

Western Illinois University Fraternity and Sorority Life Accountability Board

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Western Illinois University Fraternity and Sorority Life Accountability Board

Mission Statement of Fraternity & Sorority Life

Fraternity & Sorority Life in the Office of Student Engagement at Western Illinois University, in support of diversity and a strong fraternal community, will provide opportunities and resources to complement and assist in the development of students as members of self-governing organizations that promote:

1. high standards of scholarship
2. a strong commitment to service of the individual,
3. respective council and their community,
4. a commitment to moral, personal, social, and leadership development
5. positive and active citizenship, informed decisions and empowerment to make meaningful contributions to university and local community

Article I. Name

The name of this organization shall be the Western Illinois University Fraternity and Sorority Life Accountability Board (FSLAB).

Article II. Philosophy and Purpose

A. Philosophy

To align with this mission, the FSLAB exists to assist in the personal growth and development of our fraternity and sorority community by further promoting self-governance, accountability, and responsible citizenship.

The FSLAB seeks to promote actions that align with the values of Western Illinois University and National/International fraternal organizations and to promote the welfare of the individual members and chapters of the fraternity and sorority community.

B. Purpose

The purpose of the FSLAB is to review allegations of misconduct and violations of FSL Policies and the WIU Student Code of Conduct that involve fraternal social organizations. The FSLAB seeks to mediate or adjudicate a resolution to said allegations.

Article III. FSLAB Representatives

A. Composition

The FSLAB shall be composed of a pool of affiliated members.

B. Representatives

Each chapter must select a representative to sit on Formal Hearings

1. Representatives must be available to attend hearings on Fridays at 1 p.m. throughout the entirety of the semester.
2. Chapter presidents must notify the Chairpersons of their representatives by the first Friday of each semester.

C. Eligibility

To be eligible for the pool, a student must meet the following criteria:

1. Be a full-time undergraduate student at Western Illinois University.
2. Be an initiated member of a fully chartered and officially recognized IFC/UGC/PHC organization.
3. Be in good judicial standing with the University, the Office of Student Engagement, and their individual chapter.
4. Maintain a 2.5 cumulative grade point average.
5. Not serve as president of a Greek Letter organization.
6. Not serve on the Executive Board of any of the Councils.
7. Maintain confidentiality of all FSLAB related proceedings.

D. Training

Once selected for the FSLAB, representatives must attend one training session a semester before they can sit in on a hearing.

E. Removal

If a member no longer fulfills the requirements stated above or does not fulfill the duties expected of a member, the representative will be removed from the pool of eligible representatives.

1. Two unexcused absences will result in the chapter representative meeting with the FSL Coordinator or Graduate Advisor. This meeting could result in a removal from the FSLAB.
2. If a representative is removed from the FSLAB, the Chapter's President will have 7 calendar days to select a new representative and notify the council Chairperson of their selection.

Article IV. Chairpersons

A. Number of Chairs

There will be three (3) chairs of the FSLAB. Each governing council (Panhellenic, Interfraternity, and United Greek) will have one (1) chair.

B. Council Chair Selection

1. The chairpersons of the FSLAB will be a Vice President or Chairperson from each council, as determined by each council.
2. One chair must be present at all hearings and may not be affiliated with the chapter in question.

C. Chair Duties

1. Notify the chapter(s) in writing of the potential violation(s).
2. Contact representatives from the pool to fill the board for each hearing.
 - a. The hearing board will consist of three (3) representatives, one (1) from each council.
 - b. Hearing board members will be selected from a rotating alphabetical list of representatives from each chapter.
3. Schedule the mediations and review hearings.

4. Notify the Fraternity and Sorority Life Coordinator of the recommendations of the FSLAB in writing within _____ days of the hearing.
5. Moderate and supervise the behavior/conduct of all individuals in a review hearing.:
6. Oversee the enforcement of sanctions, ensuring the completion of sanctions.
 - a. Inform Fraternity and Sorority Life professional staff members about the hearing, the outcome of the hearing, and any sanctions given (with included completion dates & repercussions for incompleteness).
 - b. Submit a report [via Purple Post] to the Fraternity and Sorority Life Coordinator of the FSLAB's activities at the end of the term of office. The report will include, but is not limited to, the following:
 - i. A summary of the board's activities (number of cases heard, decisions reached, types of cases heard, etc.)
 - ii. Areas that need improvement or clarification and suggestions for improving the overall operation of the Board.
7. In collaboration with FSL staff, the chairpersons will call for organizations to submit their representatives at the beginning of each semester. It is the responsibility of the chairperson to ensure each organization in their council has a representative on file before the first hearing of the semester.

D. Chairperson Procedures

1. The chairperson shall notify the Chapter president and the Chapter advisor electronically of the necessity to set up a meeting.
2. Chapters involved must contact the FSLAB to set up a meeting within three (3) business days of receiving said letter. Meetings must be within two (2) weeks of original contact.
3. Included in this document will be:
 - a. The specific alleged violation(s) citing the appropriate University, FSL, and/or council policy(ies) or regulation(s)
 - b. A description of the act(s)/incidents alleged to have been committed
 - c. The time and place (insofar as may reasonably be known) of the incident
 - d. The names of chapter members or nonmembers who have been reported to be involved in the incident
 - e. The time and place of the review hearing or mediation.
 - f. The procedures to be followed at the hearing or mediation
 - g. The name of a contact person where questions can be directed (chairperson or FSLAB advisor)
 - h. The date that chapters must confirm their attendance at a mediation or hearing.

Article V. Jurisdiction

- A. Per the WIU Student Code of Conduct, the FSLAB maintains adjudication jurisdiction over the behavior and actions of chapter members of social fraternal organizations.
- B. It should be understood by all participants in the judicial process that there is a fundamental difference between the nature of student organization judicial process and criminal or civil law. The aim of these outcomes and resolutions imposed in the judicial

process is to educate students, and the types of potential outcomes are not at all equivalent to those of criminal or civil proceedings.

- C. ~~Jurisdiction and discipline~~ shall include actions and events which occur on University or chapter premises, at chapter activities, or **at** events that can reasonably be assumed to be associated with a social fraternal organization.
- D. Factors to be used in making a determination of whether activities are related to the chapter include the nature and purpose of the event, the involvement of the chapter in planning, organizing, promoting/financing the event, the location of the event, who was invited to the event, and who was in attendance.
- E. Chapter Event Defined
 - 1. An activity shall be deemed to be a chapter event if a reasonable person examining the totality of the event would conclude that it was related to the chapter.
 - 2. Any event or situation sponsored or endorsed by the chapter, or any event an observer would associate with the fraternity.
 - 3. If it looks like a chapter event, even if it does not involve a majority or even a significant number of members, it is a chapter event.

Chapter events may include, but are not limited to:

- 1. Meetings
- 2. Ceremonies
- 3. Retreats
- 4. Banquets
- 5. Conferences
- 6. Conventions
- 7. New member activities
- 8. Social functions, fundraisers, and community service projects
- 9. Recruitment

Note: Violations of recruitment policies shall be handled by the chapter's governing council (IFC, PHC, UGC) first. Appeals shall be handled by the FSL Accountability Board, dependent upon the council's bylaws.

Article VI. Investigation

- A. Collecting Information

The assigned chair, in coordination with Fraternity & Sorority Life staff, will collect information related to reported incidents.
- B. Evidence

All evidence procured from this investigation must be documented and provided to the FSLAB prior to meeting with the accused chapter(s).
- C. Responsibility

1. The FSLAB, through collaboration with the Office of Student Engagement, Office of Student Rights & Responsibilities and the chairpersons, has the right to determine whether or not an action is attributable to the chapter or is considered an individual offense.
2. 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 by the FSLAB, including chapter specific attempts at mediation and resolution.

D. Review Levels

The FSLAB may assist councils in two ways: mediation and Formal Hearings. Upon receiving a complaint, the Chairpersons, in coordination with Fraternity and Sorority Life staff, will decide whether a chapter will have the opportunity for mediation or will immediately be assigned a Formal Hearing.

1. Mediation

Mediations exist to facilitate a discussion to reach a mutual agreement between chapters or between a chapter and the Fraternity and Sorority Life Office/Community and should not be treated as a Formal Hearing.

2. Formal Hearing

A Formal Hearing is a meeting with an individual or multiple fraternity or sorority chapter/s to adjudicate all alleged violations of the Student Code of Conduct, the Office of Student Engagement Policy Manual, and/or one of the council's bylaws or constitutions.

Article VII. Mediation

A. Mediation Team

1. Members of the mediation team will moderate the case fairly and solely on the evidence presented.
2. The mediation team will assist chapters as they assess their own actions and, when violations have occurred, hold them accountable based upon the designation of the offense and its appropriate sanctions.
3. The mediation team reserves the right during any meeting to meet each chapter separately or consult privately amongst themselves before making a decision.

B. Mediation Process

1. Mediations will be conducted by council chairpersons, unless the Chairperson's chapter is involved. In that case, the chairperson will recuse themselves and the chair of another council will assist in mediation hearings.
2. Mediations will be closed to the public with no more than three (3) representatives of each organization in mediation unless otherwise directed.
3. If multiple chapters are involved, the FSLAB can ask one chapter at a time to attend a meeting before bringing all parties together to decide on a course of action.
4. The FSLAB has the ability to request anyone associated with the alleged violation to attend the mediation. These individuals will not sit in on the entire proceeding, but can

- be asked to provide a statement and answer questions from those involved and the mediation team.
5. Chapters have the option to waive a mediation and request a Formal Hearing.
 6. Mediation is not required prior to an official hearing. If the chairpersons or Fraternity and Sorority Life staff believe a hearing is necessary, they do not need to hold a mediation before the situation can proceed to a Formal Hearing.
 7. Should an accused chapter fail to appear after proper notification, a Formal Hearing will automatically be required.
 8. If a chapter can no longer attend a mediation, they must inform the FSLAB at least twenty-four (24) hours in advance. The chapter must provide reasoning for why they cannot attend the mediation and provide a plan to set up a new mediation.
 9. A chapter has the right to request a Formal Hearing instead of mediation.

C. Mediation Decisions

1. All parties in a mediation must agree on any decisions made for them to be valid, including any organizations involved and the mediation team. An agreement shall be crafted and signed by both parties within 3-5 business days of the mediation session.
2. If a reasonable decision cannot be made based on the mediation, violations are found to be egregious enough to warrant a hearing, or a chapter refuses a mediation session, a Formal Hearing will be conducted.
3. Any organization violating a mediation agreement will be forwarded to a hearing board for failure to comply.
4. Decisions agreed upon in mediation by all parties involved cannot be appealed.
5. Decisions reached in mediation will be sent to the chapter president, advisor, FSL Coordinator, the Director of the Office of Student Engagement, and, if warranted, Inter/National organizations.

Article VIII. Formal Hearings Process

A. Hearing Meetings

A Formal Hearing is a meeting with an individual or multiple fraternity or sorority chapters to adjudicate all alleged violations of the Student Code of Conduct, the Office of Student Engagement Policy Manual, Fraternity & Sorority Life policies, and/or one of the council's bylaws or constitutions.

1. The standard of responsibility is based on a preponderance of the evidence in the student conduct process. This means a violation more likely than not occurred (50.1% chance that the accused is responsible).
2. Members of the board shall judge the case fairly and solely on the evidence presented.
3. Hearings will be closed to the public with no more than three (3) representatives of each charged organization present, unless otherwise directed.
4. If a chapter can no longer make a meeting, they must inform the FSLAB at least twenty-four (24) hours in advance. The chapter must provide reasoning for why they cannot attend the hearing and provide a plan to set up a new hearing.
5. Should an accused chapter fail to appear after proper notification, the hearing shall be

- conducted in absence of the chapter. Evidence in support of the charges will be presented to and considered by the FSLAB.
6. The board has the ability to request anyone associated with the alleged violation to attend the hearing. These individuals will not sit in on the entire proceeding, but can be asked to provide a statement and answer questions from the accused and the FSLAB.

B. Participants

Attendance at all FSL Accountability Board hearings shall be limited to:

1. The president of the member chapter involved
2. One additional member chapter representative or designee
3. Witnesses (At the discretion of the Graduate Advisor, witnesses may be excluded from the hearing room until it is their turn to present their case.)
4. FSLAB Representatives assigned to the hearing
5. The FSLAB Chair
6. The registered chapter advisor(s) (advisory capacity only)

C. Confidentiality

All individuals involved in a hearing are required to agree to a statement of confidentiality. Individuals shall not disclose information regarding the following:

1. Any individuals, member chapters, or FSL Accountability Board Representatives involved
2. Details of the proceedings
3. Witness testimony

D. Hearing Process

1. Initiation of the Hearing
The FSLAB Chair shall inform all individuals present that the hearing will be conducted in an orderly manner and any person causing disruption will be asked to leave. Additionally, they shall advise the charged member chapter of the formality of the hearing and the necessity of all parties to be truthful.
2. Overview of Judicial Hearing Process:
The FSLAB Chair shall outline the process for the remainder of the hearing as follows:
 - a. Presentation of alleged charges, violations, and investigatory evidence against the charged member chapter shall be presented by the Chairperson
 - b. Charged member chapter may ask questions;
 - c. FSLAB Representatives may ask questions;
 - d. Presentation of charged member chapter:
 - e. FSLAB Representatives may ask questions;
 - f. Calling of Witnesses
 - g. Charged member chapter may ask questions;
 - h. FSLAB Representatives may ask questions;
 - i. Charged member chapter may give final statement;

- j. FSLAB Representatives deliberate in a closed session to determine findings of responsibility and if necessary, appropriate sanction(s).

Article IX. Infractions

A. Infractions

If, after mediation or a Formal Hearing, a chapter is found responsible for an infraction against the FSL community at Western Illinois University, the FSLAB will use the following guide to hold chapters accountable for their actions.

1. The category of the violation:
 - a. Fraternity & Sorority Life Policy only
 - b. FSL and University Policy
 - c. University Policy exclusively
 - d. The severity of the infraction.
 - e. The accused organization's previous conduct and overall public relations.
 - f. The individual or organization's compliance with hearing procedures.
2. Being found in violation can affect the chapter's good standing with its respective governing Council and/or the University.
3. The FSLAB will work diligently to assure that any outcome(s) and/or resolution(s) will be tailored to match the infraction.

B. Infractions Guide

Infractions can be based on the following: FSL Policies, University Policies, or incidents that reflect negatively on the FSL community or WIU. The FSLAB may only adjudicate cases of organizational nature. (See Example Infractions below on the following pages.)

A chapter can be found in violation of the following infractions however this list is not exhaustive and serves as an example:

1. Violation of COVID University Policies & Guidelines
2. Physical Altercations by chapter affiliated members (if not being pursued by Student Rights & Responsibilities or the Office of Public Safety)
3. Violation of Social Event Management Policies
4. Alcohol at rush/recruitment/interest events
5. Underage drinking at a chapter event
6. Consuming illegal substances at chapter events
7. Advertising of illegal substances or alcohol on chapter affiliated social media
8. Bullying: verbal, physical, or emotional, Including: threats of physical violence, racism, discrimination
9. Consuming alcohol or illegal substances at an FSL sponsored event if the chapter, council, or FSL Office paid for event
10. Hosting an unregistered social event with alcohol
11. Disorderly conduct at Intramural Matches/Games
12. Not attending mandatory FSL events/meetings set by the FSL office
13. Failure to submit organization paperwork with the OSE or FSL office

C. Infraction Tiers

The following Tier System is based on severity and nature of alleged violations as well as frequency of the alleged violations by the chapter.

1. Tier I
 - a. Tier I warnings may involve, but are not limited to, unintentional and/or accidental infractions.
 - b. When a time frame is necessary for an outcome and/or resolution, it cannot exceed eight (8) weeks (not including University breaks).
2. Tier II
 - a. Tier II infractions may involve but are not limited to intentional and/or non-accidental infractions and may also include repeat policy violation offenders.
 - b. Tier II can serve as both a second chance and possible final warning to the organization.
 - c. When a time frame is necessary for an outcome and/or resolution, it cannot exceed sixteen (16) weeks (not including University breaks).
3. Tier III
 - a. Tier III infractions may involve but are not limited to multiple intentional and/or non-accidental infractions. They may also include multiple repeat policy violation offenders and/or deliberately jeopardizing the safety of chapter members, guests, the FSL Community or the University.
 - b. Tier III infractions can affect the chapter's good standing with its respective governing council and/or the University.
 - c. When a time frame is necessary for an outcome and/or resolution, it cannot exceed one calendar year (not including University breaks).
 - d. Tier III violations can be sent to the Office of Student Rights & Responsibilities for organizational review if a possible sanction is suspension or expulsion of the chapter from campus.
4. More than one of the outcomes and/or resolutions listed in Appendix A may be imposed for any single violation.
5. Chapters and FLAB members can use the outcomes and resolutions outlined in Appendix A as a guide for suggesting disciplinary action during a mediation or Formal Hearing. Chapters are not limited to this list and may bring any other outcome and/or resolution they deem appropriate.

D. Infraction Approval and Notification

1. In each case when the FSLAB determines that an organization has violated policy, the outcome(s) and/or resolution(s) must be approved by the Fraternity and Sorority Life Coordinator.
2. After approval of the coordinator, the chairperson assigned to the case will notify the chapter in writing of their outcomes and sanctions.
3. The FSL coordinator reserves the right to suggest higher sanctions to the FSLAB if they deem necessary.
4. Notification of violation and sanctions and/or resolutions will be sent to the chapter president, advisor, Inter/National organizations, the Fraternity and Sorority Life

Coordinator, and the Director of the Office of Student Engagement.

5. Decisions will be made and distributed to involved chapters within 3-5 business days of the conclusion of a hearing.

E. Failure to Comply

A sanction is any requirement or status imposed as a result of accepting responsibility or being found responsible for violating FSL or WIU policies.

1. Offenses are on a 8 - 16-week basis, dependent upon the Tier, (not including University breaks) unless a clear pattern has been established (ie. Tier III infractions).
2. If a chapter fails to meet the requirements of their given offense within the timeframe established by the board, the FSLAB may choose to impose the next level of sanctions until the sanctions are completed.
3. If the chapter fails to meet all levels of sanctions, it will either be referred back to the FSLAB, to Student Rights & Responsibilities and/or their (Inter)National or Regional Organization for further adjudication.
4. Violating any institutional policies during a “probationary” period will result in a report being made to the Office of Student Rights & Responsibilities for adjudication.
5. In the case that an alleged violation warrants organizational review of a chapter, the report will be filed with the Office of Student Rights & Responsibilities for adjudication, with the potential of suspension or expulsion of the chapter from the University.
6. Infractions can also be forwarded to the Office of Student Rights & Responsibilities for organizational review if a possible sanction is suspension or expulsion of the chapter from campus.

Article X. Sanction Appeals

- A. Only Formal Hearings may be appealed. Mediations are not eligible for appeal, as they are mutually agreed upon decisions.
- B. A decision reached after a hearing may be appealed by the accused respondent chapter.
- C. Appeals must be submitted in writing and be received by the Director of Student Engagement within five (5) calendar days of the written decision. The Director of Student Engagement will review and act on a filed appeal.
- D. Except as required to explain the basis of new information, an appeal will be limited to a review of the record of the hearing and supporting documents for one or more of the following purposes:
 1. To determine whether the hearing was conducted fairly in light of the charges and information presented, and in conformity with prescribed procedures. Deviations from designated procedures will not be a basis for filing an appeal unless significant prejudice results.
 2. To determine if the complaining party had a reasonable opportunity to prepare and

- present information that the Code of Student Conduct had been violated.
3. To determine if the accused student/chapter members had a reasonable opportunity to prepare and present a response to those allegations.
 4. To determine whether the decision reached regarding the accused organization was based on substantial information; that is, whether there were facts in the case that, if believed by the fact finder, were sufficient to establish that a violation of FSL, University, or Inter/National policies occurred.
 5. To determine whether the sanction(s) imposed were appropriate for the violation of FSL, University, or Inter/National policies which the accused organization was found to have committed.
 6. To consider new information sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information and/or facts were not known to the board appealing at the time of the original hearing.
- E. After receiving an appeal and reviewing all available information, the Director of Student Engagement may elect to:
1. Affirm the finding and the sanction originally determined.
 2. Affirm the finding and modify the sanction.
 3. Remand the case to the original hearing board with instructions.
 4. Dismiss the case.
- F. Sanctions will be deferred pending appellate proceedings.

Article XI. Records of FSLAB Hearings

- A. All disciplinary records concerning Fraternities and Sororities are maintained permanently for archival purposes in the Office of Student Engagement.
- B. Records will be accessible to advisors and presidents of chapters. Requests to review records must be submitted to the Fraternity and Sorority Life Coordinator or the Graduate Advisor overseeing the board at least two (2) business days in advance.
- C. The FSLAB reserves the right to record the proceedings using audio and/or video.

Article XII. Revisions to the FSLAB Policy

- A. This document should be assessed, evaluated, reviewed, and updated by the Fraternity and Sorority Life Coordinator, the Graduate Advisor(s), and the chairperson at least once a calendar year.
- B. Updates to this document can be made through one of the following ways and must be approved by the Director of Student Engagement:
 1. Recommendations voted upon by one or more governing Councils (Individual chapters must work through their respective councils)
 2. Recommendations made by members of the FSLAB subcommittee designed specifically to assess and evaluate the effectiveness of the FSLAB

3. Recommendations made by the co-chairs of the FSLAB.
 4. Recommendations made by the Graduate Advisor(s).
 5. Recommendations made by the Fraternity and Sorority Life Coordinator
- C. At the conclusion of each school year, a subcommittee composed of members outside of Fraternity and Sorority Life will review the activities of the FSLAB.
1. This committee will be recruited and selected by the Chairpersons, in coordination with the Fraternity & Sorority Life staff members.
 2. The committee will be made up of at least five (5) individuals outside of the Fraternity and Sorority Life community.
 3. Committee members can be anyone who is faculty, staff, or a student outside of the Fraternity and Sorority Life community
 4. Committee members will review the-of-the-semester reports submitted to Fraternity and Sorority Life Coordinator to evaluate the activities of the FSLAB.

APPENDIX A: SANCTION EXAMPLES

Examples of Sanctions can include but are not limited to:

- a. Educational Event/Activity Workshops on specific subjects
 - i. Racism/Discrimination
 - ii. Alcohol/Other Drugs
 - iii. Event Planning
- b. Projects and Activities
 - i. Purpose/values statement
 - ii. Reflections
 - iii. Letter to self/others
- c. Goal Paper(s)
 - i. Create and submit 4-5 SMART goals for the chapter, related to the infraction, individual, and/or chapter
- d. Chapter policy review
 - i. Submit a detailed report regarding chapter policy surrounding the infraction
 - ii. If no policy exists, the chapter should develop a plan to implement
- e. Risk Management Plan
 - i. Create and submit plan for planning, registering, and implementing safe social events
 - ii. Create a Public Service Announcement
 - iii. Develop a public service announcement regarding a policy, procedure, or process (as decided by the FSL AB) to share with the community
- f. Restitution – Compensation for loss, damage, or injury. This may take the form of appropriate service and/or monetary or material replacement.
- g. Loss of Privileges
 - i. Participation in intramural sports
 - ii. Participation in Homecoming events
 - iii. Participation in Greek Week
 - iv. Social Event Probation