

Sigma Tau Gamma Fraternity, Inc.
2022 Grand Conclave
Constitution and Laws Committee

Proposal No. 22.13

A proposed amendment to the Laws to make changes to the chapter disciplinary procedures.

The Constitution and Laws Committee hereby recommends that the following amendments be made to the Laws of the Fraternity (deletions in strike through; additions underlined):

1. To amend LAW XV by striking the existing Section 3 and replacing it with the following:

SECTION 3. All charges shall be delivered to the Chief Executive Officer for consideration. Upon receipt, the Chief Executive Officer shall (1) inform the collegiate chapter, alumni chapter, or alumni association that charges have been filed and the nature of said charges, (2) whether any interim sanction or suspension is being imposed pending resolution of the charges, and (3) who will be responsible for considering the charges made against the group. Charges may be:

- A. Processed administratively by Headquarters;
- B. Referred by the Chief Executive Officer to a Regional Standards Board or the National Standards Board as established and provided for under Law XIV, Sections 3, 7, and 8; or
- C. Referred to the Board of Directors for immediate consideration.

2. To amend LAW XV, Section 4, paragraph A as follows:

- A. The penalties that may be levied by Headquarters or a Standards Board regarding discipline under this Law include:

3. To amend LAW XV, Section 5, as follows:

SECTION 5. Appeal: The parties involved with charges referred to a Regional Standards Board or the National Standards Board, specifically the subject of charges and the filer of the charges, shall have the right to appeal the decisions of the Standards Board that conducted the hearing. Appeals can be made on the grounds of an error in the charge or due process, the severity of sanction does not meet the severity of the violation, or new information that

could not previously have been obtained was discovered. The complete appeal process shall be prescribed in the Standards Board Process and Procedures of the Fraternity.

4. To amend LAW XV by striking Sections 7 and 8.

For clarity and understanding, a complete clean version of LAW XV as amended herein is attached hereto as Appendix A.

Note on rationale for this legislation:

Chapter disciplinary procedures have at times worked too slowly in emergency situations, and have been too cumbersome, resulting in extended suspensions of a chapter. This legislation addresses those issues, while clarifying how the chapter / alumni association / alumni chapter discipline process is handled.

This legislation was originally proposed by the Board of Directors.

Passage of this legislation requires an affirmative two-thirds vote of the House of Delegates.

Fifteen minutes have been allocated for the discussion of Proposal 22.13.

APPENDIX A

LAW XV. DISCIPLINE: COLLEGIATE CHAPTER, ALUMNI CHAPTER, AND ALUMNI ASSOCIATION

SECTION 1. Offenses: Charges may be brought for one or more of the following offenses:

- A. Violation of the Constitution, Laws, Policies or Ritual of the Fraternity.
- B. Failure to comply with college or university regulations.
- C. Persistent failure to meet financial obligations to the Fraternity.
- D. Condoning the practice of hazing or violating the provisions of the Code of Conduct as defined by the Fraternity.
- E. Violation of the Risk Management Policy, as defined by the Fraternity, including the prohibition against the purchase of alcohol through the chapter treasury or by individual members in the name of or on behalf of the chapter.
- F. The possession, sale and/or use of any illegal drug or controlled substance on chapter premises or at any Fraternity sponsored event or at any event that would suggest an association with the Fraternity to a normal observer.
- G. Encouraging or conspiring with a collegiate member or chapter to violate the Constitution, Laws, Policies or Ritual of the Fraternity or provisions of the Code of Conduct and Risk Management Policy as defined by the Fraternity.

SECTION 2. Filing Charges: Charges for violations may be brought against a Collegiate Chapter, Alumni Association or Alumni Chapter of the Fraternity. Charges for violations may be brought by any member of the same Chapter, an officer of the same Chapter, a chapter advisor of the same Chapter, the Regional Director or his duly authorized agent, or the Chief Executive Officer or his duly authorized agent. These charges shall be in writing and state the violation and specific instance of the violation. There may be one or more counts of violation.

SECTION 3. All charges shall be delivered to the Chief Executive Officer for consideration. Upon receipt, the Chief Executive Officer shall (1) inform the collegiate chapter, alumni chapter, or alumni association that charges have been filed and the nature of said charges, (2) whether any interim sanction or suspension is being imposed pending resolution of the charges, and (3) who will be responsible for considering the charges made against the group. Charges may be:

- A. Processed administratively by Headquarters;
- B. Referred by the Chief Executive Officer to a Regional Standards Board or the National Standards Board as established and provided for under Law XIV, Sections 3, 7, and 8; or
- C. Referred to the Board of Directors for immediate consideration.

SECTION 4. Penalties:

- A. The penalties that may be levied by Headquarters or a Standards Board regarding discipline under this Law include:
 - i. A fine not to exceed one thousand dollars (\$1,000) per offense and not to exceed five thousand (\$5,000) for the cumulative total of all offenses within the same event.
 - ii. If the occurrence results in litigation against the Fraternity, a fine not to exceed five thousand dollars (\$5,000) per offense and not to exceed fifty thousand (\$50,000) for the cumulative total of all offenses.
 - iii. A warning to the Chapter, Association, and/or its members, and this may be levied with or without a fine.
 - iv. A probation status of the Chapter, Association, and/or its members, for a specific length of time, and this may be levied with or without a fine.
 - v. A suspension of the Chapter, Association, and/or its members, for a specified length of time from the activities of the Fraternity, and this may be levied with or without a fine.
 - vi. A recommendation of revoking the Chapter Charter or Alumni Association Recognition to the Board of Directors.
 - vii. Educational program requirements.
 - B. The action to revoke a Chapter Charter may be taken only by the Board of Directors.
 - C. The imposition of penalties through the Fraternity's Standards Board Process will never be construed as a waiver or stop of the right of the Fraternity to pursue any other remedies allowed by law.

SECTION 5. Appeal: The parties involved with charges referred to a Regional Standards Board or the National Standards Board, specifically any officer or member

of the Chapter and the filer of the charges, shall have the right to appeal the decisions of the Standards Board that conducted the hearing. Appeals can be made on the grounds of an error in the charge or due process, the severity of sanction does not meet the severity of the violation, or new information that could not previously been obtained was discovered. The complete appeal process shall be prescribed in the Standards Board Process and Procedures of the Fraternity.

SECTION 6. Emergency Action: In the case where emergency conditions exist and where charges have been levied, or are intended to be levied within the next thirty (30) days, against a Chapter or Association, the Chief Executive Officer shall have the power and authority to temporarily suspend the Chapter Charter and/or Chapter privileges of any Collegiate Chapter, Alumni Association or Alumni Chapter. Such temporary suspension shall remain in effect until changed by the Chief Executive Officer or the Board of Directors.