Policy as defined by the Fraternity.

SECTION 2. Disciplinary action concerning collegiate members shall be made by the proper standing collegiate chapter Judicial Board or the Regional Vice President or the Executive Vice President, with provision for appeal. Every chapter shall have a Chapter Judicial board. The Board shall consist of three undergraduate members and one alternate elected by and from the undergraduate members of the chapter, and a chapter advisor and an alumni member of the chapter. The president of the chapter shall make nominations and coordinate with the Regional Vice President, who shall appoint the advisor and alumni members. If charges are brought against an undergraduate member of the Chapter Judicial Board, or if a member feels that he cannot objectively serve, or if a member is not available, the alternate shall take the place of the member for that hearing. The Chapter Judicial Board shall elect a chairman. The jurisdiction of the Chapter Judicial board is limited to only those cases where charges are being brought against a collegiate member by his chapter or by another collegiate member of the same chapter.

SECTION 3. When a hearing is held, the following procedures shall be followed:

1. Charges shall be filed in writing with the Chairman of the Chapter Judicial Board. If a proper Chapter Judicial Board has not been formed, or if charges are being made outside the jurisdiction of

the Chapter Judicial Board, the charges shall be filed with the executive offices which shall take action consistent with the policies set by the Board of Directors.

2. A copy of the charges shall be mailed or hand delivered directly to the charged individual by a member of the Chapter Judicial Board at least three days prior to the hearing, specifying the place and time of the hearing.
3. The Chapter Judicial Board shall conduct the hearing with both the individual bringing the charges and the individual being charged having the opportunity to be present and to present their cases.
4. The accused member must plead "guilty" or "not guilty." If no plea is expressed, a plea of "not guilty" will be entered in his behalf. When the plea of "not guilty" has been entered for the accused, evidence for the charge and defense shall be heard.
5. The Chapter Judicial Board shall render a decision of guilty or not guilty, and shall prepare a written statement of the decision for the record; a copy going to the accused, the chapter and the Executive Office of the Fraternity.
6. If a plea of guilty is entered by the accused member or a decision of guilty has been rendered by the Chapter Judicial Board, the following penalties may be levied:
 - a. a fine not to exceed five hundred dollars (\$500.00), in lieu of a fine, the Chapter Judicial Board may require the member to perform community service.
 - b. Removal from office
 - c. a suspension of the guilty member for a specified length of time from the activities of the chapter and a fine not to exceed five hundred dollars (\$500.00).
 - d. expulsion of the member from the Fraternity.
7. Notification of a decision of guilty with the penalty of expulsion shall be sent to the expelled member by registered or certified mail..
8. Decisions of the Chapter Judicial Board may be appealed in writing to the Judicial Review board within thirty (30) days of receipt of the notification of the decision.
9. At the expiration of the thirty (30) day interval, and no appeal having been made, the Chapter Judicial Board decision shall be final. If the penalty was expulsion, the Executive Office shall be notified, and where possible the expelled member's pin and certificate of membership shall be obtained from him.

SECTION 4 If an appeal is filed with the Executive Office of the Fraternity, or if any decision made by the Regional Vice President or Executive Vice President has been appealed, there shall be a review before the Judicial Review Board. The Board of Directors shall establish one or more Judicial Review Boards, as needed or desired, which have complete authority to render decisions on any complaint properly brought under the appeal provisions of this section.

SECTION 5. Any decision of a Judicial Review Board may be appealed to the Board of Directors of the Fraternity within thirty (30) days of the mailing of the notification of the decision. The Board of Directors shall render a decision to uphold, uphold but modify the penalty or reverse the decision of the Judicial Review Board.

SECTION 6. Any decision of the Board of Directors of the Fraternity may be appealed to the Grand Chapter within thirty (30) days of the mailing of the notification of the decision. The Grand Chapter may allow a committee to conduct hearings and provide a recommendation to the full House of Delegates, which shall have an opportunity to question the individuals concerned if present and render a decision to uphold, uphold but modify the penalty or reverse the decision of the Board of Directors of the Fraternity. The decision of the Grand Chapter shall be final.

SECTION 7. Upon an emergency condition, in which it is not feasible to wait for a full investigation, the Executive Vice President may temporarily suspend a member, provided that charges are brought against the member within ten (10) days of the temporary suspension. A temporary suspension shall remain in effect until changed by the Executive Vice President or until a hearing is held.

Law 8B. Collegiate Chapter Discipline

SECTION 1. Charges may be brought against a collegiate chapter of the Fraternity by any Fraternity member or chapter advisor for one or more of the following offenses:

1. Violation of the Constitution, Laws, Policies or Ritual of the Fraternity.
2. Failure to comply with college or university regulations.
3. Persistent failure to meet financial obligations to the Fraternity.
4. Condoning the practice of hazing or violating the provisions of the Code of Conduct as defined by the Fraternity.
5. Violation of the Risk Management Policy, as defined by the Fraternity, including the prohibition against the purchase of alcohol through the chapter treasury or by individual members in the name of or on behalf of the chapter.
6. The possession, sale and/or use of any illegal drug or controlled substance on chapter premises or at any Fraternity sponsored event or at any event that would suggest association with the Fraternity to a normal observer.

SECTION 2. The Board of Directors shall establish one or more Judicial Review Boards, as needed or desired, which have complete authority to render decisions on any complaint properly brought under the provisions of the Constitution or Laws of the Fraternity as herein described in this Law 8B.

SECTION 3. Upon an adverse finding against a collegiate chapter, the Judicial Review Board shall direct one or more of the following sanctions:

1. A fine not to exceed one thousand dollars (\$1,000.00)
2. Warning, Probation, or Suspension status, as defined by the Fraternity.

SECTION 4. Any decision of the Judicial Review Board may be appealed to the Board of Directors of the Fraternity within thirty (30) days of the mailing of the notification of the decision. The Board of Directors shall render a decision to uphold, uphold but modify the penalty, or reverse the decision of the Judicial Review Board.

SECTION 5. Any decision of the Board of Directors of the Fraternity may be appealed to the Grand Chapter within thirty (30) days of the mailing of the notification of the decision. The Grand Chapter may allow a committee to conduct hearings and provide a recommendation to the full House of Delegates, which shall have an opportunity to question the individuals concerned if present and render a decision to uphold, uphold but modify the penalty, or reverse the decision of the Board of Directors of the Fraternity. The decision of the Grand Chapter shall be final.

SECTION 7. Upon an emergency condition, in which it is not feasible to wait for a full investigation, the Executive Vice President may temporarily suspend a chapter, provided that charges are brought against the chapter within ten (10) days of the temporary suspension. A temporary suspension shall remain in effect until changed by the Executive Vice President or until a hearing is held.

Law 8C. Alumni Chapter and Alumni Association Discipline

SECTION 1. Charges may be brought against an Alumni Chapter or Alumni Association by any Fraternity member or chapter advisor for one or more of the following offenses.

1. Violation of the Constitution, Laws, Policies or Ritual of the Fraternity.
2. Persistent failure to meet financial obligations to the Fraternity.
3. Condoning the practice of hazing or by violating the provisions of the Code of Conduct as defined by the Fraternity.
4. Encouraging or conspiring with a collegiate member or chapter to violate the Constitution, Laws, Policies or Rituals of the Fraternity or provisions of the Code of Conduct and Risk Management Policy as defined by the Fraternity.

SECTION 2. The President of the Fraternity shall appoint an investigator who shall be a member of the Fraternity. Should the investigator determine there is just cause to pursue the charge, a hearing for the alumni chapter shall be initiated through the Board of Directors.

SECTION 3. A hearing shall be conducted according to the following procedures:

1. A copy of the charges shall be delivered to the president of the accused alumni chapter or alumni association by registered or certified mail at least thirty (30) days prior to the date of the hearing.
2. The Board of Directors shall conduct the hearing.
3. The Board of Directors shall render a decision of guilty or not guilty within thirty (30) days of the hearing and shall prepare a written statement of the decision for the record; a copy going to the accused chapter.
4. When a decision of guilty is rendered by the Board of Directors, the following penalties may be set by the Board of Directors.
 - a. A fine of not to exceed one thousand dollars (\$1,000.00),
 - b. If a temporary suspension was issued, the temporary suspension may be lifted,
 - c. A temporary suspension may be issued or affirmed for a specific length of time, with or without, (i) specific remedies of action and/or (ii) an accompanying fine of not to exceed one thousand dollars (\$1,000.00); or

SECTION 4. Any decision of the Board of Directors of the Fraternity may be appealed to the Grand Chapter within thirty (30) days of the mailing of the notification of the decision. The Grand Chapter may allow a committee to conduct hearings and provide a recommendation to the full House of Delegates, which shall have an opportunity to question the individuals concerned if present and render a decision to uphold, uphold but modify the penalty, or reverse the decision of the Board of Directors of the Fraternity. The decision of the Grand Chapter shall be final.

SECTION 5. Upon an emergency condition, in which it is not feasible to wait for a full investigation, the Board of Directors may suspend temporarily the charter of an alumni chapter or alumni association, provided that charges are brought against the chapter within ten (10) days of the temporary suspension. A temporary suspension shall remain in effect until changed by the Board of Directors.