

Interfraternity and Panhellenic Council Standards Policy

Updated Fall 2018

Introduction

The Office of Fraternity & Sorority Life is committed to establishing reasonable standards of behavior for members of our community. To that end, the policies and/or procedures contained herein have been established and apply to organizational behaviors by members of the Interfraternity or Panhellenic Councils, or other organizations that receive advisement and/or support from our office. These policies are intended to supplement, and not replace, federal/state/county/city laws and ordinances and/or inter/national headquarters' policy.

Every member of every organization is expected to comply with James Madison University policies as they pertain to student conduct, in addition to all federal/state/county/city laws and ordinances.

Changes/Review of This Policy

This policy shall be reviewed as necessary by staff members of the Office of Fraternity & Sorority Life and/or a committee of Interfraternity and Panhellenic Council representatives.

Changes to these policies may be recommended/introduced by any member of the fraternity/sorority community. These changes must be approved by the Interfraternity and Panhellenic Councils according to that council's voting procedures.

The Office of Fraternity & Sorority Life reserves the right to develop and implement new rules, guidelines, and standards of conduct not presently included in this document to protect the safety and sanctity of the community. These changes are not subject to a vote/approval by the Interfraternity and Panhellenic Councils. It is the responsibility of the Office of Fraternity & Sorority Life to make a reasonable attempt to inform organizations of any change in or addition to the current policies and regulations.

Reporting Violations of This Policy

Any member of an affected community may report a violation of this policy by contacting the Office of Fraternity & Sorority Life. Members of these communities may be asked to provide documentation (written narratives or photographic/video evidence) of the reported violation, and may be requested to appear at disciplinary proceedings against an organization.

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Definitions

The definition of a *registered social event* shall be any event where alcohol is present that has been registered with the Office of Fraternity & Sorority Life.

The definition of an *unregistered social event* shall be any event where alcohol is present that has not been registered with the Office of Fraternity & Sorority Life and is either sponsored by, or perceived to be sponsored by, a fraternity and/or sorority.

Academic Achievement

Policy 1.01 Organizations shall foster a culture of academic achievement by maintaining a 2.7 cumulative grade-point average per semester.

Policy 1.02 Organizations shall submit a scholarship plan to the Office of Fraternity & Sorority Life each semester by the indicated due date.

Advisor(s)

Policy 2.01 Organizations shall maintain at least one (1) active advisor. An active advisor is defined as a JMU faculty/staff member who is interested in and committed to promoting the organization's constitutional functions, university policies, and the requirements of the Office of Fraternity & Sorority Life/Student Activities and Involvement. For more information, see University Policy 3101.

Affiliation(s)

Policy 3.01 Organizations shall only plan, promote, and/or host events with student organizations that are recognized by James Madison University and/or charitable organizations categorized as 501(c)(3).

Alcohol

Policy 4.01 The use and/or possession of alcoholic beverages at events sponsored by, or perceived to be sponsored by, the organization shall be in compliance with applicable laws of the state, county, city, and University.

Policy 4.02 Organizational members shall not, collectively or individually, purchase for, serve to, or sell alcoholic beverages to any person under the legal drinking age.

Policy 4.03 Alcoholic beverages shall not be purchased through the organization's treasury, nor may be purchased by a member for members or guests on behalf of the organization.

Policy 4.04 Organizations shall not co-sponsor an event with an alcohol distributor, promoter, charitable organization, or tavern where alcohol is sold, given away, or otherwise provided by those who are present.

- A promoter shall be defined as an establishment that provides bulk quantities of any object, such as Red Bull or Monster.
- A tavern shall be defined as an establishment that generates more than ½ (one-half) of annual gross sales from alcohol.

Policy 4.05 Bulk quantities of alcohol shall not be present at events sponsored by, or perceived to be sponsored by, an organization. Examples include, but are not limited to: kegs, trashcans, party balls, buckets, cases, etc.

Policy 4.06 Drinking games shall not be present at events sponsored by, or perceived to be sponsored by, an organization.

Community Service

Policy 5.01 Organizations shall foster a culture of service to local and national communities by completing at least five (5) community service hours per member per semester.

Policy 5.02 Organizations shall submit a report detailing each member's semester community service hours by the indicated due date.

Conduct, Unbecoming

Policy 6.01 Organizations shall neither support nor condone behaviors that compromise the safety or sanctity of any community of which the organization is a part. Examples of such behavior include, but are not limited to, the following:

- The attempted or actual vandalism of any property belonging to another.
- The throwing or causing to be projected of any object or substance which has the potential to damage or deface the property of another, or that causes personal injury or disruption of activity.
- The directing serious expression of the intent to commit an act of violence to a particular individual or group of individuals.
- The theft, attempted theft, or assisting in the theft of any money, property, or item of value that does not belong to the organization.
- The illegal use or possession of any property not belonging to the organization.

Drugs

Policy 7.01 Organizations shall neither support nor condone the use, possession, sale, distribution, abuse, or misuse of illegal or illicit drugs or controlled substances by any member of the organization.

Illicit drugs include both illegal drugs as defined by the Drug Control Act of the Commonwealth of Virginia, prescription medications used by an individual other than the person for whom the drugs are prescribed, legal drugs used outside of their recommended directions, and/or other recreational substances used as drugs.

Policy 7.02 Organizations shall neither support nor condone the use, possession, sale, or distribution of drug paraphernalia as defined by Commonwealth of Virginia law.

Failure to Comply

Policy 8.01 Organizations shall comply with a legitimate and lawful request from a Fraternity & Sorority Life Staff member, other James Madison University faculty/staff member, and/or first responder.

Policy 8.02 Organizations shall complete all sanctions by the time frame indicated on official Fraternity & Sorority Life or other James Madison University documents.

Hazing

Policy 9.01 The university prohibits hazing, including any activity or behavior that creates emotional distress, physical discomfort, embarrassment, shame, harassment, malicious amusement, or ridicule in connection with or the purpose of initiation, admission into, or affiliation with or as a condition for continued membership in a club, organization, or association, regardless of whether the student effected participates voluntarily in the relevant activity. Students directing, engaging in, aiding, or participating in, actively or passively, the forcing, compelling, requiring, encouraging, or expecting, whether direct or implied, of individuals to participate in hazing activities shall be considered in violation of this policy.

It is impossible to anticipate every situation that could involve hazing. Behavior listed below does not and cannot encompass every circumstance that can be categorized as hazing, but this policy does in some circumstances prohibit activities beyond those outlined by the State Council on Higher Education in Virginia's model hazing policy. Further, this policy is not intended to prohibit customary athletic events, contests,

competitions, or trainings that are sponsored by the University, the organized and supervised practices associated with such events, or activity or conduct that furthers the goals of a legitimate curriculum or program as approved by the University.

Hazing activities include but are not limited to; physical abuse; kidnapping, blindfolding and parading individuals in public areas, blindfolding and transporting in a motor vehicle, or privately conducting blindfolding activities that serve no constructive purpose, confinement, or binding and/or restricting movement; calisthenics or physical activity used to harass, punish, or harm an individual; excursions; spraying, painting, or pelting with any substance; burying in any substance; nudity; servitude; exposure to uncomfortable elements; verbal abuse or harassment; wearing of apparel which is embarrassing, conspicuous or indecent; forcing consumption of any legal or illegal substance (e.g. food, liquid, beverage, alcohol, drug, or other substance); depriving of sufficient sleep; burning, branding, or tattooing; interrogation in an intimidating or threatening manner; misleading members in an effort to convince them that they will not become or remain members unless they complete tasks, follow instructions, or act in a certain way; misleading members into believing that they will be hurt or pain will result during induction or initiation; carrying items that serve no constructive purpose or that are designed to punish or embarrass the carrier; requiring or suggesting obtaining, possessing items or completing tasks in an unlawful manner (i.e. scavenger hunts); any act that is designed to or likely to compromise the dignity of a member or prospective member, cause embarrassment or shame to a member or prospective member, cause a member or prospective member to be the object of malicious amusement, ridicule, or emotional strain, or cause psychological harm or substantial emotional strain; or any other activity which may result in physical injury or endanger the health or life of the individual being hazed.

An individual cannot consent to being hazed; a victim's voluntary or willful participation in hazing activities will not be considered evidence that a violation of this policy did not occur.

Section 18.2-56 of the Code of Virginia declares hazing illegal, establishes conditions for civil and criminal liability, and outlines the duties of the university when a student has been found guilty of hazing in civil or criminal court.

Insurance, Liability

Policy 10.01 Organizations shall maintain coverage by a liability insurance plan totaling no less than one million dollars (\$1,000,000).

New Member Education

Policy 11.01 Alcohol shall not be present during any associate/new member activity.

Policy 11.02 Prior to any associate/new member education activity, the organization shall submit and review a new member education plan with the appropriate Interfraternity or Panhellenic Council Executive Board member or Office of Fraternity & Sorority Life staff member.

Philanthropy

Policy 12.01 Organizations shall foster a culture of philanthropic giving to local and national communities by establishing one (1) local and one (1) national philanthropy.

Policy 12.02 Organizations shall submit a report detailing the organization's donation to both local and national philanthropies by the indicated due date.

Policy 12.03 Alcohol shall not be present during any philanthropic activity or event.

Policy 12.04 Philanthropic events shall abide by the Interfraternity and Panhellenic Council Philanthropy Policy.

Recognition

Policy 13.01 To maintain their affiliation with the Office of Fraternity & Sorority Life and their respective council, organizations shall maintain recognition as a student organization by Student Activities and Involvement.

Policy 13.02 Social fraternities desiring recognition by the Interfraternity Council shall abide the Interfraternity Council Expansion Policy.

Policy 13.03 Social sororities desiring recognition by the Panhellenic Council shall abide by the National Panhellenic Conference Extension Process.

Recruitment

Policy 14.01 Alcohol shall not be present during any recruitment activity.

Policy 14.02

Prior to any recruitment activity, the organization shall submit and review a recruitment plan with the appropriate Interfraternity or Panhellenic Council Executive Board member or an Office of Fraternity & Sorority Life Staff Member.

Sexual Misconduct

Policy 15.01

Organizations shall neither support nor condone sexual misconduct by any member of the organization.

Sexual misconduct includes sexual assault, sexual violence, sexual harassment, dating violence, domestic violence, relational violence, sexual exploitation, stalking, and all other forms of misconduct on the basis of or because of a Reporter's sex, sexual orientation, gender, or gender identity. Reporting parties who want to report they are victims of sexual misconduct, or are unsure if behavior constitutes sexual misconduct, can meet with Title IX Staff to explore their options for the investigation and adjudication of the allegation in accordance with JMU Policy 1340. Title IX Staff can also implement interim measures on behalf of the Reporting Party in accordance with JMU Policy 1340.

All acts of Sexual Misconduct are covered by the terms of this policy, provided that at least a substantial portion of the alleged wrongful behavior either occurred by a JMU student and on university-controlled, university-leased or university-owned property or otherwise had a significant connection to or effect on the activities of the university or the learning or working environment for the Reporter. Off-campus incidents that cause continuing effects on campus are specifically covered by this policy.

Students who report sexual misconduct will not be charged with violations of J38-101 Alcohol or J38-102 Drugs, even if these substances were involved. Furthermore, student witnesses for the Accused Student or Reporting Party will not be charged with violations of J38-101 Alcohol or J38-102 Drugs as a result of their statements in the case. Reporting Parties and Accused Students should review JMU Policy 1340 for their roles in the investigation of an allegation and the OSARP Sexual Misconduct Accountability Process for their roles in the adjudication of an allegation. Both parties will be assigned an advisor in the Office of Student Accountability and Restorative Practices to guide them through the Sexual Misconduct Accountability Process.

The following behavior is prohibited at JMU:

J34-101 Sexual Assault – Any physical contact of a sexual nature that is forced on another person, including unwelcome sexual touching of any kind. This includes engaging or attempting to engage in any unwelcome sexual intercourse (oral, anal or vaginal) or penetration, however slight,

with any object or body part without consent, or intentional touching (either of another person or when the person is forced to touch) of a body part in a sexual manner without consent, directly or through clothing. Sexual Assault includes nonconsensual attempted or completed sexual intercourse, penetration with any part of the body or an object, touching or forcing another person to touch in a sexual manner, kissing, physical contact with any part of the body for sexual purposes or forcing another to touch himself or herself in a sexual manner.

J34-103 Sexual Exploitation - Taking sexual advantage of another person without that individual's consent. Examples include but are not limited to prostituting another person; causing or attempting to cause the incapacitation of another person for a sexual purpose; recording, photographing or transmitting sexual utterances, sounds or images of another person without that person's consent; allowing a Third Party to observe sexual activity without the consent of the participants; knowingly transmitting sexually transmitted infections or other diseases without the knowledge of the person's sexual partner; inducing another to expose his/her body for sexual purposes; and viewing another person's sexual activity, intimate body parts or nakedness in a place where that person would have a reasonable expectation of privacy without that person's consent.

J34-104 Sexual Harassment – unwelcome or offensive sexual advances, requests for sexual favors, sex-based harassment directed toward stereotypical notions of what is female/feminine or male/masculine or a failure to conform to those gender stereotypes, or other conduct of a sexual nature that creates a hostile environment or is a term or condition of employment, education, or membership including:

- Verbal Conduct – including but not limited to specific demands for sexual favors, sexual innuendoes, sexually suggestive comments, jokes of a sexual nature, sexual propositions, or sexual threats
- Non-verbal Conduct – including but not limited to sexually suggestive emails, other writings, articles or documents, objects or pictures, graphic commentaries, suggestive or insulting sounds or gestures, leering, whistling, or obscene gestures
- Physical Conduct – including but not limited to touching, pinching, brushing the body, or any unwelcome or coerced sexual activity, including sexual assault

J34-105 Relational Violence – A form of Sexual Violence which consists of physical assaults or serious threats of bodily harm, including but not limited to domestic violence and dating violence.

J34-106 Stalking - Repeated conduct which places a person or his/her family in reasonable fear of death, sexual assault or bodily injury.

In adjudicating allegations of violating J34-100 Sexual Misconduct the following definitions will be applied:

Consent: An outward demonstration through understandable words or actions that convey a knowing and voluntary agreement to engage in mutually agreed-upon sexual activity. Consent cannot be gained by force that is express or implied, coercion, intimidation, threats or duress. Consent cannot be obtained by ignoring or acting in spite of the objections of another, by previous consent or by taking advantage of another person's incapacitation or physical helplessness where one knows or reasonably should have known of such incapacitation or helplessness. An individual who is incapacitated because of age, disability, voluntary activity or through the acts of others cannot give consent. Silence or absence of resistance does not imply consent. Consent is voluntary and may be withdrawn at any time by communicating the withdrawal through an outward demonstration of understandable words or actions.

Dating Violence: A form of sexual violence committed by a person who is or has been in a social relationship of a romantic or intimate nature with another person, where the existence of such a relationship shall be determined based on a consideration of the following factors:

- The length of the relationship.
- The type of relationship.
- The frequency of interaction between the persons involved in the relationship.

Domestic Violence: An incident or pattern of physically, sexually and/or emotionally abusive behavior used by one individual to assert power or maintain control over another in the context of an intimate or family relationship. Depending on the circumstances, this may be a form of sexual violence.

Hostile Environment: A hostile environment may be created by oral, written, graphic or physical conduct that is sufficiently severe, persistent or pervasive and objectively offensive that it interferes with limits or denies the ability of a person's ability to participate in or benefit from the Institute's educational programs, services, opportunities, or activities or the individual's employment access, benefits or opportunities. Mere subjective offensiveness is not enough to create a hostile environment. In determining whether conduct is severe, persistent or pervasive, and thus creates a hostile environment, the following factors will be considered: (a) the degree to which the conduct affected one or more individuals' education or employment; (b) the nature, scope, frequency, duration, and location of the incident(s); (c) the identity, number, and relationships of persons involved; (d) the perspective of a "reasonable person" in the same situation as the person subjected to the conduct, and (e) the nature of higher education.

Incapacitation: Physical or mental inability to make informed, rational judgments. States of incapacitation include, without limitation, sleep, blackouts, unconsciousness, and the inability to make such decisions due

to the voluntary or involuntary use of alcohol or drugs. Incapacitation may occur because of age, disability, voluntary activity or through the acts of others.

Sexual Violence: Physical sexual acts perpetrated against a person's will or where a person is incapable of giving consent (e.g., due to the person's age, mental state or use of drugs or alcohol, or because an intellectual or other disability prevents the person from having the capacity to give consent). A number of different acts fall into the category of sexual violence, including rape, sexual assault, sexual battery, sexual abuse and sexual coercion. Sexual violence is a form of sex discrimination and harassment, and is not limited by gender, gender identity or sexual orientation of the Reporter or the Respondent.

Unwelcome Conduct: Conduct is considered unwelcome if the individual subjected to the conduct did not request, consent to or invite it and reasonably considers the conduct to be undesirable or harmful.

Social Events, Acceptable Locations

- Policy 16.01* Registered social events shall be hosted only in locations and in situations where lease or other rental agreements will not be violated.
- Policy 16.02* Registered social events shall be hosted only in locations that have one (1) easily identifiable front entrance and one (1) rear exit (to be used in emergency situations only). A rear exit shall be considered any door/window easily accessible to guests, including those with disabilities.
- Policy 16.03* Registered social events shall be hosted only in locations in which the event may be contained to one (1) large room. Access to bed/sleeping rooms shall be restricted to residents of those bed/sleeping rooms and their guests.

Social Events, Back Door

- Policy 17.01* If a backdoor is present, an event supervisor shall be permanently placed at the rear door to ensure that guests do not enter or exit through the rear door (unless in the event of an emergency), and that the rear door remains unimpeded in the event of an emergency.
- Policy 17.02* No persons shall be admitted through the rear door with the exception of first responders, Fraternity & Sorority Life staff members, and/or Interfraternity or Panhellenic Council Executive Board members.

Social Events, Egress, Health and Safety

- Policy 18.01* Locations where registered social events are held shall meet local fire and health codes and possess up to date fire alarms and extinguishers.
- Policy 18.02* Locations where registered social events are held shall have posted emergency numbers for fire, police, ambulance, and taxi, and should have posted evacuation routes on the back of the door of each sleeping room.
- Policy 18.03* At no time shall any entrance or exit be blocked by furniture, debris, bikes, etc.

Social Events, Bar

- Policy 19.01* Two event supervisors shall be assigned to work the bar and must be aged 21 years and over. They shall not be associate/new members of the organization.
- Policy 19.02* The maximum amount of alcohol permitted to be brought by any guest aged 21 and over shall be six (6), 12 (twelve) ounce cans of beer. If permitted by inter/national policy, only 30 (thirty) ounces of wine per person shall be permitted. At no time shall beverages equal to or greater than twenty five (25) percent alcohol by volume (ABV) be permitted to be consumed.
- Policy 19.03* A punch card, ticket, or other system for identifying the alcohol brought by guests, and how much alcohol that guest has consumed, shall be present. Guests shall not be served more than one (1) serving of alcohol per trip to the bar.
- Policy 19.04* Those event supervisors assigned to work the bar shall serve alcohol only to those guests with a wrist band.
- Policy 19.05* No guest shall be served alcohol if he/she appears to be intoxicated.
- Policy 19.06* Non-alcoholic beverages shall be available and visible, and produced upon request, at the bar. Suitable non-alcoholic beverages include, but are not limited to: bottled water, soda, fruit juice, etc. Energy drinks shall not be considered suitable non-alcoholic beverages.

Social Events, Event Supervisors

- Policy 20.01* At a non-third party vendor event, there shall be a minimum of six event supervisors. These event supervisors shall be members of the sponsoring organization. At least one event supervisor shall be 21 years of age or older, and shall serve as the head event supervisor.

- Policy 20.02* The names of event supervisors for the registered social event shall be posted in a clearly visible location by the front door of the event location.
- Policy 20.03* Event supervisors shall not have consumed alcohol during the day of the registered social event, and must be present for the duration of the event.
- Policy 20.04* Event supervisors shall coordinate their dress such that they are easily identifiable by guests.
- Policy 20.05* Event supervisors shall maintain control over the registered social event, and shall be responsible for ensuring the safety of guests. Event supervisors shall ensure that other members and guests comply with all policies and applicable laws.

Social Events, Exemptions

- Policy 21.01* Organizations wishing to receive an exemption for policies that apply to registered social events shall do so at least five (5) business days prior to the event.

Social Events, Front Door

- Policy 22.01* Those event supervisors responsible for the front door shall check identification of each guest wishing to enter into the event for the purposes of determining that the individual's name appears on the guest list and the age of the individual.
- Policy 22.02* An individual who appears at the registered social event and whose name is included on the guest list shall be marked off or highlighted in such a way that the individual's name is still legible on the guest list.
- Policy 22.03* Those guests aged 21 and over shall be provided with a wristband, indicating that they are of age to consume alcohol. Those guests under 21 shall be provided with a legible, permanent mark on the guest's hand.
- Policy 22.04* Those event supervisors responsible for the front door shall stop admitting guests at any point that the number of individuals in the event room becomes unsafe. The organization shall have the right to refuse admittance to anyone, unless that person can prove by identification or dress/uniform that he/she is a first responder, Fraternity & Sorority Life Staff member, and/or Interfraternity or Panhellenic Council Executive Board member.

Social Events, Guests Lists

Policy 23.01 Registered social events shall be limited to the following size:

- At registered fraternity facilities: 500 guests (including alumni) or fire marshal standards, whichever is more strict
- At co-registered events: Guest lists shall only include new/members of all organizations
- At third-party vendors: Guest lists shall only include one guest per new/member

Policy 23.02 No person shall be admitted into a registered social event unless his or her name appears on the guest list. A member or associate/new member of the host organization shall sponsor each guest.

Policy 23.03 A clean, dry, and manageable guest shall be present at the front table of the facility. The used guest list shall be collected at the conclusion of the event.

Social Events, Themes

Policy 24.01 Organizations shall not host events with themes that may be considered to be derogatory, racist, sexist, or otherwise offensive in nature.

Social Events, Registration

Policy 25.01 A completed event registration packet shall be submitted to the Office of Fraternity & Sorority Life by 12:00 pm on the Wednesday prior to the event.

Policy 25.02 Registered social events held when classes or required University activities (example: assessment testing) are held the next day shall not end later than 1:00 am.

Policy 25.03 Registered social events held when classes or required University activities are not held the next day shall not begin prior to 12:00 pm and shall not end later than 3:00 am.

Policy 25.04 Registered social events shall not last in excess of four (4) hours.

Policy 25.05 Organizations shall not be permitted to register more than three (3) social events per week (Sunday-Saturday).

Social Events, Third Party Vendor

Policy 26.01 Third party vendor events shall be registered with the Office of Fraternity & Sorority Life according to the event registration guidelines.

Policy 26.02 The number of invited guests shall not exceed the fire marshal's standards.

Policy 26.03 Three event supervisors per sponsoring organization shall be required.

Weapons/Explosives

Policy 27.01 No member of any organization shall possess and/or use firearms or explosive devices of any kind within the confines of any chapter house, whether official or unofficial.

Miscellaneous

Policy 28.01 Automatic closure of a registered function may occur if one or more of the following conditions are observed:

- Any event supervisor is believed to have consumed alcohol on the day of or during the event.
- The organization runs out of wristbands and continues to permit entry of guests.
- Minors are observed being served alcohol over the bar.
- There is the observed presence of liquor (defined as beverages equal to or greater than twenty five (25) percent alcohol by volume (ABV), wine (in excess of 30 ounces per person) and/or drinking games.
- There are visibly intoxicated guests or members observed being served alcohol over the bar.
- The organization can no longer control the safety of the event, or the event is deemed to be unsafe for guests and/or hosts.
- The organization has received a prior warning and has not made any corrections.