

## **INTERFRATERNITY COUNCIL (IFC) CHAPTER ACCOUNTABILITY PROCESS (CAP)**

### **Philosophy and Goals of the IFC CAP**

The IFC CAP should be educational in nature and should result in changed behavior patterns for chapters that violate University or IFC policies. In any accountability process, the involved chapter and students should learn from their mistakes. The IFC CAP should not consist solely of punitive outcomes, but rather should be focused on changing the behaviors and attitudes of the chapter to demonstrate improved operations and decision-making. In addition to the underlying educational nature of the process, the IFC CAP is intended to accomplish six goals:

1. Ensure that the chapter understands the implications of its action;
2. Ensure that the chapter does not participate in the action in the future;
3. Ensure that the chapter rectifies the situation;
4. Clarify the IFC's position on the action;
5. Help other chapters and students learn from the situation; and
6. Empower students to hold themselves and their peers accountable to the standards of Vanderbilt University, IFC, and to the founding principles of their own chapter.

This policy seeks to enforce University and IFC policy while also taking into account the rights of the identified chapter.

### **Jurisdiction**

The IFC has jurisdiction over IFC fraternity chapters who violate Vanderbilt University policies and/or the Constitution, By-Laws, and other policies of the IFC. The IFC does not have jurisdiction over individual Greek members.

The nature and source of the IFC's jurisdiction is delineated in the Vanderbilt University Student Handbook, where it states "For matters specific to their areas, and for matters delegated to them by the Director of Student Accountability, Community Standards, and Academic Integrity, disciplinary authority may also be exercised by the Interfraternity . . . Council[s] . . . The nature of specific areas of disciplinary authority is described in the constitutions or bylaws of each of these bodies. . ." ([www.vanderbilt.edu/student\\_handbook](http://www.vanderbilt.edu/student_handbook))

### **Investigation Procedures**

The investigator(s) handling the case, typically staff members from the Office of Student Accountability, Community Standards, & Academic Integrity, will collect information about the alleged violation from an incident report or complaint, any witnesses, and/or the students involved. They will also collect such information from the alleged chapter, when necessary. The investigation will proceed with all deliberate speed. As outlined below, chapters are expected to perform their own internal investigation and comply fully with IFC during the investigation. Anonymity will be honored in all accountability proceedings. Therefore, the chapter will not know the identity of the person(s) involved in or reporting the incident.

### **Rights and Responsibilities of the Alleged Chapter**

1. All chapters have the following rights in the CAP:
  - a. The right to a timely accountability meeting or hearing;
  - b. The right to reasonable and complete notice of charges in writing;

- c. The right to an explanation of charges;
  - d. The right to present a defense before the appropriate CAP authority;
  - e. The right to a timely notification of the results of the accountability meeting or hearing;
  - f. The right to a decision based solely on the facts presented in the reports and from the hearing; and
  - g. The right to an appeal. (See below)
2. Emphasis should be placed not only on the chapter's rights, but also on its responsibilities. The investigator(s) and the IFC must inform the chapter of its responsibilities. The responsibilities of the chapter are as follows:
- a. Cooperate with all investigating officers;
  - b. Respond to all inquiries and questions with complete honesty;
  - c. Meet timelines set during the CAP;
  - d. Become familiar with the CAP; and
  - e. Act in accordance with all procedures.
  - f. Should a chapter choose not to cooperate, the Dean of Students (or the Dean's designee) may adjudicate the case in an administrative hearing.

### **IFC CAP Information and Procedures**

When the University or the IFC is notified that a chapter has allegedly violated IFC or University policies, rules, or regulations, the IFC may address the matter through any of the four methods detailed below. The decision as to which method to use will depend on a number of factors, which include, but are not limited to:

- 1. the nature and severity of the alleged violation(s);
- 2. the prior record of the chapter; and
- 3. the attitude or response of the chapter and its officers.

Similarly, three principal factors will determine sanctions for chapters held responsible for a violation:

- a. The nature and severity of the alleged violation
  - i. Flagrancy, premeditation, scope in relation to the chapter, and extent of the harm done to the chapter or community
- b. The chapter's prior record
- c. The attitude of the accused chapter
  - ii. Internal response of the chapter
  - iii. Truthfulness and demeanor during the investigation

Responsibility for a violation must be proven by a "preponderance of the evidence;" in other words, the CAP authority must conclude it is more likely than not that the violation occurred.

If the case involves a chapter whose affiliation is represented by the President, Vice President, Attorney General, and at-large IFC Executive Board Member, they are to recuse themselves from the case and be replaced by another IFC Executive Officer (voted on by IFC chapter presidents).

### *Methods of Addressing Alleged Violations*

#### **1. Event/Property Management Issue Corrective Action Process**

- a. In cases where the alleged violation(s) is(are) deemed relatively minor in light of the above-listed factors (1-3) and relates only to event or property management, the IFC may proceed with the Event/Property Management Issue Corrective Action Process
- b. Upon being notified of a chapter's alleged violation, the chapter president must complete a Corrective Action Report within 3 days. An extension may be requested from the IFC before the end of the 3 day period, if necessary.
- c. If the chapter's Corrective Action Report is insufficient, the IFC will consult with the chapter president and request a revised Corrective Action Report. If the chapter's Corrective Action Report continues to be insufficient, the IFC may address the issue through an IFC Accountability Meeting instead.
- d. Repeat Event/Property Management Issues
  - i. A violation will be considered a repeat issue if it falls into the same category (Event Management or Property Management) and it occurred at any time in the current semester. Violations occurring further back than the current semester may be taken into consideration, if applicable and at the discretion of the IFC.
  - ii. In the case of a first repeat issue, the chapter must submit another Corrective Action Report. The same procedures outlined above will apply.
  - iii. In the case of a second repeat issue, the chapter must participate in an IFC Accountability Meeting.

#### **2. IFC Accountability Meetings**

- a. In cases where the alleged violation(s) is(are) deemed relatively moderate in light of the above-listed factors, the IFC may proceed with an Accountability Meeting. The Accountability Meeting involves the IFC Vice President, IFC Attorney General, IFC President, and a representative from each of the Office of Student Accountability, Community Standards, and Academic Integrity and the Office of Greek Life.
- b. Procedures
  - i. The chapter will be informed of any alleged violations through a one-on-one conversation with an IFC officer and a follow-up letter outlining the charges once the IFC becomes aware of the alleged violation. The chapter will be asked to perform an internal investigation to gain a better understanding of the facts surrounding the activities of concern.
  - ii. The chapter's president (or designee) will be required to attend an Accountability Meeting and may bring up to two other members from his chapter.
  - iii. The Accountability Meeting will proceed in one of the following ways, depending on whether or not the chapter agrees with the charges:
    1. If the chapter agrees with and accepts responsibility for all charges, the chapter representatives will then be temporarily dismissed for the IFC to consider and discuss the chapter's proposed

Accountability Action Plan (AAP). Then, the IFC and the chapter representatives will proceed to the collaborative drafting of the final AAP, as explained below.

2. If the chapter does not agree with or accept responsibility for all of the charges, the chapter will have the opportunity to present the findings of its internal investigation and plead its case. The chapter representatives will then be temporarily dismissed and the IFC will determine the appropriate course of action. The chapter representatives will be invited back into the room and informed of the IFC's decision.
  - a. If the IFC decides the chapter is responsible, it will determine the appropriate sanction and necessary corrective actions for the chapter.
  - b. If the IFC decides the chapter is not responsible, the process ends.
3. If the chapter disagrees with or does not accept responsibility for one or more, but not all, of the charges, the disputed charges will be handled as outlined in number 2 above.
  - a. If the chapter is found responsible for the disputed charges, the IFC will determine the appropriate sanction and necessary corrective actions for the chapter as it relates to those charges. The IFC and the chapter representatives will then proceed to the AAP for the charges for which the chapter had previously accepted responsibility. The AAP may therefore be in addition to the other sanction and corrective actions.
  - b. If the chapter is found not responsible for these charges, the IFC and the chapter representatives will proceed directly to the AAP for the charges for which the chapter had previously accepted responsibility.
- iv. The Accountability Action Plan (AAP) will be a collaborative, detailed plan for corrective action drafted by the chapter representatives in conjunction with the IFC. It will serve as a plan to create change in the chapter and to assist the chapter in avoiding similar violations in the future. The goal is for the chapter representatives to participate in the creation of the plan as much as possible to ensure its legitimacy and compliance with all stated actions.
- v. Appeals may be submitted to the Dean of Students in accordance with the guidelines described below.

### 3. **Formal Accountability Board (FAB)**

- a. Cases where the infraction is deemed relatively major in light of the above-listed factors, the IFC may proceed with a FAB.
- b. The FAB consists of the IFC President, Vice President, Attorney General, one other IFC Executive Board member (voted on by the IFC chapter presidents), and three faculty/staff members.

- c. The chapter will be informed of any alleged violations through a one-on-one conversation with an IFC officer and a follow-up letter outlining the charges once the IFC becomes aware of the alleged violation. The chapter will be asked to perform an internal investigation to gain a better understanding of the facts surrounding the activities of concern.
- d. FAB Procedures
  - i. Call to order by the chair of the panel
  - ii. Introductions
  - iii. Swear in all who will testify
  - iv. Charges stated by IFC Attorney General
  - v. Complainant testifies and responds to questions from FAB members
    - 1. In cases where an individual is bringing a charge, that individual's identity must be kept anonymous. In such cases, their statement or the investigation report will be read by the IFC Attorney General
  - vi. Alleged chapter members testify and respond to questions from FAB members
  - vii. Closing statement by complainant (if applicable)
  - viii. Closing statement by alleged
  - ix. Deliberations – FAB and the Office of Greek Life Adviser remain in room, all others are excused. The Office of Greek Life Adviser does not actively participate in deliberations, but may provide historical context or insight pertaining to the chapter and the feasibility of sanctions.
  - x. Decision rendered by anonymous, majority vote; the Office of Greek Life Adviser does not vote
  - xi. If chapter is found responsible, the appropriate sanction will be determined (by majority vote)
  - xii. Complainant and alleged return and decision is read

#### **4. Dean of Students Administrative Process**

- a. The Dean of Students (or the Dean's designee) may assume original jurisdiction of any IFC judicial matter to resolve the matter through an administrative hearing process. This action will be utilized at the professional discretion of the Dean of Students (or the Dean's designee). Procedures will mirror those described in Chapter 3 of the Student Handbook.

#### **Appeals**

Appeals will be heard by the Dean of Students (or the Dean's designee). Appeals must be submitted no later than ten (10) calendar days following the date the chapter was notified of the outcome of the CAP. Requests for extensions must be submitted to the Dean of Students (or the Dean's designee) prior to the expiration of the ten-day period.

The grounds for appeal are as follows:

- 1. Procedural irregularities sufficient to affect the determination of the original authority;
- 2. Insufficient information to support the decision of the original authority;

3. Harshness of the sanction imposed by the original authority sufficient to show an abuse of discretion by that authority; and
4. New evidence that was not reasonably available for presentation to the original authority, the introduction of which may reasonably be expected to affect the decision of the original authority.

Upon receipt of the petition, the Dean of Students (or the Dean's designee) proceeds with all deliberate speed to review the petition using the "standards of review" detailed in Chapter 3 of the Student Handbook.