

The Fraternity & Sorority Governance Statement of Missouri State University

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Article 1: Chapter Rights and Responsibilities

The Code of Student Rights and Responsibilities, as the publication title suggests, outlines the rights and responsibilities of students at Missouri State University. It is not the purpose here to simply restate the rights and responsibilities contained in the Code, but to highlight some that are particularly relevant to Fraternities & Sororities. It must be further noted that affiliation with a national organization is required for most Fraternities & Sororities and that loss of such recognition by a national organization will result in loss of recognition at Missouri State University.

Rights

The University shall not take conduct action against an organization for expression that is guaranteed by the Federal and/or State constitutions. This specifically includes the right to express unpopular views in any manner provided that such expression is consistent with the Expressive Activity Policy.

Basic concepts of fairness shall be afforded student organizations prior to conduct action, including notice of conduct charges that includes specific allegations and the corresponding policies allegedly violated; sufficient notice of a hearing on the charges before an impartial body and the opportunity to challenge information presented in support of the allegations, and the right to appeal a finding of responsibility or consequence.

Benefits that are afforded to Fraternities & Sororities, unless limited by a governing council or the University through conduct consequences, include:

- Office of Student Engagement staff dedicated to the advisement of the Fraternity & Sorority community who receive ongoing training and professional development
- Assistance with recruitment and intake process including collection of recruitment applications, bid cards, GPA verification, and technical support
- Dedicated office space for all three governing councils
- Financial support towards recruitment materials and educational programming
- Partnership with the SOAR program which includes at minimum an information table promoting Fraternity & Sorority life
- Inclusion in office presentations to Residence Life, Housing and Dining Services, GEP 101 classes, University Ambassadors, SOAR, and other offices upon request
- Reports are compiled including but not limited to membership rosters, grade reports, service hours, social events, and chapter officer contact information
- Resources for advisors and presidents including manuals and ongoing trainings
- The administration meets annually with every chapter to offer advice and give praise in various areas. This also includes offering awards for excellence
- Right to reserve space through Conference Services
- Right to have a student organization mailbox located in the PSU
- Listing in University publications and/or web pages
- Right to conduct fundraisers
- Right to request funding from SOFAC

- Right to promote events through flyers and chalking within the guidelines established in the Advertising and Solicitation policy.

Responsibilities

Fraternities & Sororities must comply with all Inter/National regulations and established University policies, including but not limited to the Code of Student Rights and Responsibilities, the Expressive Activities Policy, SOFAC Guidelines and Policies, and Policies and Ethics for Student Computer Use and Computer Network Use. To this end, Fraternities & Sororities are responsible for planning and executing effective transition between outgoing and incoming officers and committee chairs and the education of members, both new and continuing, in all relevant University policies and procedures, including the Fraternity & Sorority Governance Statement. Fraternities & Sororities must serve the purpose and mission of Missouri State University and must embrace and uphold the standards of their respective national organizations.

Fraternities & Sororities are responsible for their effective self-governance and should be free from interference in their daily operations by University faculty and staff advisors and other University administrators, provided that they are in compliance with University policies and applicable laws and ordinances. Conversely, student organizations must comply with all University policies and all local, state, and federal laws and must comply with University personnel acting within their duties and responsibilities.

Fraternities & Sororities have the responsibility to hold their members accountable for violations of University policies and their own standards. These organizations have the unique and additional responsibility to hold their fellow organizations accountable for actions that violate University policies, the policies of their governing councils, and the values common to all members of the Missouri State University Fraternity & Sorority community.

Fraternities & Sororities have the responsibility to be good stewards of University property and resources.

Fraternities & Sororities shall be held responsible for conduct violations of their guests and alumni at all chapter and University-sponsored events when such behaviors could be reasonably foreseen, prevented, and/or minimized.

Article 2: University Recognition

2.1 Missouri State University exists to produce educated persons. This is the central mission of the University. All units of the University have, as a primary function, the obligation to support the University's central mission. The University explicitly states that the out of class experience is a major component of the educational experience of students. The University therefore seeks to encourage those student organizations that provide a positive learning experience for students. The University provides this encouragement through the process of recognition and registration of student organizations. In return for meeting and upholding University standards, the University grants certain privileges based on the level of recognition or registration.

- 2.2 The University explicitly recognizes the value of Fraternities & Sororities as an out of class experience that provides students with unique leadership and social opportunities. Consequently, the University actively seeks to promote a strong Fraternity & Sorority community.
- 2.3 Students who wish to form a Fraternity or Sorority will do so through procedures established in concert with the appropriate governance council and National Organizations.
- 2.4 Fraternities & Sororities voluntarily assume the responsibility of maintaining the standards established by the University policies as a condition for recognition. Fraternities & Sororities are expected to be in compliance with all policies of the inter/national chartering organization as a condition of recognition.
- 2.5 The University reserves the right to withdraw recognition from a Fraternity or Sorority chapter upon determining that good cause for such action exists.
- 2.6 All standards of behavior established by the Code of Student Rights and Responsibilities apply to all Fraternities & Sororities. The University reserves the right to determine whether charges are placed against a chapter or an individual on a case-by-case basis.
- 2.7 When only the University is exploring conduct action, no conduct consequences may be imposed (except on an interim basis) upon any chapter without following procedural due process, as described in the Code of Student Rights and Responsibilities.

Article 3: Chapter and Community Evaluations

- 3.1 Each year an evaluation meeting will be scheduled with each chapter. The meeting will include the Dean of Students or Designee, the Assistant Director of Student Engagement for Fraternity & Sorority Life, the chapter president, and an advisor.
- 3.2 The purpose of the evaluation meeting is to explore the strengths and challenges of each chapter and to develop attainable goals and strategies to achieve them.
- 3.3 Each chapter will send a representative to a paperwork/ risk management session held by the Office of Student Engagement, in conjunction with IFC/ PHA/ and NPHC at the beginning of each semester. Once the chapter participates in this session, they will be able to hold social functions for the semester.

Article 4: Authority and Jurisdiction

- 4.1 The State of Missouri has delegated, by statute, authority for the governance of Missouri State University to the Board of Governors. This includes full power and authority to adopt all needful rules and regulations for the guidance and supervision of the conduct of all Fraternities & Sororities and students while enrolled as such and the authority to enforce compliance to those rules and regulations. It also has the power to delegate disciplinary authority.
- 4.2 Responsibility for the governance of Fraternities & Sororities is specifically delegated to the Dean of Students. The Dean of Students has assigned responsibility for advising and working with chapters to the Office of Student Engagement.
- 4.3 The University, as an institution with a public affairs mission, recognizes the inherent value of shared governance in working with Fraternities & Sororities. Therefore, the University recognizes the Inter-fraternity Council as the coordinating and governing body of the fraternity system, the Panhellenic Council as the coordinating and governing body

of the sorority system, and the National Pan-Hellenic Association as the coordinating and governing body of the NPHC Association. The authority of these groups is outlined in each respective constitution and set of by-laws as an internal authority.

- 4.4 Conduct decisions will be made according to procedures specified by this document. Conduct matters related to individual members of Fraternities & Sororities are governed by the procedures established for all students in the Code. When a Fraternity or Sorority enters a plea of “not responsible” to conduct charges and/or pleads “responsible” but cannot reach agreement with the Chief Justice and Conduct Advisor on appropriate conduct consequences, the Panhellenic Standards Board, Inter-Fraternity Council Standards Board or University Hearing Panel shall be utilized as the hearing authority.
- 4.5 Generally, jurisdiction shall be limited to behaviors or events ~~conduct~~ which occur on University or chapter premises, at chapter activities or off campus when the behavior adversely affects the University Community and/or the pursuit of its objectives. Situations where sexual harassment, sexual assault, hazing, or physical assault may have occurred will be investigated by the University regardless of whether or not the event(s) in question took place on or off campus.
- 4.6 Although not all acts of individual chapter members can or should be attributable to the chapter, any chapter or its members should be held responsible for its actions as described herein. Occasional lapses by individual members or isolated individual failures in restraint should not be chargeable to the chapter, but evidence of chapter conduct exists where:
- a. Members of the chapter act in concert, or the chapter provides the impetus for members, to violate University policy;
 - b. A violation arises out of a chapter-sponsored, financed, or endorsed event;
 - c. An executive board officer has knowledge of the incident before it occurs and fails to take corrective action;
 - d. The incident occurs on the premises owned, operated, or leased by the chapter;
 - e. A pattern of individual violations is found to have existed without proper and appropriate chapter control, remedy, or sanction.

In determining whether a chapter may be held collectively responsible for the individual acts of its members, all of the factors and circumstances surrounding the specific incident will be reviewed and evaluated. As a guiding principle, chapters will be held responsible for the acts of their members when those acts grow out of, or are in any way related, to chapter life.

Article 5: Proscribed Conduct

- 5.1 Violation of University policies, rules, or regulations published in University documents in which a student could reasonably be expected to be familiar; including but not limited to:
- “The Code of Student Rights and Responsibilities”
 - “The University Catalogue”
 - “Policy and Ethics for Student Computer Use and Computer Network Use”
 - “The Guide to Residence Hall Living”

- “The Guide to University Apartment Living”
- 5.2 Attempted or actual theft of and/or damage to property of the University, the property of another Fraternity or Sorority, or property of a member of the University community or other personal or public property. Theft of signage, banners, composites, and/or other property within or outside of a chapter house is covered under this policy.
 - 5.3 Hazing. Apathy or acquiescence in the presence of hazing are not neutral acts; they are violations of this policy.
 - 5.4 Failure to comply with directions of University officials or law enforcement officers acting in performance of their duties and/or failure to identify oneself and/or chapter affiliation to these persons when requested to do so.
 - 5.5 Use, possession, or distribution of narcotic or other controlled substances, or drug paraphernalia except as expressly permitted by law.
 - 5.6 Use, possession, or distribution of alcoholic beverages, or alcohol paraphernalia except as expressly permitted by the law and University regulations, or public intoxication.
 - 5.7 Purchase of alcoholic beverages through or with chapter funds or the purchase of alcohol for members or guests undertaken or coordinated by any member in the name of or on behalf of the chapter.
 - 5.8 The purchase and/or use of a bulk quantity or common sources of alcoholic beverages, for example, kegs, cases, or trash can punch is prohibited.
 - 5.9 Chapter members, collectively or individually, shall not purchase for, serve to, or sell alcoholic beverages to any minor. Nor shall they provide a location for alcohol consumption by minors.
 - 5.10 No chapter may co-sponsor any event with an alcohol distributor, charitable organization, bar/tavern where alcohol is given away, sold, or otherwise provided to those present. This includes any event held in, at, or on the property of a bar for the purposes of fundraising.
 - 5.11 No chapter may co-sponsor or co-finance a function where alcohol is purchased by any of the host chapters, groups, businesses, or organizations.
 - 5.12 All formal and informal recruitment activities or intake processes associated with any chapter shall be "dry" functions, that is, without the presence of alcohol or intoxicated persons.
 - 5.13 No alcohol shall be present at any pledge/associate/new member program.

- 5.14 No member shall permit, tolerate, encourage, or participate in drinking games at a chapter event or on chapter premises.
- 5.15 No less than one chapter member for every 25 people of each sponsoring chapter shall be present at such an event and will refrain from all consumption of alcohol. These individuals shall be responsible for the coordination and supervision of the event. Under no circumstances will these persons be pledges/associate/new members. At least one of these members shall be an executive officer.
- 5.16 At any social event with alcohol held not in conjunction with a licensed third party vendor, the chapter will hire bonded, private security personnel or off duty police to monitor the entrance to the social event, to assist the members in coordinating and supervising the event, and to facilitate any necessary communication with law enforcement personnel.
- 5.17 All social events that include alcohol will be registered with the Office of Student Engagement no less than 10 business days in advance of the event. This registration will include the names of the chapter members and the names of chapter officers who will coordinate and supervise the event. Events that are non-alcoholic shall be registered with the Office of Student Engagement no later than five business days before the event.
- 5.18 In the event where a non-alcoholic event is held at an establishment where alcohol potentially can be served, the hosting organization will provide proof of insurance and a guest list for the event. Exceptions to this are at the discretion of the Office of Student Engagement.
- 5.19 Wristbands will be given at the entrance to the social event with alcohol and will be issued only to those of legal drinking age. Wristbands provided to guest must be the official bands provided by the Office of Student Engagement. The people distributing wristbands shall be those listed as sober party monitors.
- 5.20 No open parties with alcohol.
- 5.21 An updated list of current chapter members, with birth dates, will be submitted to the Office of Student Engagement twice per semester. All chapters must complete a New Member Roster or Candidate Form and turn into the Office of Student Engagement as specified by the Assistant Director of Student Engagement for Fraternity & Sorority Life. Students must sign a Membership Card and turn into the Office of Student Engagement within 7 days of joining the organization.
- 5.22 All chapter houses shall, prior to, during, and following occupancy, meet all local fire and health codes and standards, including all city ordinances relating to house capacities, congregations, and assemblies. A copy of the inspection must be turned in to the Office of Student Engagement by September 1st every year.

- 5.23 All chapters must have posted emergency numbers for fire, police, and ambulance and must have posted evacuation routes on the back of the door of each member's room and each sleeping room.
- 5.24 No possession and/or use of firearms or explosive devices of any kind, within the confines and premises of chapter property.
- 5.25 At any event, no more than 425 persons shall attend or the maximum capacity of the facility used (chapter premises, third party vendor, etc.) whichever is less.
- 5.26 All chapters must adhere to registration policies set forth by the Office of Student Engagement. Exception requests (i.e. over-capacity or requesting to not submitting alumni or parent birthdays) must be submitted to the Office of Student Engagement no later than 21 days before the scheduled event for the Dean of Students or Dean of Students Designee approval.

Article 6: Consequences

- 6.1 When there is a hearing to determine that a violation of policy has taken place, the hearing authority will determine a recommendation for a consequence appropriate to the violation. In determining its recommendation, the hearing authority will hear recommendations from the organization responding to conduct charges (hereafter simply referred to as the 'respondent') and the complainant. The Conduct Advisor may introduce information of past violations by the respondent organization that may be relevant to assigning consequences.
- 6.2 Bystander Intervention Policy. The welfare of our students is of the highest importance to Missouri State University. There will be times when individual students, both on and off campus, may be in critical need of assistance from medical or other professional personnel. Missouri State University hopes that these students will seek help and that other students or individual chapters will respond to obtain the help that their fellow student needs. To that end, Missouri State University wants to minimize any hesitation that students might have in obtaining help due to concern that their own behavior or chapter behavior might be a violation of University policy.

While policy violations cannot always be overlooked, a-University staff members will take into consideration the positive impact of reporting an incident on the welfare of students when determining the appropriate response for policy violations by the reporter of the incident. Any possible negative consequences for the chapter or reporter of the problem should be weighed against the possible negative consequences for the student who needs intervention. At a minimum, Missouri State University hopes that a student would make an anonymous report that would put the student in need in touch with professional help.

- 6.3 The following consequences may be imposed upon any Fraternity or Sorority found to have violated University policy.

- A. Warning – A notice in writing to the organization that the chapter is violating or has violated institutional policy.
- B. Loss of Privileges – Denial of specified privileges for a designated period of time.
- C. Fines – Fines may be imposed.
- D. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- E. Community Service.
- F. Letter of apology.
- G. Restriction upon privileges.
- H. Research and written statements.
- I. Hosting an educational program.
- J. Level One Probation – A written reprimand for violation of specified policies as well as notice to International organizations of conduct concerns. Probation is for a designated period of time and includes the probability of more severe conduct consequences if the organization is found to be violating any institutional regulation(s) during the probationary period. Organization members may be declared ineligible to campaign for or hold office on their respective governing Council. If found responsible for another violation of University policy and/or a violation of the Governance Statement, it may result in the suspension or dismissal of the organization.
- K. Level Two Probation – Serves as both a second chance and final warning to the organization. It is imposed for a specific period of time and affects the chapter's good standing in the University. While on level two probation, organization members will be declared ineligible to campaign for or hold office on the governing council. If found responsible for a violation of the Fraternity & Sorority Governance Statement while on level two probation, this may result in the suspension or dismissal of the organization from campus.
- L. Suspension of University Recognition – Loss of all privileges, including University recognition, for a specified period of time. Conditions for recognition may be imposed.
- M. Dismissal – Permanent revocation of University recognition.

- N. Temporary or Provisional Orders – In addition to the authority granted in the Code of Conduct and the Fraternity & Sorority Governance Statement, the Dean of Students is empowered to impose temporary or provisional orders ex parte to preserve the status quo or to prevent the potential endangerment of persons or property. Such temporary or provisional orders are not intended to replace a hearing before a conduct authority. Such an order is intended to place parameters on chapter behavior in order to avoid the necessity of a hearing and allow the status quo to be maintained. Generally, such orders should be limited to those circumstances where the Dean has good cause to believe that an organization’s behavior poses a threat to the status quo of the University community or member(s). A chapter shall receive a written copy of the order, which specifies the conditions of the order, the duration of the order, the consequence for violation of the order, and how the record of the order will be maintained.
- O. Interim Suspension – In certain circumstances, the Dean of Students, or a designee, may impose a temporary suspension for a chapter prior to a hearing before a hearing for the purpose of protecting campus community members, personal or university property and/or the community at large. During the interim suspension, the organization shall be denied access to the university meeting spaces, intramural leagues, and social activities. The chapter may not hold elections, give bids to new members\pledges, or initiate members.
- 6.4 More than one of the consequences listed above may be imposed for any single violation.
- 6.5 All conduct records concerning Fraternities & Sororities are maintained permanently for archival purposes.
- 6.6 In each case when a hearing authority shall determine that an organization has violated policy, the consequences shall be approved and imposed by the Dean of Students. The Dean, in determining and imposing consequences, shall consider the recommendation of the hearing authority. The Dean is not limited to consequences recommended by the hearing authority. Following the hearing, the Chief Justice, the conduct advisor, or the Dean shall advise the chapter in writing of the consequences imposed. A consequence imposed by the Dean may be appealed. See article 7.8 for more information on where an appeal goes.
- 6.7 A Fraternity or Sorority receiving a temporary or provisional order may seek relief from the Vice President for Student Affairs. The organization shall request relief in writing. Upon review, the Vice President can amend the conditions of the order or remove the order.

Article 7: Conduct Policies and Procedures

- 7.1 Any member of the University community may file charges against a chapter for misconduct. Charges shall be prepared in writing and directed to the Dean of Students Office, which is responsible for the coordination with the Chief Justice of the Fraternity

& Sorority conduct system. Any charge should be submitted as soon as is reasonably possible after the event takes place, but in any case, no longer than one calendar year from the date the person knew or should have known the facts.

- 7.2 The Chief Justice and Conduct Advisor may conduct an investigation to determine if the charges have merit and/or if they can be disposed of administratively by mutual consent of the parties involved. Such disposition shall be final and there shall be no subsequent proceedings.
- 7.3 All charges shall be presented to the respondent chapter in written form and copied to the chapter advisors and Inter\National Headquarters. The written notice of charges will contain the following:
 - a. The sections of the Fraternity & Sorority Governance Statement or the Code allegedly violated;
 - b. Date, time, and place, the alleged violation occurred;
 - c. A concise summary of the alleged violation;
 - d. A list of the complainant's witnesses (to be supplemented later if necessary); and
 - e. A deadline for meeting with the Chief Justice and Conduct Advisor.
- 7.4 The chapter responding to conduct charges will meet with the Chief Justice and Conduct Advisor by the deadline assigned in the letter of charges. At that meeting the following matters will be decided:
 - a. The Chief Justice and Conduct Advisor will go over the charges and give a summary of the information to be presented as to allow preparation of refutation;
 - b. The Chief Justice and Conduct Advisor will answer any questions and provide any necessary clarification of the Fraternity & Sorority Governance Statement or Code and/or its procedures;
 - c. The chapter responding to conduct charges will complete and sign an adjudication form;
 - d. The Chief Justice and Conduct Advisor will assist both the respondent chapter and the complainant to secure necessary information for the purpose of facilitating and understanding a hearing before a hearing panel (when necessary);
 - e. If the chapter fails to meet with the Chief Justice and Conduct Advisor or fails to complete the adjudication form, the Chief Justice and Conduct Advisor shall assume a plea of not responsible and proceed with a hearing;
 - f. In the event that the chapter responding to conduct charges, Chief Justice and Conduct Advisor cannot reach agreement for responsibility or consequences, the process will proceed to a hearing.
- 7.5 When a student joins a Fraternity or Sorority, s/he does so voluntarily and in so doing implicitly accepts certain obligations of performance and behavior established by the University, as defined in this Fraternity & Sorority Governance Statement, the Code and other official University publications. The development of education and self-discipline is a goal of each chapter, and the conduct process is intended to be educational in nature. The conduct system described herein is designed to further the educational process; therefore, it is not comparable to, or a substitute for, jurisprudence under a criminal code.

Therefore, formal rules of process, procedure, and/or technical rules of evidence, such as are applied in criminal or civil court, are not used in Fraternity or Sorority conduct proceedings. The procedures outlined below are designed to balance the rights and responsibilities of the chapter responding to conduct charges with the rights of the party filing conduct charges, other students, members of the academic community, and the public. Hearings shall be conducted by a hearing authority in order to provide a fair opportunity for hearing of the chapter's position, explanations, and information according to the following guidelines:

- a. Hearings normally will be conducted in private. Admission of any person to the hearing shall be at the discretion of the judicial body and/or its Chief Justice and Conduct Advisor.
- b. The Chief Justice may cause to be removed from the hearing any person, including the respondent chapter representative or an advisor, who disrupts or impedes the investigation, or who fails to adhere to the rulings of the Chief Justice. The Chief Justice or Conduct Advisor may direct that persons, other than the respondent chapter representative or the complainant, who are to be called upon to provide information, be excluded from the hearing except for that purpose. The members of the hearing panel may conduct private deliberations at such times and places as they deem proper.
- c. The complainant must appear in support of the charge(s) before the hearing panel. If the complainant fails to appear, charges may be dropped at the discretion of the Chief Justice and Conduct Advisor.
- d. If the accused chapter has been properly notified of the hearing, but fails to appear, the hearing may take place in the chapter's representative's absence and will be binding on the respondent chapter. Only upon showing of exceptional circumstances (to be determined by the Chief Justice and Conduct Advisor) will the respondent chapter be granted a new hearing on the basis of absence. In hearings and/or conferences, it shall be presumed that the notice of a hearing/conference has been received if the notice is furnished in one of the following ways: notice is sent by regular, registered, or electronic mail to the address provided by the chapter president to the Office of Student Engagement or that is on record in the Registrar's Office.
- e. In hearings involving more than one respondent chapter, the Conduct Advisor, may recommend the hearings concerning each chapter be conducted together or separately. The decision to conduct the hearings together or separately is at the sole discretion of the Chief Justice and Conduct Advisor.
- f. The complainant and the respondent chapter have the right to be assisted by any advisor they choose, at their own expense. The advisor may be an attorney. The complainant and/or the respondent chapter is responsible for presenting his or her own case and, therefore, advisors are not permitted to speak or to participate directly in any hearing before a hearing authority. It is the responsibility of the complainant and the respondent chapter to notify the Chief Justice of the identity of the advisor secured no later than three (3) days in advance of the hearing date.
- g. In consideration of the limited role of advisors and of the compelling interest of the university to expeditiously resolve allegations of violations of policy, the work of a hearing authority will not, as a general practice, be delayed due to the unavailability of an advisor.

- h. Presenting information and challenging presented information at a hearing are rights available to both the respondent chapter and the complainant. However, direct questioning by the complainant or the respondent chapter is not an inherent right and in certain cases may be denied by the Chief Justice and Conduct Advisor.
 - i. It is the responsibility of the person desiring the presence of a witness before a hearing to ensure that the witness appears. Because experience has demonstrated that the actual appearance of an individual is of greater value than a written statement, the latter is discouraged and should not be used unless the individual cannot reasonably be expected to appear. Any written statement must be dated, signed by the person making it, and witnessed by a University employee. The work of a hearing authority will not, as a general practice, be delayed due to the unavailability of a witness.
 - j. The hearing panel will accept for consideration all matters, which reasonable persons would accept as having probative value in the conduct of their affairs. Unduly repetitious, irrelevant, or personally abusive material should be excluded.
 - k. Pertinent records, exhibits, and written statements may be accepted as information for consideration by a hearing authority at the discretion of the Chief Justice and Conduct Advisor.
 - l. All procedural questions are subject to the final decision of the Chief Justice and Conduct Advisor.
 - m. After the hearing, the hearing authority shall determine (by majority vote) whether the chapter has violated each section of the Fraternity & Sorority Governance Statement or the Code, which the chapter is charged with violating.
 - n. The hearing authority's determination shall be made on the basis of whether it is more likely than not that the respondent chapter violated the Fraternity & Sorority Governance Statement or the Code.
 - o. If a disability prevents a student from speaking, a non-attorney advisor may speak on behalf of that student.
- 7.6 There shall be a single verbatim record of all hearings before a hearing authority. The record shall be the property of the University. The complainant and the respondent organization shall not be allowed to make a separate recording of any type.
- 7.7 Except in the case of an organization charged with failing to obey the directive of a hearing authority or University official, no chapter may be found to have violated policy solely because the organization failed to appear before a hearing authority. In all cases, the information in support of the charges shall be presented and considered.
- 7.8 A decision reached at a hearing or a consequence imposed by the hearing authority/Dean of Students, or Dean of Students designee may be appealed to the Campus Judicial Board within five (5) University business days of the decision. Such appeals shall be in writing and shall be delivered to the Chief Justice or Conduct Advisor. For specific appeal guidelines, please refer to the Code of Student Rights and Responsibilities of Missouri State University.

Article 8: Definition of Terms

- 8.1 Alumni = Organization member separated from the chapter while in good standing.
- 8.2 Alumni/ Parent Event = An event hosted by one chapter where either alumni or parents are invited. A guest list is submitted to the Office of Student Engagement.
- 8.3 Bar\ tavern = Establishment that is licensed to sell alcoholic beverages and which more than 50% of its profits come from food service.
- 8.4 Chapter = Fraternity or Sorority recognized by the Office of Student Engagement at Missouri State University.
- 8.5 Chapter property = Location or items that are commonly recognized as being rightfully associated with an organization. Terms “chapter” and “Greek chapter” may be used interchangeably.
- 8.6 Chief Justice = IFC or Panhellenic elected position that processes paperwork, investigates allegations of policy violations, serves as standards board chairperson, and votes as a tie breaker on a hearing panel.
- 8.7 Conduct Advisor = A University official authorized on a case-by-case basis by the Dean of Students. The Dean may authorize a conduct advisor to serve simultaneously as an advisor to a hearing authority.
- 8.8 Consent = Consent or lack of consent may be expressed or implied. Acquiescence does not constitute consent. Further, consent cannot be construed if:
- a. It is given by a person who is legally incompetent to authorize the conduct charged to constitute the offense and such incompetence is manifest or known to the actor; or
 - b. It is given by a person who by reason of youth, mental disease or defect, or incapacitation is manifestly unable or known by the actor to be unable to make a reasonable judgment as to the nature or harmfulness of the conduct charged to constitute the offense; or
 - c. It is induced by force, duress, or deception.
- 8.9 Co- Host List Party = A party hosted by one or more chapters where a guest list is provided to the Office of Student Engagement.
- 8.10 Co-Sponsor = Any organization, business, establishment, or person providing partial or complete financing for a project or an event carried out by another person or group.
- 8.11 Date Party = A party hosted by one chapter where each chapter member is able to bring one guest. A guest list is submitted to the Office of Student Engagement.
- 8.12 Endorsement = To acknowledge, approve, support or sustain
- 8.13 Exchange = An event between two or more chapters. A guest list is submitted to the Office of Student Engagement.

- 8.14 FIPG = Fraternal Information Programming Group
- 8.15 Guest = Any person who is hosted by the chapter or its members but who is not a member of the chapter, including parents, family members, alumni, and significant others.
- 8.16 Guest List = A list with the names of all those invited to an Alumni/ Parent event, Co-Host list party, date party, exchange, or list party which is submitted to the Office of Student Engagement.
- 8.17 Hazing = Any action taken or situation created, whether on or off chapter premises, to produce or cause mental or physical discomfort, embarrassment, harassment, or ridicule. Such activities may include but are not limited to the following: use of alcohol; paddling in any form; creation of excessive fatigue; physical and psychological shocks; quests, treasure hunts, scavenger hunts, road trips or any other such activities carried on outside or inside of the confines of the chapter house; kidnappings, whether by pledges or active members, wearing of public apparel which is conspicuous and not normally in good taste; engaging in public stunts that may cause unwanted attention; morally degrading or humiliating games and activities; and any other such activities that are not consistent with the academic achievement, fraternal law, ritual or policy, or the regulations and policies of the educational institution, or applicable state law. – FIPG
- 8.18 Hearing authority = Persons authorized to determine whether an organization has violated university policy and to recommend imposition of consequences. Fraternities & Sororities fall under the Chief Justice & Conduct Advisor, Inter-fraternity Standards Board, Panhellenic Standards Board, or the University Hearing Panel.
- 8.18 List Party = A party hosted by one chapter where a guest list is provided to the Office of Student Engagement.
- 8.19 Member of the University Community = Includes any person who is a student, faculty member, or staff member, and any Fraternity or Sorority. A person's status in a particular situation shall be determined by the Dean of Students.
- 8.20 Minor = Any person under the legal age to consume alcohol in the state of Missouri.
- 8.21 Non-alcoholic event = An event hosted by a chapter where alcohol is not present.
- 8.22 Open party = Unrestricted access by non-members of the chapter, without specific invitation and where alcohol is present. - FIPG
- 8.22 Policy = Written regulations of the University as found in, but not limited to, the "Fraternity & Sorority Governance Statement", "Code of Student Rights and Responsibilities," the Missouri State web pages, the "Guide to University Living," "Guide to Apartment Living," and "Graduate/Undergraduate Catalogs."

- 8.23 Sexual act = Any penetration, however slight, whether or not emission results; any act involving the genitals of one person and mouth, tongue, hand, or anus of another person; or any of the above acts induced by force, duress, or deception.
- 8.24 Sexual contact = Any touching of the genitals or anus of any person, or the breast of any female person, or any such touching through the clothing for the purpose of arousing or gratifying sexual desire of any one person.
- 8.25 Student = Includes all persons taking courses at the University, either full-time or part-time, pursuing undergraduate, graduate, or professional studies. Persons who withdraw after allegedly violating policy, who are not officially enrolled for a particular term but who have a continuing relationship with the University, or who have been notified of their acceptance for admission, are considered “students” as are persons who are living in Missouri State University residence halls or apartments, although not enrolled in this institution.
- 8.26 University official = Includes any person employed by the University performing assigned administrative or professional responsibilities. This includes Resident Assistants and Graduate Assistants.

Article 9: Interpretation and Revisions

- 9.1 Any question of interpretation regarding the Fraternity & Sorority Governance Statement shall be referred to the Dean of Students or his or her designee for final determination, subject to appeal to the Vice-President of Student Affairs.
- 9.2 The Fraternity & Sorority Governance Statement should be reviewed periodically under the direction of the Office of Student Engagement. In all cases, review of this document should be conducted with student representation.
- 9.3 Changes in the Fraternity & Sorority Governance Statement which are editorial in nature and do not affect the fundamental nature of the document, or are required to insure policies are consistent with state or federal law, can be made by the Dean of Students and become effective upon approval by the President of the University.
- 9.4 Substantive changes recommended for the Fraternity & Sorority Governance Statement as a result of the review process shall be submitted to the Board of Governors for approval and adoption.