

CONDUCT PROCEDURES

I. Complaint

Any member of University community may file a complaint documenting a fraternity or sorority for possible violations of the *Fraternity & Sorority Life Requirements and Procedures* and/or *Stockton University Student Handbook*. This includes a representative from the Office of the Dean of Students on behalf of a person outside the University community if the incident has an adverse effect on the University and there is documentation from a verifiable source. A complaint must be prepared in writing and submitted to the Director of Student Development. Any complaint should be submitted as soon as possible after the event takes place, preferably within 30 days. However, the Director of Student Development has discretion to accept a report and investigate a complaint, and may issue any charges against a fraternity or sorority regardless of when the complaint is submitted if the conduct poses a possible threat to the University community. Reports will not be accepted anonymously, but under extraordinary circumstances, a representative of the Director of Student Development or Dean of Students Office may bring charges against a fraternity or sorority on behalf of any persons who do not want to participate in the hearing process or disclose their identity to the fraternity or sorority for safety reasons.

II. Investigation

The Director of Student Development will conduct an investigation in consultation with the Assistant Director of Student Development to determine if the information in the complaint merits any charges against a fraternity or sorority, a formal admonishment, no charges, whether the incident warrants referral to the appropriate governing council for action, or if the incident can be addressed through an alternate dispute resolution process such as mediation.

III. Charge(s)

Any charges will be presented to the accused fraternity or sorority in writing through the chapter president's University email address, as the official means of communication at the University, and a conference with the Director of Student Development shall be scheduled within a timely period. Under exceptional circumstances, an interim suspension of the chapter may be instituted prior to a hearing to ensure the health, safety or welfare of members of the University or property of the University.

IV. Conference

The chapter president of the fraternity or sorority accused will meet with the Director of Student Development for a conference to discuss the grounds for any charges, process, and sanctioning practices. An advisor of the chapter president's choice and an additional undergraduate member of the organization may be present during the conference. If after notice, a chapter president does not attend a scheduled conference, the Director of Student Development may make a decision on the information available and make a decision on responsibility including assigning any sanction to the fraternity or sorority if deemed appropriate.

V. Informal Hearing

An informal hearing will immediately be scheduled by the Director of Student Development following a conference.

- A. The chapter's selected advisor may remain present for the informal hearing, but may not represent the fraternity or sorority or address the Director of Student Development. Their role is limited to providing support to the students and chapter by observing or advising the students outside of the proceeding.

- B. The additional undergraduate representative of the fraternity or sorority that accompanies the chapter president may address the Director of Student Development and participate in the hearing.
- C. 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.
- D. The Director of Student Director may temporarily adjourn the informal hearing if they determines that further review or clarification is necessary including, but not limited to, interviewing the complaining party and/or other witnesses.
- E. In cases involving more than one accused fraternity or sorority, the Director of Student Development may permit the hearing concerning each organization to be conducted either separately or jointly.
- F. The informal hearing provides an opportunity for the accused fraternity or sorority to be heard and to provide information such as written witness statements. The chapter president may accept or deny responsibility for any charges on behalf of his or her fraternity or sorority.

VI. Decision

The Director of Student Development will determine whether the fraternity or sorority is responsible for any charges. If the fraternity or sorority is found not responsible for any charges, the process is concluded. If the fraternity or sorority is found responsible for any charges, the Director of Student Development will then assign any appropriate sanctions.

VII. Appeal

The chapter president may appeal the decision and/or any sanctions issued by the Director of Student Development in writing to the Assistant Vice President, Engagement and Community Development.

A. Appeal Procedures

1. A fraternity or sorority is afforded one single opportunity to appeal a decision by a hearing administrator. A decision or any sanctions issued by an administrator through an informal hearing may be appealed to the Assistant Vice President, Engagement and Community Development, within five days of the decision.
2. All appeals must be in writing and include any supporting documentation that the fraternity or sorority wishes to be considered. Deference is given to the original hearing administrator or board's findings of fact and decision of responsibility and/or any sanctions, therefore the burden of proof is on the chapter filing an appeal to sufficiently demonstrate cause to alter procedures, the original decision, or any sanctions. An appeal will generally be limited to a review of the verbatim record of the hearing and supporting documents for one or more of the purposes below, provided however the administrator may request additional information or clarification from the accused fraternity or sorority, complaining party, and/or witnesses for purposes of this review.
 - a. To determine whether the hearing was conducted in accordance with published procedures and without bias on the part of the hearing administrator. Deviations from designated procedures will not be a basis for sustaining an appeal unless significant prejudice results.
 - b. To determine whether there was information presented in the hearing that, if believed by the board or administrator, was sufficient to establish that a violation of the *Fraternity & Sorority Life Requirements and Procedures* and/or *Stockton University Student Handbook*.
 - c. To determine whether any sanctions imposed were appropriate for the violation of the *Fraternity & Sorority Life Requirements and Procedures* and/or *Stockton University Student Handbook* which the fraternity or sorority was found to have committed.

- d. To consider new information, submitted by the appealing fraternity or sorority within the prescribed five-day period, sufficient to alter a decision or other relevant facts not brought out in the original hearing, because such information was not known to the fraternity or sorority appealing at the time of the original hearing.

V. Appeal Decision

An administrator reviewing an appeal may make one of the following decisions:

- A. The administrator may decide to affirm the decision of the original hearing administrator or board.
- B. The administrator may alter any sanctions issued by the original hearing administrator or board. Alteration in the sanction may include reducing or increasing the sanction or requirements.
- C. The administrator may determine that a new hearing by a different hearing administrator is warranted to correct procedural irregularity or to consider new information. A fraternity or sorority may appeal a decision of the new hearing administrator or board.
- D. The administrator may direct the original hearing administrator to review their original decision subject to any instructions from the administrator; and may affirm that decision or render a new decision consistent with those instructions. A fraternity or sorority may appeal a decision made by the original administrator or board if there are any changes after the review.

VIII. Conduct Record Keeping & Transparency

- A. Records will be kept on file indefinitely of all conduct cases.
- B. The Stockton University website will publish for five (5) years any chapter found responsible for any *Fraternity & Sorority Life Regulations and Procedures* and/or *Stockton University Student Handbook* violations.