



# Sigma Tau Gamma Fraternity

Founded June 28, 1920

## **P O L I C I E S**

National Standards Board Rules and Policies

**NATIONAL STANDARDS BOARD  
NATIONAL STANDARDS REVIEW BOARD  
RULES AND PROCEDURES**

Pursuant to Law XIV and Law XV of Sigma Tau Gamma Fraternity, Inc., the Board of Directors has adopted the following Rules and Procedures governing the National Standards Board and National Standards Review Board.

I. Jurisdiction

A. The National Standards Board shall have jurisdiction over the following matters:

1. Complaints brought against an alumni member by an alumni member, collegiate member, chapter advisor, or regional officer, except when those persons are members of or serve the same collegiate chapter, or are located within the same region.
2. Complaints brought against an alumni member or collegiate member by or at the direction of the Chief Executive Officer, if the Chief Executive Officer requests the matter be considered by the National Standards Board.
3. Complaints brought against collegiate chapters, alumni chapters, or alumni associations.
4. Complaints arising from the conduct of members at a national meeting.
5. Those matters referred by the President to the National Standards Board for consideration.
6. Matters that would normally be considered by a Regional Standards Board, when that body has not been assembled or is otherwise unable to act.

B. The National Standards Board shall not have jurisdiction over the following matters:

1. Complaints against the Directors of the Fraternity.
2. Complaints against the Chief Executive Officer or Headquarters personnel.
3. Complaints which are directed for determination by a Collegiate Standards Board, a Regional Standards Board (if one is assembled), the Board of Directors, the House of Delegates, or some other body by the Constitution and Laws.

## II. Composition and Appointments

- A. Standing Members – The President of the Fraternity shall appoint not less than ten alumni and collegiate members to serve as standing members of the National Standards Board, who shall also serve as the standing members of the National Standards Review Board. In making his appointments, the President shall ensure there is geographic diversity among the members so appointed.
- B. Temporary Members – In an emergency situation, for the purpose of service at a national meeting, or as required by the Laws, the President may appoint members to temporarily serve as members of the National Standards Board or the National Standards Review Board. Should the President fail or be unable to make appointments in an emergency situation, the President-elect shall do so as provided by the Laws.
- C. Qualifications – All members appointed to the National Standards Board and National Standards Review Board shall be in good standing with the Fraternity.
- D. Chair and Vice Chair – The President shall designate a Chair and a Vice Chair from the standing members of the National Standards Board.
- E. Advisor – A member of the General Counsel Committee shall serve as Legal Advisor to a panel of the National Standards Board or National Standards Review Board, as selected by the General Counsel Committee. The Legal Advisor shall be available to answer questions on the Constitution, Laws, Policies, and these Rules and Procedures or give recommendations to the panel consistent with principles of general law, guidelines recognized by the Chief Executive Officer or the Board of Directors, or the details of other similar situations known to the Legal Advisor, but shall not vote in the determination of the matter before a panel.
- F. Term – Standing Members of the National Standards Board and National Standards Review Board shall hold office from the date of their appointment until August 31 of an even-numbered year, to coincide with the term of the President making the appointment and allow the incoming President time to make his appointments. Standing Members shall be eligible for reappointment. Temporary Members shall serve for the term set forth in their letter of appointment.
- G. Removal – A Standing or Temporary Member of the National Standards Board and National Standards Review Board may be removed by the President for cause, which shall be failure to diligently perform the duties required of the appointment or any action which would justify charges against such Member before the National Standards Board, or for any reason by a simple majority vote of the Board of Directors.

### III. Complaint Processing

- A. Form and Delivery of Complaint – All complaints shall be in writing and delivered to the Chief Executive Officer of the Fraternity. The Chief Executive Officer may make a standard form available for the making of a complaint, but no complaint shall be rejected solely for the failure to use such a form.
- B. Contents of the Complaint – Each written complaint shall include the following information:
  - 1. The name of the person making the complaint (the “Petitioner”).
  - 2. The name of the person, chapter, or association the complaint is being lodged against (the “Respondent”).
  - 3. The collegiate chapter designated by university affiliation or Greek letter of each individual, chapter, or association involved.
  - 4. A short narrative of the event(s) giving rise to the complaint, including the relevant dates on which the conduct occurred, and the names of any persons who participated in or witnessed such event(s).
  - 5. A list of the provisions of the Constitution, Laws, Policies, Ritual, or other rules and regulations that are alleged to have been violated by the Respondent, and an explanation by the Petitioner as to how such provisions were violated by the Respondent.
  - 6. A statement as to whether Petitioner believes it possible, and whether they are willing, to attempt to resolve the complaint through a dispute resolution program with the Respondent.
  - 7. The signature of the Petitioner, which shall have the effect of (1) certifying that the statements made in the complaint are true to the best of their knowledge and belief, and (2) that any false statements made in the complaint could subject the Petitioner to discipline as provided in the Laws of the Fraternity.
  - 8. A copy of any relevant recording, whether written, audio, or video, that supports Petitioner’s complaint and that Petitioner would ask the Panel to consider as proof of the violation.
- C. Initial Review – Upon receipt of a complaint, the Chief Executive Officer shall review the Complaint and take one of the following actions:

1. If the complaint is missing any of the information set forth in Rule III (B) above, and if the missing information would make it difficult for the matter to be properly adjudicated, the Chief Executive Officer may return the complaint to the Petitioner to give them the opportunity to submit an amended complaint including the missing information by a date certain. If an amended complaint is not received by said date, the complaint shall be deemed abandoned without prejudice to its resubmission at a later time.
  2. If the Chief Executive Officer believes the Complaint has no substantial basis, and if the President concurs in that assessment, the Chief Executive Officer shall send the matter to the Chair of the National Standards Board, or in his absence, the Vice Chair, for review. If the person conducting the review determines the matter has no substantial basis, then the complaint shall be dismissed.
  3. If the complaint is complete and appears to have substantial basis, but the National Standards Board lacks jurisdiction to consider the matter, then the complaint shall either (1) be referred to the appropriate body for consideration, or (2) shall be returned to the Petitioner explaining that the National Standards Board lacks jurisdiction over such a dispute.
  4. If the complaint is complete, appears to have substantial basis, and the National Standards Board has jurisdiction to hear the matter, then the Chief Executive Officer shall make a referral in accordance with Rule IV below.
- D. Direct Referral by the President or CEO – Notwithstanding the above, the Chief Executive Officer and the President shall each have the authority to refer a matter to the National Standards Board for consideration if either of them deem it necessary and appropriate to do so. In making a referral, the Fraternity shall be the Petitioner, by and through an alumnus or Headquarters employee who shall be designated to prepare the complaint and to act on its behalf.

#### IV. Referrals

- A. Notice of Charges to Respondent – Upon the receipt of a complaint which appears to have substantial basis, the Respondent shall be promptly notified by the Chief Executive Officer of the charges made against him or it. The Respondent shall be provided with a copy of the complaint or other charging document, including the records submitted with the complaint. The Respondent shall also be informed of the amount of time allowed to respond to the charges, which shall be twenty-one (21) days, unless the Chief Executive Officer or President has determined an emergency exists, in which case the Respondent may be notified to respond within a shorter fixed period of time of not less than seven (7) days.

If the Petitioner agrees to attempt to resolve the complaint through a dispute resolution program with the Respondent, and if the Chief Executive Officer agrees it is worthwhile to make such an attempt, then the Respondent shall be asked whether Respondent is also willing to attempt to resolve the complaint through a dispute resolution program with the Petitioner. If the Respondent agrees it worthwhile to seek alternative dispute resolution, then the Chief Executive Officer may refer the matter to the National Dispute Resolution Program.

- B. Extension of Time – For good cause, upon request of the Respondent, the Chair of the National Standards Board, or in his absence, the Vice Chair, may grant additional time to respond to the complaint.
- C. No Answer is Required – Should the Respondent fail to submit a response to a complaint, no decision by default shall be entered against the Respondent, and the panel will consider the matter on Petitioner’s complaint only.
- D. Notice to Chair or Vice Chair – Upon the receipt of a complaint which appears to have substantial basis, unless a temporary panel has been appointed by the President to hear the matter as authorized by Rule II (B) above, the Chief Executive Officer shall notify the Chair, or if he is unavailable to serve, the Vice Chair, of the necessity to form a panel of the National Standards Board to consider a matter. To ensure fairness in the selection of the panel members, the notice to the Chair or Vice Chair shall only include the following information:
  - 1. The collegiate chapter(s) related to the dispute (to avoid a conflict in selecting panel members).
  - 2. Whether it is anticipated that an in-person hearing will be required.
  - 3. Whether it is necessary to appoint a collegiate member to the panel.
  - 4. The names of any current members of the National Standards Board who are likely to have a conflict in hearing the matter.

Upon the receipt of this information, the Chair or Vice Chair shall appoint a panel of the National Standards Board to hear the matter in accordance with Rule V below.

- E. Notice to General Counsel Committee – Notice of the receipt of a complaint shall be given to any member of the General Counsel Committee, who shall have the General Counsel Committee review the complaint to determine whether it would be inadvisable to proceed for any reason, and who shall designate one of their members as Legal Advisor on that complaint. If the General Counsel Committee at any time determines it is inadvisable to proceed, the Legal Advisor shall so advise

the Chief Executive Officer and President, who may, on advice of counsel, either defer consideration of the matter to a later date, notify the parties that the National Standards Board will not hear the complaint, or take such other action as recommended by the Legal Advisor.

- F. Appointment of Investigator – Should the President or Chief Executive Officer deem it necessary or prudent to do so, an Investigator may be appointed to investigate the facts and circumstances surrounding a complaint. Any person may be appointed as Investigator, so long as he or she does not have a direct interest in the outcome of the matter. If a member of the General Counsel Committee is appointed as Investigator, that person shall not serve as Legal Advisor to the panel in the case. The Investigator shall report his or her findings to the person making the appointment, who shall then decide whether it is appropriate to share the Investigator’s findings with the panel hearing the case.

V. Hearing Panels

- A. Selection of Panel – Upon receipt of the notice described in Rule IV (C) above, the Chair, or Vice Chair in the absence of the Chair, shall select five (5) members to serve as the panel to determine the case. Generally, the selection of members should be random, except in selecting the panel, the Chair may give preference to members who have not heard a case, and in cases where a panel will meet in person, may give preference to those members residing closest to where the hearing will take place. The Chair may also select alternate members to hear a case, and fill any recusals or vacancies on the panel. The Chair shall also designate a member to serve as the Panel Chair.
- B. Coordination with Parties – The Panel Chair shall separately coordinate with the Petitioner and Respondent to schedule the hearing of the matter. The Panel Chair shall ask the parties whether an oral hearing is required, or whether the parties would like the matter considered on the documents that have been submitted. If an oral hearing is requested, the Panel Chair shall ask the Parties if they intend to present any witnesses. The Panel Chair may limit the number of witnesses allowed by each party.
- C. Preliminary Hearing Procedure – Once a panel has been established, the Chief Executive Officer shall send the following documents to each member of the panel and its Legal Advisor: (1) the complaint, (2) any response, (3) any relevant prior standards board decisions involving any of the parties or similar circumstances which are known to the Chief Executive Officer or Legal Advisor. If an Investigator has been appointed, and the officer appointing the Investigator agrees to release the Investigator’s report, it shall be shared with the panel.

After receipt of the documentation, the Panel Chair shall arrange for a conference call with the panel members and the Legal Advisor, solely to (1) coordinate the availability of the members to conduct the hearing, (2) to ask any procedural questions of the Legal Advisor by the panel, (3) to determine whether the hearing will be conducted with all or some of the members and the parties in person (which should only be granted in the most exceptional of circumstances or in conjunction with a national meeting), (4) to determine the means, methods and timing for the hearing and questioning of witnesses whose statements are made verbally, and (5) to determine the means, methods and timing for the hearing of explanatory or exculpatory statements of the parties.

VI. Hearing Procedures

- A. In-Person and Oral Hearings – At the start of the hearing, the Panel Chair shall inform the parties of the amount of time allocated to each side to present its case, if a specific time has been fixed by the panel. The Panel Chair may order separation of the witnesses if he deems it appropriate. The Petitioner will present its case first, followed by the Respondent. At the discretion of the Panel Chair, the Petitioner may be permitted to offer a brief rebuttal. Panel members may ask questions of the parties and their witnesses. All objections shall be ruled on by the Panel Chair, and any procedural questions or matters of privilege to refuse to answer questions may be referred to the Legal Advisor. Each party may be permitted time to make a brief closing statement at the discretion of the Panel Chair. After the conclusion of the case, the parties shall be excused for the panel to deliberate and make a decision in accordance with Rule VII below.
  
- B. Hearings on the Documents – The panel members and Legal Advisor shall meet either in person or by teleconference without the parties. The Panel Chair shall ensure that all members of the panel have reviewed the documents submitted. Aside from the Constitution, Laws, Policies, Ritual, other rules and regulations governing the Fraternity, and any previous decisions of the National Standards Board or National Standards Review Board related to the parties or involving similar circumstances, no other documents other than the ones submitted to the panel shall be considered in determining the matter. The panel shall discuss the matter, and at the conclusion of the deliberation make a decision in accordance with Rule VII below.

VII. Decisions

- A. Adoption of Decision – The charges of the complaint must be proven by the Petitioner by a preponderance of the evidence, that is, that the allegations are more likely true than not true. Though whenever possible it would be preferable for the panel to arrive at a unanimous decision, only a majority vote is necessary to adopt a final decision. The panel members voting with the majority shall select



one of their group to draft a written decision. The panel member assigned to draft the decision shall prepare the decision as promptly as possible and deliver it to the other panel members and Legal Advisor for comment. If a panel member dissents from the decision of the panel, he may append a brief dissent to the majority decision. The final written decision shall reflect the vote and decision of the panel, the author of the written decision (at his option), and shall be signed by the Panel Chair on behalf of the panel. Any written statement of dissent by a panel member shall accompany the majority decision.

- B. Delivery of Decision – After placing his signature on the decision, the Panel Chair shall distribute copies of the decision and any dissent to the Petitioner, the Respondent, the Chair, the Chief Executive Officer, the President, the Legal Advisor, and each member of the panel by electronic mail. Along with the decision, the parties shall be notified of the right to appeal to the National Standards Review Board as provided in Rule VIII below.
- C. Record of Decision – The Chief Executive Officer shall maintain a record of all decisions rendered by the National Standards Board.

#### VIII. Appeals to National Standards Review Board

- A. Right of Appeal – Any party to a case may appeal the decision to the National Standards Review Board pursuant to Law XV, Section 5.
- B. Time to Appeal – Any party wishing to appeal the decision of the National Standards Board (the “Appellant”) shall have seven (7) calendar days to file a notice of appeal.
- C. How to Appeal – Decisions may be appealed by sending a notice of appeal by electronic mail to the Chief Executive Officer and Panel Chair before the appeal deadline. The notice of appeal need only state that appealing party wishes to appeal the decision. Upon filing the notice of appeal, the Appellant shall have an additional seven (7) calendar days to submit to the Chief Executive Officer and Panel Chair a written statement explaining the basis for the appeal. Upon request and for good cause shown, the Chief Executive Officer or the Panel Chair may grant the appellant an additional seven (7) calendar days to file the written statement.
- D. Response of Appellee – Upon receipt of a notice of appeal, the Chief Executive Officer shall send a copy of the notice of appeal by electronic mail to any opposing party named in the complaint (an “Appellee”). Thereafter, upon receipt of the Appellant’s written statement, the Chief Executive Officer shall forward it to the Appellee. The Appellee may submit a written statement rebutting the appellant’s written statement within seven (7) calendar days after submission of appellant’s statement. Upon request and for good cause shown, the Chief Executive Officer

or the Panel Chair may grant the Appellee an additional seven (7) calendar days to file a response. No response by an Appellee is needed in order to preserve either the Appellee's position or the majority decision of the Panel.

- E. Special Procedure in Cases of Expulsion and Charter Revocation – If the penalty recommended by the National Standards Board includes the expulsion of a member or the revocation of a charter, or if the original sanction recommended by the Headquarters was the expulsion of a member or the revocation of a charter and said sanction was not adopted by the National Standards Board, because such actions may only be taken by the Board of Directors, then upon the suggestion of the Panel Chair of the National Standards Board, the Legal Advisor, or the Chief Executive Officer, the matter may be forwarded to the President to decide whether the Board of Directors will assume jurisdiction over the matter. If the President determines that jurisdiction over the appeal will be assumed by the Board of Directors, the appeal shall be considered in accordance with Rule IX(E)(2) below.
- F. Composition of Panel – Unless a temporary National Standards Review Board has been appointed as authorized by Rule II (B) above, upon receipt of an appeal, the Chief Executive Officer shall inform the Chair that a panel of the National Standards Review Board is needed. The Chair shall then randomly select three (3) panel members to serve, none of whom shall have served on the original panel or have a conflict in the case.
- G. Determination of the Appeal – The National Standards Review Board shall meet either in person or by telephone to determine the appeal. The only items that may be considered in deciding the appeal in addition to the Constitution, Laws, Policies, Ritual, other rules and regulations governing the Fraternity, and any previous decisions of the National Standards Board or National Standards Review Board related to the parties or involving similar circumstances are (1) the decision, including any dissenting statements, (2) the written statement of the appellant, and (3) any written rebuttal of the appellee. The panel may ask procedural questions of the Legal Advisor should it desire to do so. In making its decision, the National Standards Review Board shall give due deference to the decision of the panel that originally heard the case.
- H. Decision – After deliberation, the panel shall issue a decision, with or without a written explanation, (1) affirming in whole or in part the decision of the hearing panel, (2) modifying the decision of the hearing panel, or (3) overturning in whole or in part the decision of the hearing panel.
- I. Delivery of Decision – Copies of the decision of the National Standards Review Board shall be delivered to the Petitioner, the Respondent, the Chair, the Panel Chair, the Chief Executive Officer, the President, the Legal Advisor, and each

member of the original hearing panel by electronic mail. Along with the decision, the parties shall be notified that the decision may be discretionarily appealed to the Board of Directors in accordance with Rule IX below.

- J. Record of Decision – The Chief Executive Officer shall maintain a record of all decisions rendered by the National Standards Review Board.

IX. Discretionary Appeals to the Board of Directors

- A. Request for Appeal – Any party to a case may request an appeal of the decision of the National Standards Review Board to the Board of Directors.
- B. Time to File – Any party wishing to request a review of the decision of the National Standards Review Board shall have seven (7) calendar days to file a request for appeal.
- C. How to Request an Appeal – Any party may request a discretionary review of the decision of the National Standards Review Board by sending a request for appeal by electronic mail to the Chief Executive Officer before the appeal deadline. The request for appeal shall only state that the appellant is requesting that the Board of Directors review the matter; no other documentation shall be submitted.
- D. Processing of Request for Appeal – Upon receipt of a request for appeal to the Board of Directors, the Chief Executive Officer shall take the following actions:
  - 1. Notify the person making the request for appeal that his request has been received, and inform the person making the request that such requests are rarely granted by the Board of Directors.
  - 2. Notify the other party to the case that a request for appeal has been filed.
  - 3. Notify the President that a request for appeal has been filed and transmit the entire record of the case to the President for review.
- E. Discretionary Acceptance or Rejection of Request for Appeal – The President shall review the matter and consult informally with the other members of the Board of Directors to decide whether the request to hear the appeal should be granted. The President shall then inform the Chief Executive Officer whether the request for appeal has been granted or denied.
  - 1. If the request for appeal is denied, the Chief Executive Officer shall inform all parties that the Board of Directors has decided that further appeal of the matter will not be considered, and that the decision rendered by the National Standards Review Board is final.

2. If the request for appeal is granted, then the matter shall be considered in executive session at the next regular meeting of the Board of Directors, or at such other time as the President deems appropriate. At the request of the President, the Legal Advisor and/or Chief Executive Officer may be in attendance during the executive session held to consider the case. The matter will be determined only on the written records which were submitted to the panel of the National Standards Review Board. After considering the matter, the President shall inform the Chief Executive Officer of the Board of Directors' decision in the case. The Chief Executive Officer shall then inform the parties of the decision rendered by the Board of Directors, and further inform the parties that the decision rendered by the Board of Directors is final.

F. Record of Decision – The outcome rendered by the Board of Directors shall be recorded in the minutes of the Board, with or without the reasoning of the Board. The Chief Executive Officer shall also maintain a record of all decisions rendered by the Board of Directors.

X. Interpretation of These Rules and Procedures

These rules and procedures shall be interpreted to afford a just and fair result to the parties involved to the extent possible.