



DELTA TAU DELTA

Honor Board



Beta Theta Chapter Delta Tau Delta Fraternity

The Honor Board and Due Process

I. Statement and Purpose

The Honor Board exists to investigate and resolve alleged violations of the Chapter Bylaws, rules and code of conduct and the Constitution and Bylaws of Delta Tau Delta Fraternity by members of the Beta Theta Chapter of Delta Tau Delta Fraternity. The system provides for notice of charges, opportunity for settlement of hearing, judgment by fraternity members, and the right to appeal, thus ensuring fundamental fairness to all parties involved. Persons involved in a dispute may avail themselves of advice from members of Honor Board to help them achieve reconciliation. If the parties fail to reach an agreement, the aggrieved member or pledge may formally file a complaint with the Honor Board.

II. The Honor Board of the Beta Theta Chapter

A. Jurisdiction

There shall be a chapter- wide board of original jurisdiction to be known as the Honor Board of the Beta Theta Chapter of Delta Tau Delta Fraternity. Except as otherwise outlined by the Constitution and Bylaws of Delta Tau Delta Fraternity and the Bylaws of the Beta Theta Chapter of Delta Tau Delta Fraternity, it shall have exclusive original jurisdiction in all cases brought by members, pledges or the Beta Theta Chapter under regulations of the Chapter against persons who are registered as members or pledges of the Beta Theta Chapter.

B. Composition

The Honor Board shall be composed of three members in the chapter including the Sergeant-At Arms, and an alternate. They shall be nominated, appointed by the President, and confirmed by a two-thirds vote of the chapter.

C. Conflict of Interest

1. Definition: On occasion, the presence and/or participation of a particular Honor Board member may be deemed as representing a conflict of interest with the role of Honor Board. Such a "Conflict of Interest" shall be defined as any involvement or affiliation with a particular incident or its participants, which may impair his ability to consider objectively, and impartially the facts of any situations of an Honor Board review.
2. Procedures: Members of the Honor Board may disqualify themselves from hearing the case if they believe, in good faith, that their capacity for making an objective decision in the case is or may appear to be impaired. Alleged conflicts of interest must be brought to the Chairman of the Honor Board by a member of the Honor Board, any member of the Fraternity or any individual involved or affiliated with the incident at least three calendar days prior to the review proceeding. To facilitate such determinations, the respondent shall present to the Chairman a full list of all participating individuals and witnesses and their roles at least three calendar days prior to the review. The minutes shall reflect any withdrawal due to conflict of interest. Any Honor Board member who is deemed to have a conflict of interest by the Honor Board shall not be present at internal Honor Board discussions, shall not vote on any issue relating to the review in question, and shall not receive Honor Board minutes or other confidential written materials pertaining to the review in question. The individual shall be permitted to participate in the review proceedings as a presenter as a witness either on behalf of the member(s) under review or the member(s) initiating the proceedings.
3. Quorum: The Quorum required to start a meeting shall consist of three-fourths (3/4) of all eligible, voting members of the Honor Board (excluding members disqualified due to a conflict of interest). There shall be abstentions made by any eligible voting member, including the Chairman, who must vote in the event of a tie. All decisions require at least a majority of those present and eligible to vote.

D. Confidentiality of Judicial Record and Proceedings

1. The identity of individuals in particular cases before the Honor Board and all files and testimony as to individuals shall remain confidential.
2. In the case of an appeal or the recommendation of suspension or expulsion of a respondent, the right of confidentiality shall be denied.

III. Staff

A. Honor Board Members

1. All members of the Honor Board will be appointed by the President of the Chapter, and ratified by a two-thirds vote of the active chapter. Once appointed to the Honor Board, a member may retain that position until he graduates voluntarily steps down, or is elected to an executive position. Once a member of the Honor Board has been elected to an executive position, another member of his pledge class will replace him. Replacements shall be filled in accordance with the selection process. A member of the Honor Board may be removed from his position by a two-thirds (2/3) vote of the active chapter.

2. The Honor Board chairman is the Sergeant-At Arms and it shall be his duty to preside over all meetings and reviews. The Chairman is responsible for overseeing the procedural integrity of this Honor Board. It shall be the duty of the Chairman to see that all necessary articles are kept in a private and orderly place.
3. The Chairman shall be present at the review to hear relevant evidence found by the Honor Board concerning the charges.
4. The Chairman shall ensure that agreements and sanctions are enforced.
5. The Chairman shall inform all members involved in the case at hand on procedural matters at the hearing.
6. In cases where conflicts of interest (as defined) arise, or where the Chairman is otherwise absent, the Honor Board member present who is the most senior with the respect to tenure of service on the Honor Board shall act as Chairman.
7. The Chairman may confer with the Executive Committee or the Chapter Advisor on injunctions and/or revisions to a policy.

B. Chapter Advisor

The Chapter Advisor shall be a member of Delta Tau Delta Fraternity and serve at the pleasure of the Arch Chapter. The duties of the Chapter Advisor (or his designate) shall aid in the investigation of complaints against individuals and to help determine whether charges should be brought before the Honor Board.

IV. Procedures

A. The Complaint and Investigation

1. Any member or pledge who believes that another member or pledge has violated chapter Bylaws, rules and Code of Conduct and/or the Constitution and Bylaws of Delta Tau Delta Fraternity may file a complaint with the Honor Board. The Honor Board may conduct preliminary fact- finding measures before a case is taken up by an Honor Board hearing. The Chairman of the Honor Board may also refer the complaint to other University or Fraternity officers as deemed necessary.
2. The Honor Board shall convene within three calendar days of the filing of a complaint in order to hear complaints within the jurisdiction of the Honor Board. The Honor Board shall then decide if there is reasonable cause to believe that an individual has violated the Chapter Bylaws, rules and Code of Conduct, and the Constitution and Bylaws of Delta Tau Delta Fraternity. In light of evidence uncovered by the investigation, the Honor Board may only handle charges of the original complaint, add additional respondents, or dismiss the charges as unfounded.

B. Procedures for Judicial Reviews

1. Within reasonable time after the Honor Board determines that there is reasonable cause, the Honor Board shall present to each respondent a statement of the charges against the respondent. The statement shall cite the regulations, rules or policies alleged to have been violated and shall describe the alleged acts, or failure to act, constituting the allegation. The statement shall also enclose a copy of this policy and a copy of the regulations, rules, or policies alleged to have been violated.

The three-day calendar minimum is defined as:

DAY 1- The received date of the summons

DAY 2- The day following the receipt of the summons

DAY 3- The first eligible day for a hearing

2. The Chairman shall set a regular time and place for the hearing within a minimum of three calendar days after the filing of the charges. The respondent shall be given a minimum of three-calendar day's summons.
3. The Chairman shall notify the complainant and respondent of the review place, time and date. This notice shall also contain the names of the members of Honor Board.
4. All hearings shall be held in appropriate facilities and shall be private. The Chairman may limit attendance at the hearing to ensure fair and orderly proceedings.
5. All reviews shall be conducted in such a manner as to permit the Honor Board to achieve substantial justice. Participants and observers shall conduct themselves in accordance with these objectives.
6. The respondent shall have the opportunity to present evidence at the hearing through witness or documentation about the respondent and his status, including an explanation of the incident or event in question.
7. The Chairman of the Honor Board, the respondent, and the complainant shall have the right to present and conduct questioning in a manner so directed by the chairman.
8. The Honor Board shall consider no evidence other than that received at the hearing.

C. Decisions of the Honor Board

1. The Honor Board's deliberations shall be divided into three separate stages:
 - A. The finding of fact
 - B. Decisions on the specific sections of the Chapter Bylaws, rules and Code of Conduct that have been violated.
 - C. Sanctions and/or recommendations for suspensions and/or expulsions.

2. The Honor Board shall presume a respondent Innocent until proven guilty by preponderance of the evidence.
3. All decisions require a majority vote of the Honor Board members present and eligible to vote (disqualified due to a conflict of interest).
4. The Chairman shall sign the decisions on behalf of the Honor Board.
5. The Chairman or a member of the Honor Board shall then deliver the written decision of the Honor Board to the complainant, the respondent and the Chapter President before the following chapter meeting, as long as the Honor Board's decision was made one calendar day before the following Chapter meeting.

D. Failure to Appear or Cooperate

1. All members interviewed are obligated to provide honest, complete statements to the Honor Board in order that disputes may be equitably resolved as quickly as possible.
2. Any absence from an Honor Board governed hearing, trial, or summoned event deemed inexcusable by a three- fifths vote of the Honor Board shall result in sanctions found appropriate by the Honor Board. Such sanctions as approved by Part IV (Procedures) may impose any reasonable sanctions against a respondent, which may include, and shall not be limited to, warning, reprimand, restitution, disciplinary probation for a specified period, withdrawal of privileges, community service and fines.

V. Sanctions

A. Available Sanctions

The Honor Board, acting under part IV, may impose any reasonable sanction against a respondent, including, and not limited to, warning, reprimand, and disciplinary probation for a specified period, withdrawal of privileges, community service, social suspension and activities suspension. The Honor Board may also impose fines. The Honor Board may recommend to the Chapter for the suspension and/or expulsion of a respondent in accordance with Article XI, of the Constitution and Bylaws of Delta Tau Delta Fraternity. In performing these duties, the Honor Board shall have the cooperation of the Executive Committee, the Administrative Committee, and other appropriate Fraternity officers.

VI. Appeals

The Chapter shall have the exclusive jurisdiction to decide appeals, with the Chapter President as the presiding officer over the appeals proceedings. A unanimous decision by the Honor Board requires a three-fourths (3/4) vote of the chapter to overturn their decision. A simple majority requires a two-thirds (2/3) vote of the active Chapter to overturn their decision.

VII. Amending

The Bylaws of the Honor Board shall only be amended according to the same procedures used to amend the Bylaws of Beta Theta Chapter.

Accepted February 5, 2018

Owen LeGrone
President

Justin Prather
Secretary



Complaint to Honor Board

Date of Complaint:

Signature:

Description of Alleged Infraction:



Summons to Honor Board

Name:

Date of Hearing:

Time:

Place: *Beta Theta Chapter Room*

Honor Board Chairman: _____

Infraction:



Hearing Summary of Honor Board

Name:

Date of Hearing:

Time:

Place: Beta Theta Chapter Room

Hearing Summary:



Findings and Decision of Honor Board

Name: _____

Date of Meeting: _____

Findings:

Fines: _____

NOTE: If not paid within two weeks of notification, automatic 10% additional charge

Honor Board Chairman: _____ Date: _____

Expulsion Requirements

In order for an expulsion to be complete, the following must be submitted to the Central Office:

- 1 *A brief letter from the President or a completed expulsion form must be delivered to the Central Office, within 48 hours of the hearing, outlining the specific steps taken in the expulsion process.*
- 2 *There must be proof submitted to the Central Office showing that the individual to be expelled was notified of the allegations against him.*
- 3 *The numerical vote during the expulsion proceedings must be delivered to the Central Office. EXAMPLE: 61 for/ 30 against/ 91 present*

* All information may be included in the same letter.

The procedures outlined in the Constitution and Bylaws are as follows:

- A. A motion for expulsion shall be made and seconded at any regular meeting in which a quorum is present, with said motion to be immediately tabled until the member to be expelled has been given seven (7) days oral or written notice of the time and place that the motion will be voted upon. Such time and place shall not be less than seven (7) days from the actual notification of the member to be expelled of the time and place of the meeting.
- B. The meeting in which the expulsion is voted upon shall include a full and complete discussion by all chapter members of the charges made against the member to be expelled, all to the end that traditional standards of fair play and substantial justice are observed toward the member to be expelled.
- C. After a thorough discussion of the charges against the member to be expelled, the chapter shall vote on the motion. The motion shall be passed and the member expelled if two-thirds (2/3) or more of the undergraduate members attending the meeting vote for the motion to expel the member.
- D. The recording secretary of the chapter voting expulsion of any undergraduate member shall, upon the vote for such expulsion, certify the following to the Arch Chapter:
 - 1 That written or oral notice of the time and place of the meeting to expel such undergraduate member was delivered to the expelled undergraduate member at least seven (7) days prior to the meeting.
 - 2 That at the meeting to expel, a full airing of the charges against the expelled member was allowed and that the expelled member had opportunity to present his side of any controversy.
 - 3 That two-thirds (2/3) or more of the undergraduate members present at the meeting in which the undergraduate member was expelled voted in favor of his expulsion.
 - 4 That a quorum was present at the undergraduate meeting where the undergraduate member was expelled.



Report of Expulsion

Date: _____

Chapter: Beta Theta Chapter

Name of Member to be expelled: _____

Bill of Complaint Issued: _____
(Date)

Notice of Hearing:

- If written, please include documentation.
- If oral, please list notifying officer: _____

Reason for Expulsion: (Check One)

- ☐ Presence detrimental to the Chapter
- ☐ Conduct detrimental to the Chapter
- ☐ Violation of Oath or Code of Conduct
- ☐ Violation of rules pertaining to hazing, alcohol and illegal drugs
- ☐ Conduct unbecoming a member
- ☐ Failure to pay current account to an undergraduate chapter

Vote: _____ # For _____ # Against _____ # Present at Trial

Expulsion Finalization Date: _____

Attach all appropriate documentation

President: _____ **Date:** _____

Recording Secretary: _____ **Date:** _____