ARTICLE I: PREAMBLE
The mission of the Greek Conduct Board (GCB) is to promote a sense of community-wide standards, values, civility, accountability, responsible behavior, and the maintenance of good character among all fraternities and sororities at the University of South Carolina as is consistent with the mission of the University.

The primary responsibility of the board will be to resolve organizational violations of the bylaws, rules and policies of the Fraternity and Sorority Council, the University, and other applicable risk management policies.

In conformance with applicable State and Federal laws and University policy, the Greek Conduct Board does not discriminate in any of its policies, selection procedures or practices on the basis of race, color, gender, national origin, ancestry, religion, age, physical disability, medical condition, sexual orientation, marital status or citizenship.

ARTICLE II: JURISDICTION
1. The Greek Conduct Board will adjudicate violations involving fraternity and/or sorority chapter activities (see Article IV, Section B). Individual violations will be adjudicated through the University conduct process.
   a. A chapter event is defined as follows:
      i. For a small sized chapter (2-50 members) at least 5 members or 25% of the roster must be present. (considered organizational if either criteria is met)
      ii. For a medium sized chapter (51 – 150 members) at least 10 members 10% of the roster must be present. (considered organizational if either criteria is met)
      iii. For a large sized chapter (151+ members) at least 5% of the roster must be present.

2. Chapters and members who commit offenses against the laws of municipalities, states, or the United States, are subject to prosecution by those authorities and may be subject to disciplinary action under University rules when their conduct violates institutional standards.

3. Specifically, the jurisdiction of the GCB shall be to hear the following cases:
   a. Violations of the Fraternity or Sorority Council Constitutions and bylaws
   b. Violations of the Fraternity Council Recruitment Rules
   c. Violations of the NPHC and MGB intake policy
   d. Violations of FIPG Risk Management Policies
   e. Actions poorly representing the University of South Carolina fraternity and sorority community

4. GCB shall not hear Panhellenic recruitment violations which are resolved by Sorority Council.

5. Mediation may be available to resolve disputes between two or more organizations.
6. Individual cases are to be heard by the University. However, if a chapter demonstrates a pattern of similar individual violations, then a University official may recommend that the Chapter be heard by the GCB. At some point, the summation of similar individual violations should be considered representative of the culture of the chapter as a whole.

   a. A University official may suggest that a chapter be brought before the GCB in response to numerous individual violations, but it is left up to the discretion of the VPs whether or not the chapter shall be heard.
   b. The conditions by which a chapter may be heard based on individual violations are intentionally broad. It is up to the VPs to decide whether or not the case can be considered organizational given the relevant circumstances.

7. If it becomes clear to the VPs that a chapter is violating University policies and other risk management policies, but there is not enough evidence to charge the chapter with a violation, the VPs may contact the chapter to talk about the chapter’s behavior without levying sanctions.

   a. The VPs may ask the chapter President to attend a formal meeting but may not levy sanctions.
   b. Any actions taken by the VPs should be done with the GCB advisor’s knowledge. However, since the aim of such a meeting is to establish accountability within the Greek community and since no formal charges are being submitted, the VPs may choose to hold the meeting without the GCB advisor present in order to promote a more honest dialogue.

ARTICLE III: MEMBERSHIP

Section A. Composition of the GCB
1. The GCB shall be composed of two VPs, at least 5 fraternity members and 5 sorority members, and a Greek Conduct Board advisor. Other Fraternity & Sorority Life officials may advise the board in conjunction with the Greek Conduct Board advisor.

Section B. Selection of GCB Members
1. The process for selecting new members of the GCB shall be at the discretion of the Vice Presidents of Conduct

2. Members of the GCB will serve for one-year.

3. Members must apply for the position and go through a subsequent interview process in order to be selected for the GCB.

Section C. Qualifications of GCB members:
1. Have a minimum 3.0 cumulative GPA

2. Be in good standing, in terms of both conduct and academics, with the University of South Carolina
3. Each member of the GCB must be in good standing with his or her individual fraternity or sorority. The respective chapter president must sign the application to verify this.

4. Must be on official chapter roster held with Office of Fraternity and Sorority Life

5. Will not be graduating before the one year term expires

6. Is not the president of a fraternity or sorority

7. Will not be a member of the Greek programming board

8. With exception to the Vice President of Conduct for each council who act as the VPs of the GCB, other GCB members may not be serving on the executive board of fraternity or sorority councils.

Section D. Training of GCB Members
1. All members must attend all training sessions and maintain their commitment to the board throughout their term. This commitment will include obligations beyond simply hearing cases.

2. A member must attain proper training before he/she is eligible to serve on a hearing board.

3. It is the responsibility of the incoming GCB VPs and advisor to train the members of the board.

4. All absences must have written excuse submitted at least 24 hours in advance of the absence. In the case of an emergency written explanation must be submitted within 24 hours after said absence. All absences are to be submitted to the Vice Presidents of Conduct.

Section E. Terms of Service
1. Membership of the GCB shall be for one calendar year.

2. Those members wishing to serve another term must reapply and be selected by the outgoing and incoming VPs.

3. May not have more than 2 unexcused absences from GCB meetings in any given semester

4. Failure to honor hearing commitments shall result in removal from Greek Conduct Board.

Section F. Qualifications of the VPs of GCB
1. The VPs of the board will be the Vice Presidents of Conduct for Fraternity and Sorority Council and will change in November when the Council leadership changes.

2. The VPs are expected to meet the same qualifications as regular GCB members.
Section G. The responsibilities of the VPs
1. Promptly assist with selection of new members to the GCB upon taking office.

2. Initiate and lead in the training of the incoming VPs at the end of the year of service. This may be accomplished in many different ways, but must include a face to face meeting between incoming and outgoing chairs to explicitly explain the function and purpose of the GCB and to pass along tips and pointers.

3. Select, via the same application and interview process, a new member when a vacancy arises due to dismissal or withdrawal.

4. Train the new members of the hearing board.

5. Determine if enough evidence exists to warrant hearings.

6. Determine whether mediation should be used in the case of a dispute between organizations.

7. Schedule hearings.

8. Select the GCB hearing board for each case.

9. Ensure proper procedure is observed during the hearings.

10. Notify chapter presidents, through email, about any hearings pertaining to their chapters

11. Notify the chapter president of any sanctions that result from a hearing.

12. In order to maintain transparency, Fraternity and Sorority Council executive boards shall be notified of any sanctions levied. The purpose is to be educational and executive boards shall keep this information confidential.

13. Maintain a violation hotline, in the form of an e-mail account or drop box to take anonymous complaints and concerns from members of the community.

14. Conduct oneself in a manner consistent with values and standards of the Carolina Community and strive to set an example as the VP of Conduct.

15. Attend regular meetings with the GCB advisor.

16. Maintain office hours consistent with Fraternity and Sorority Council bylaws.

Section H. Responsibilities of the GCB Advisor
1. The GCB advisor will serve as an ex-officio member of the GCB, ensuring that any sanctions made by the GCB are appropriate, that the GCB is acting justly, and that the procedure is followed. Further, the advisor shall serve in an advisory capacity concerning the rights and responsibilities of both parties, i.e. the hearing board and the
accused organization. This shall include the ability to clarify University and relevant governing policies.

2. Hold regular meetings with the VPs.

3. Act as an intermediary between the VPs and the Office of Fraternity and Sorority Life.

Section I. Confidentiality
1. The VPs, board members and advisor must sign a statement of confidentiality.

2. Greek Conduct Board members and VPs will maintain confidentiality regarding all proceedings.

3. Violation of confidentiality may result in immediate dismissal and may result in a conduct hearing through the University.

ARTICLE IV. PROCEDURES
Section A: Complaints
1. Complaints can be filed through Fraternity Council, Sorority Council, the hotline maintained by the VPs, the University or the Greek Conduct Board Advisor(s).

2. Once the VPs are notified of a complaint, they must make every attempt to determine whether or not the infraction represents a case of organizational misconduct. (see Article IV, Section B)

   a. If enough evidence exists the VPs of Conduct shall proceed with a hearing
   b. The VPs of Conduct shall make this determination of whether or not a hearing should occur within 48hrs of their notification of the complaint.

3. If the GCB VPs determine that the case should be heard, the VPs should make every effort to notify the chapter president of the charges within 24 hours of determining that a hearing shall occur.

4. The VPs of Conduct shall notify the president of the hearing date, time and location within 5 business days of the initial notification of charges.

5. Mediation may be selected by the VPs where the complaint involves a dispute between two or more organizations.

Section B. Notification of Hearing
1. Chapters shall be notified of the following information
   a. Date of the hearing
   b. General description of the procedure
   c. Description of the alleged by-law or policy violation
   d. Advising the organization of its rights:
      i. to a private hearing

Revised 11/7/2014 JG/AS/BN
II. to appear at the hearing with an advisor
III. to present testimony of witnesses, documentary, or other evidence
IV. to appeal

Section B: Individual vs. Organizational Actions
1. The first item to be determined by the VPs, as well as by the hearing board during a hearing, is whether an infraction was committed by an organization or by individuals within that organization. The criteria for determining whether an action is an individual or organizational activity are as follows:
   a. The chapter pays for any part of the event through the chapter account or collection of funds from individual members
   b. The event is advertised by or associated with the chapter in any way.
   c. The chapter advisor or any of the executive officers of the chapter were aware of the event before or during and did not prohibit it from taking place. In addition, they did not take steps to ensure that the activity in question was in compliance with the applicable FIPG policies, University policies, local ordinances, Council bylaws, or Panhellenic/Pan-Hellenic rules.
   d. The incident involves or is actively or passively endorsed by other members of the chapter.
   e. The event is commonly known on campus to be a chapter sponsored activity.
   f. The infraction, though individual, occurs so often and is so widespread that it represents a culture of condoned or accepted misconduct within the organization. In the event that the culture within the organization has deteriorated to such a point, it becomes the responsibility of the Greek Conduct Board to promote community standards in that organization. See Article II.

Section C: Standard of Proof
1. The standard of proof for a hearing is *preponderance of the evidence*. As such, the evidence as a whole must show that the violation more likely than not occurred.

Section D. Investigations
1. All complaints will be investigated by the Greek Conduct Board VPs and members of the Fraternity and Sorority Life staff.
   a. Cases that stem directly from an official incident report can be considered fully investigated by Greek Life staff members and can be heard immediately without any further investigation by the VPs.
   b. If a case of organizational misconduct comes to the attention of the VPs, it is their responsibility to investigate and hear the case if sufficient evidence should exist.
      i. This includes but is not limited to credible rumors or reports filed through the hotline maintained by the VPs.
      ii. All steps of the investigation should be done in conjunction with the Greek Life Office so as to keep Greek Life aware of what is happening.

2. In the event that a Greek Conduct Board VP has a conflict of interest precluding his/her involvement or investigation of a particular case, the GCB advisor may appoint a member of the GCB to act as VP of the GCB.
Section E. Evidence

1. All evidence must be properly documented (i.e. dates, times, names, and other information).
   a. **Written and/or Interview Evidence:** Written or interview evidence must be presented in its entirety, including verbatim documentation, in such documentation exists, of all questions and answers. In the event that multiple interviews are conducted, questions need not be identical, but rather may be altered according to the circumstances and disposition of the interviewed party as seen fit by the investigator, so long as they remain properly and thoroughly documented.
   b. **Hazing Hotline Reports:** Any interviews, evidence, or reports carried out or submitted via the Hazing Hotline should be documented to the same standard of integrity as written or interview evidence. All reports filed from this resource shall remain anonymous as to not threaten the health and safety of any individual.
   c. **Physical Evidence:** If any should exist, physical evidence should be kept in the possession of the GCB advisor to ensure its integrity.
   d. **Social Media:** Evidence submitted from social media outlets is admissible in a GCB hearing.

2. The chapter may request a pre-hearing meeting with the VPs and the Greek Life advisor to discuss the charges and procedure of the hearing. Evidence or information about the infraction may not be discussed. Such a pre-hearing meeting is not a right given to the chapter and, especially in cases when time is an issue, the request may be denied by the VPs.

Section F: Hearing Board Composition

1. A hearing board is composed of 5 GCB members, selected by the VPs. VPs will make appropriate attempts to select a balanced hearing board representative of the Greek community.

2. A GCB member whose chapter is involved in the hearing is not eligible to serve on that hearing board.

Section G: Mediation

1. The purpose of mediation is to find a satisfactory solution regarding disputes which involve two or more organizations.

2. The goal of mediation does not involve determining issues of policy.

3. Mediation occurs at the request of the VPs. An organization may request that the VPs call for mediation, but this action is not binding on the VPs.

4. The mediation team will consist of the VPs and three members of the GCB. Members may be from the organizations in the mediated dispute if the VPs allow it.

5. The mediation team will assist the organizations in achieving a solution to the dispute.

Revised 11/7/2014 JG/AS/BN
6. Mediation shall be closed to the public.

7. All organizations involved must have representation and may not have more than two members present.

8. The mediation will continue until an agreeable solution is met or until all parties involved agree to terminate the mediation. If a deadlock occurs or if facilities are no longer available, the mediation can be put on hold. The group will determine the next meeting time prior to adjourning. The final schedule will be determined by the VPs.

9. Agreement reached during mediation will be binding on the organizations involved. The outcome of the mediation will be emailed to the organizations. Any inaccuracies in the outcome must be contested within five days. Changes to the results of the mediation will be determined by the VPs. VPs can call another mediation hearing to resolve the contested inaccuracies if needed.

10. Any case of an organization violating a mediation agreement will be forwarded to a hearing board for failure to comply.

Section H: Conduct Board Members Scope
1. Conduct Board members do not have the authority to stop chapter events in relation to a case once they are in progress. Conduct Board members shall not initiate the investigative process. They are however able to file complaints. Members must not participate in behavior that is in violation of the standing rules.

ARTICLE V: HEARINGS

Section B. Who Attends Hearings
1. The president of the organization charged with misconduct (or their designee), and one additional member is allowed to be present at the hearing.
   a. These individuals are allowed to question all witnesses.
   b. These individuals are also allowed to examine evidence.

2. There must be a minimum of five GCB members present during a hearing, not including the VPs.
   a. For the hearing of a fraternity case the board must consist of 3 men and 2 women.
   b. For the hearing of a sorority case the board must consist of 3 women and 2 men.

3. GCB advisor will be present as an ex-officio member of the GCB.

4. The organization charged with misconduct has the right to have an advisor present during the hearing.
   a. The advisor may not present any evidence, question witnesses, or address the GCB.
b. The role of this individual is only to advise the organization.

5. In a case in which an aggrieved party is present, the party shall have the same rights at the organization charged with misconduct.

6. Witnesses are permitted at the hearing only while presenting evidence.

7. The GCB has the right to call before it all witnesses and/or documentary evidence it considers to be essential to rendering a decision. Penalties may be assigned to the chapters which fail to appear or provide evidence before the GCB.

8. As the board is not a court of law, attorneys are not permitted for either party at the hearing.

9. If a chapter’s representative fails to appear at the hearing, the GCB may by majority vote select one of the following courses of action:
   a. Reschedule the hearing
   b. Render a decision based on the available information

Section C. During the Hearing
1. Hearings of the GCB are closed to all individuals not specified in these bylaws.

2. The board has the responsibility to consider impartially all relevant testimony and evidence, determine the facts, and if a violation is found impose appropriate sanctions.

3. The board may ask questions of either party for clarification of context, complaint, response, etc., and may call witnesses as it sees fit.

4. The VPs shall oversee the hearing, ensuring that procedures are followed and a fair hearing is held.

5. The VPs do not vote in the hearing, but guide the board with assistance as needed to a fair decision.

6. The GCB supports a self-governed student community, and as such is a student centered conduct process. Advisors have no standing in the hearings, except to provide advice to their respective parties in a quiet manner. Advisors may not actively represent or speak for their respective parties.

Section D. Order of Proceedings
1. VPs will read the charges against the group.
2. Accused party will enter a plea of “responsible or not responsible” to each charge.
   a. If accused party pleads not responsible:
      i. Accused party will present testimony.
      ii. Hearing board will direct clarification questions to accused party.
      iii. Hearing board will call witnesses to present testimony.
      iv. Accused party may rebuttal testimony.
      v. Accused party will be allowed to question all parties and call witnesses.
vi. Hearing board may further question the accused party.

vii. Accused party may make a closing statement.

viii. Hearing board will advise the accused party of the appeals process.

ix. Hearing board will recess in private session for deliberation.

x. The outcome of the hearing will be emailed to the group.

b. If accused party pleads responsible:
   i. Hearing board may question the accused party to ascertain the
      reasoning behind the accused party’s actions. The aim of determining
      the motive for the violations is to help in providing sanctions that are
      educational.
   ii. Accused party will make a statement.
   iii. Hearing board will recess in private session for deliberation.
   iv. The outcome of the hearing will be emailed to the group.

Section E. Deliberation:

1. After the closing statements everyone leaves the room except the VPs and the hearing board.

2. The hearing board will deliberate in a fair and consistent manner.

3. Decisions are made by majority vote.

4. If the board finds the chapter not responsible for the charges the hearing is ended.

5. If the chapter is found responsible the board will determine sanctions at that time. Under
   unusual circumstances when a deliberation cannot be completed immediately the
   sanction will be determined as soon as possible.

6. After deliberation has concluded, the GCB advisor will be told of the charges of which the
   chapter is found guilty and of the sanctions to be levied. If the advisor does not feel that
   the sanctions are fair, he/she may make an argument for changing them, but charges are
   to be changed at the discretion of the hearing board.

ARTICLE VI. SANCTIONS

Section A: Guiding Principles

1. In determining an appropriate sanctioning package, the hearing board shall have a
   broad range of sanctions available which may be imposed alone or in combination so as
   to do justice in the particular case. Relevant factors may include:
   a. The nature and gravity of the violation(s)
   b. The inherent risk of harm or harm caused
   c. Any relevant recurrent patterns of misconduct
   d. Any opportunity to deter the organization or other organizations from
      committing the same or other violations in the future
   e. The importance of equitable treatment for similar violations and a perpetual
      awareness of precedent
   f. The opportunity for organizational development and education, including
      fostering a sense of responsibility for actions
Section B: Prior Record
1. In levying sanctions, and determining their appropriate severity and scope, the hearing board may consider the organization’s prior record of offenses for the preceding 2 years.

Section C: Assignment of Sanctions
1. For the sake of fairness, sanctions will be levied on a per-incident basis and should be appropriate for the violations and should reflect the concerns of all organizations equally.

2. The outcome of GCB proceedings may be shared within the University with other faculty, staff, students or administrators or their agents or representatives, where such disclosures serve a legitimate educational purpose.

3. Sanctions shall be delivered to the chapter within 24 hours of the completion of the hearing via email.

Section D: Possible Sanctions
*For clarification, the sanctions hereunder in no way limit the scope of sanctions accessible to the board, nor do they establish a regimented protocol for sanctioning. Sanctioning occurs on a case-by-case basis with due consideration of the relevant factors set forth above and the evidence of the case.

1. Probation - all chapters found responsible will be placed on a 6 month minimum probation and develop a midpoint “check in” meeting with the Vice Presidents of Conduct

2. Chapter is to write a letter of apology to the offending group and/or campus.

3. Chapter is ineligible to receive campus recognition and awards.

4. Intramural suspension - can’t accrue points, can’t play in Greek league or can’t field a majority group team.

5. Revocation of social privileges for a specified amount of time. Social privileges are defined as events held in conjunction with other chapters or events hosted or sponsored by the organization where alcohol is present. Groups that have had their social privileges revoked must consult the GCB VPs in the beginning stages before planning any event including philanthropy events.

6. Other restrictions on group activities and privileges for a specified period of time

7. Chapter must host or attend an educational program (must specify when this is to be done and what % of the membership must be present). Educational programs cannot be used as a sole sanction in any conduct hearing.
8. Monetary fines

9. Financial restitution for damages caused

10. With the approval of the VPs, the Director of Greek Life can issue informal discipline in the form of a letter to the respective chapter president.

11. The Greek Conduct Board may also choose to write a letter to the chapter’s national organization.

Section E: Failure to Comply
1. Failure to comply with sanctions within the time frame allotted will automatically result in a second hearing with the GCB.

2. All communication regarding the hearing process, including questions about sanctions, must be handled through the GCB VPs.

3. Representatives of the organization who contact individual board members may be further sanctioned.

ARTICLE VII. APPEALS
1. All appeals must be submitted in writing within five days of notification of the outcome of the hearing.

2. Appeals will be granted at the discretion of VPs and may only be made on the grounds of unfair or disproportionate sanctions as relate to both the severity and scope of the violation(s).

3. Appeals shall be heard by a 5 member board comprised of fraternity and sorority council executive board members
   a. If a fraternity is appealing the board shall be comprised of 3 men and 2 women. If a sorority is appealing the board shall be comprised of 3 women and 2 men.
   b. The Vice Presidents of Conduct shall select from the council executive officers a group which they believe to be unbiased toward the chapter filing said appeal.
   c. The members of this appeals board shall remain anonymous.
   d. No member of the appeals board shall be a member of the appealing chapter.
   e. In order for the sanction to be changed a majority of the appeals board must vote in favor of the change (at least 3 people)

ARTICLE VIII. REMOVAL OF BOARD MEMBERS
1. Board members found in violation of the University’s Code of Student Conduct or the GCB member requirements as stated in these bylaws will be asked to resign by the VPs.
2. A GCB member’s absence from more than two mandatory GCB meetings or training sessions without previous approval of a VP will be considered grounds for termination at the discretion of the VPs.

ARTICLE IX. VACANCIES
1. Vacancies created by dismissal or withdrawal will be filled through an application process as soon as possible.

2. Replacement of vacant members must be from the same council (Fraternity Council men replace Fraternity Council Men/Sorority Council women replace Sorority Council Women)

ARTICLE X. SOCIAL FUNCTIONS
1. All social events involving alcohol must be registered through the process created by the Vice Presidents of Conduct and Greek Conduct Board.

2. Failure to register events 48 hours before the event occurs will result in an automatic fine for the chapter of $250.00 to be paid to their respective council.