



**The Accountability Code
for the National Pan-Hellenic Council
at Louisiana State University
Agricultural and Mechanical College**

Article I: Establishment

Section 1. A student judicial board shall be established for the purpose of hearing alleged violations of the National Pan-Hellenic Council (NPHC) and/or University regulations. This Judicial body shall be known as the National Pan-Hellenic Council Accountability Board. The purpose of the Accountability Board is to provide a peer hearing body that is aware of and sensitive to the needs and challenges pertinent to the fraternity/sorority system.

Section 2. The Accountability Board shall be composed of one member from each represented NPHC organization with at least five active members and a Chairman. The NPHC Executive Board shall nominate candidates to fill vacancies on the Judicial Board as they occur.

- A. The application of an Accountability candidate shall serve as a nomination by the NPHC-recognized chapter to which he/she is a member.
- B. To be installed to the NPHC Accountability Board, a member must be approved by the Executive Board at their next scheduled meeting.

Section 3. The term of office for members of the Accountability Board shall be for a one year appointment, covering two academic semesters.

Section 4. Eligible candidates must be current members of NPHC-recognized fraternities/sororities on the LSU campus, be in good academic and disciplinary standing with the University as well as with the chapter.

Section 5. No more than one student from any one NPHC-recognized fraternity/sorority on the LSU Baton Rouge campus is eligible to serve as a voting member.

Section 6. A minimum of 60% of eligible voting members from the Accountability Board must be present to preside over any hearing. If there is an even number of members voting, the Accountability Chairman shall vote to break any ties.

Section 7. If one or more of the voting positions is vacated during the year, vacancies shall be filled in accordance with Article I, Section 2.

Section 8. Any Accountability Board member who misses two consecutive hearings, without being excused by the Chairman and advisor prior to the hearing, shall be automatically removed and a new member shall be elected in accordance with Article I, Section 2.

Section 9. When any conflict of interest arises, (e.g., when a member's own fraternity/sorority is brought before the Judicial Board), members with conflicts must remove themselves from the Board. (See Article IV Section 1.A. for clarification.)

Section 10. The Accountability Chairman shall serve as Chairman of the Judicial Board and is elected during regular council elections. He/she shall not vote as a regular member of Judicial Board. It will be the Chairman's responsibility to see that the Accountability Board meets on a regular schedule, and it is his/her responsibility to call special meetings of the Board when necessary.

Section 11. A secretary shall also be elected from and by the Accountability Board to maintain the records of the Board. This secretary shall serve as the Associate Chairman and shall preside over any judicial procedure in the absence of the Chairman. She/he may not be a member of the same organization as the chairman.

Article II: Advisor

Section 1. A staff member from the office of Student Advocacy and Accountability or the Dean of Students' designee shall serve as the Advisor to the NPHC Accountability Board for the purpose of clarifying information, procedures or instructions concerning deliberations.

Section 2. The hearing may not be conducted unless the Accountability Board Advisor is present.

Section 3. Role of the Advisor in an investigation.

A. Upon receipt of a complaint/allegation of violations of NPHC Policy, the advisor shall present information to the Accountability Board Chairman for investigation.

B. In alleged violations of university policies or state law, such investigation may be conducted by a staff member of Student Advocacy and Accountability or his/her designee. In such event, all information will be provided to the NPHC Accountability Board Chairman and Accountability Board Advisor to determine the conditions of violation and hearing.

C. The advisor will be available to the Chairman and Accountability Board but will not directly question or cross-examine witnesses.

D. In the event the advisor cannot be present, the Dean of Students or his /her designee may act as the NPHC Judicial Board Advisor.

Article III: Recognition and Jurisdiction

Section 1. The purpose and objective of the NPHC Accountability Board is to hear cases of alleged violations of NPHC Constitution and Bylaws and possible the LSU Code of Student Conduct concerning conduct of fraternities/sororities. The NPHC Accountability Board shall be guided by precedent and maintain continuity in regard to Accountability action involving fraternities/sororities.

A. Fraternities/sororities are officially regarded as registered student organizations.

B. The official registration of a fraternity/sorority by the University, and the acceptance of one or more individuals into that fraternity/sorority, is considered a contractual arrangement through which the fraternity/sorority and its members agree to abide by all rules set forth by the University, and the National Pan-Hellenic Council.

C. Any infraction of these rules will subject the organization to disciplinary action by the NPHC Accountability Board.

D. The NPHC Accountability Board shall act in accordance with all University policies and procedures concerning student organizational conduct.

Section 2. The Accountability Board shall have the final authority to interpret all parts of the National Pan-Hellenic Council Constitution, Bylaws, including Planning Committee rules.

Section 3. The National Pan-Hellenic Council Accountability Board shall hear all cases brought against NPHC Fraternities/sororities deemed appropriate by the Office of the Dean of Students/Student Advocacy and Accountability.

Section 4. The NPHC Accountability Board is an official review board recognized by the Office of the Dean of Students/ Student Advocacy and Accountability.

A. All sanctions recommended by the NPHC Accountability Board concerning violations of University Policies shall be decided under advisement of the Dean of Students/ Student Advocacy and Accountability or his/her designee.

B. All sanctions recommended by the NPHC Accountability Board concerning violations of policies of registered fraternal organizations shall be decided under advisement of the Dean of Students/ Student Advocacy and Accountability or his/her designee.

C. All sanctions recommended by the NPHC Accountability Board concerning violations of NPHC Policy shall be communicated to the NPHC Accountability Board Advisor, and/or the Dean of Students/ Student Advocacy and Accountability.

Section 5. Upon request, the NPHC Accountability Board may be designated as mediator of disputes within the fraternity/sorority community in cases which do not involve a violation of NPHC Policy and/or University Policy. All parties must agree in writing to mediation, and agree to be bound by the decision with no right of appeal.

Article IV: Due Process, Procedures and Rights

Section 1. Hearing Guidelines

A. There shall be at least 5 voting members present in order to conduct a hearing. A member must disqualify him/herself if his/her fraternity/sorority is involved in a case. If a member feels he/she cannot judge a case fairly, the member must disqualify him/herself. If the NPHC President possesses knowledge that a board member cannot be objective, that member will be asked to disqualify him/herself.

B. The hearing may not be conducted unless the Accountability Board Advisor or his/her designee is present.

C. The Board shall meet whenever a meeting is called by the NPHC President, Chairman, or the NPHC Accountability Board Advisor. Additional meetings may be scheduled for training.

D. Admission of any person to the hearing not directly involved in the investigation or the accusations of the conduct in question shall be at the discretion of the NPHC President with consultation of the NPHC Accountability Board Advisor.

E. In hearings involving more than one accused fraternity/sorority, the Chairman, at his/her discretion and with counsel from the advisor may permit the hearings concerning each fraternity/sorority to be conducted separately.

Section 2. Upon the filing of an alleged infraction the President of the accused fraternity/sorority, the NPHC President, Chairman and NPHC Accountability Board Advisor shall be convened for an informal judicial conference. After said conference, the NPHC President and Chairman, in concert with the NPHC Accountability Board Advisor, shall discuss the case and determine if administrative sanctioning options may be initiated.

A. Administrative Sanction Option

1. Following the Informal Judicial Conference, the NPHC Accountability Chairman, and/or the NPHC President, with the concurrence and approval of the NPHC Accountability Board Advisor and/or the Dean of Students/ Student Advocacy and Accountability, or his/her designee may choose to offer the fraternity/sorority an appropriate “administrative sanction” in lieu of referral to the NPHC Judicial Board for a hearing.

2. In most cases the chapter will be given the option to suggest a sanction which they deem appropriate for their offense. Their sanction will then be approved, disapproved or revised by the NPHC Accountability Board Chairman, NPHC Accountability Board Advisor, and the Dean of Students/ Student Advocacy and Accountability or his/her designee.

3. An Administrative Sanction Letter will be sent to the chapter president stating the findings of the Informal Accountability Conference and stating the proposed administrative sanction. The letter must be returned (within five calendar days) indicating whether the chapter president accepts the administrative sanction. If the chapter president accepts the sanction, he/she waives his/her chapter’s rights to a hearing before the NPHC Accountability Board, where a new sanction may be imposed.

4. If the chapter president rejects the administrative sanction or fails to return the Administrative Sanction Letter by the specified date, the case may be referred to the NPHC Accountability Board,

which will issue its own findings and impose appropriate sanctions.

5. Copies of the Administrative Sanction Letter signed by the Chapter president will be distributed to the NPHC President, the NPHC Accountability Board Chairman, the NPHC Accountability Board Advisor, Dean of Students/ Student Advocacy and Accountability and/or his/her designee, the chapter presidents, the chapter Alumni Advisor, and other appropriate parties.

Section 3. In certain instances, it may be necessary for the University to take immediate disciplinary action, such as imposing a Interim Suspension of organizational operations noted in the Student Code of Conduct. This may be necessary when in the opinion of Office of the Dean of Students/ Advocacy and Accountability the continued operations of the organization may constitute a threat or disruption to the normal academic process of the institution. Similarly, the Chair may also make the same recommendation to the Dean of Students/ Student Advocacy and Accountability or his/her designee. If appropriate, an NPHC Accountability Board Hearing will be scheduled as soon as possible.

Section 4. The NPHC Accountability Board Chairman must notify the organization concerned by letter of date, time, and place for the hearing. The letter shall be delivered in person, sent by certified mail, or electronically mailed with confirmation of receipt, to the president and chapter advisor or designee of record as provided to Greek Life.

A. The notification letter shall specify a hearing date at least five days from receipt of hearing notification (unless the charged fraternity/sorority should request an earlier hearing date) and shall direct the organization to appear at the hearing.

B. The letter shall also:

1. Describe the alleged violation.
2. Advise the organization of its rights/as outlined in the NPHC Judicial Code.
3. Be distributed to: The Accountability Board Advisor, the Dean of Students, the chapter advisor, the NPHC President, and Student Advocacy and Accountability.

Section 5. The jurisdiction of the Accountability Board is not limited to the original complaint; it may include other offenses discovered during the hearing. If a new offense is discovered, the chapter involved may waive the right to five class

days advance notification of a hearing and have the decision rendered at the hearing.

Section 6. The Chairman shall serve as the spokesperson and moderator for the Board. The Chairman shall also be responsible for informing any other member of the Council or other interested parties about the NPHC Accountability process upon request.

Section 7. Following the hearing the chapter(s) shall be sent written notification of the result within seven class days by the Board. The decision letter shall also contain information about the result of the hearing, sanctions, if appropriate, and the process to appeal. If sanctions are given to an organization, the sanctions will be posted on the Greek Life website once the appellate process is completed.

Section 8. The rights of an accused fraternity/sorority in Accountability Board Proceedings include:

- A. The right to be informed in writing of all charges at least five class days before any hearing.
- B. The right to waive, in writing, the five day notice of hearing.
- C. The right to reasonable access to the organizational file and information upon request, which shall be maintained by the NPHC Accountability Board Advisor. This access shall not include the name(s) or organization affiliation of the individual who filed the initial incident report and must be in the presence of the NPHC Advisor.
- D. The right to have an advisor present during the hearing. This advisor may not address the board, represent the accused student or directly question or cross-examine witnesses.
- E. The right to present witnesses.
- F. The right to question witnesses if present.
- G. The right to a written statement of the outcome of the proceeding and decision of the NPHC Accountability Board within seven calendar days of the hearing.
- H. The right to appeal the decision, in writing. (See Art. VI- Request for an appeal)

Section 9. The rights of fraternities/sororities making a claim in Judicial Board Proceedings.

- A. Right to not attend the hearing.
- B. Right to submit a victim/witness impact statement that details the alleged actions/consequences of the claim.
- C. Right to have a personal advisor accompany the organization during the hearing. An advisor may be present at an administrative hearing, but may not address the board, represent the accused organization or directly question or cross-examine witnesses.
- D. Right to be informed of the outcome of the hearing upon request.
- E. Right to not have individual/past behavioral history discussed during the hearing. Questions of relevancy shall be determined by the NPHC President and Accountability Board Advisor.

Section 10. In all NPHC Accountability Board hearings, the accused shall be presumed to be not responsible until it is proven that a violation of University Policy Code of Student Conduct or NPHC Policy has occurred.

Section 11. In all NPHC Accountability Board hearings the burden of proof shall rest with those bringing the charges, and said burden of proof shall be by a preponderance of the evidence, meaning a standard of more likely than not (50.01%).

Section 12. Attendance at all scheduled hearings is optional. A chapter president who has been properly informed of the date and time of the hearing, but fails to appear, will be deemed to have forfeited his/her right to respond before the Accountability Board. In the case of such an absence, the NPHC President has the discretion to proceed in absentia. To consider the charges in absentia, the NPHC President shall enter a plea of “not responsible” for the chapter president and proceed with the hearing.

Section 13. The deliberations by the Accountability Board members shall be entirely confidential. A violation of this practice may result in removal of the responsible party. A report of the charges, finding and sanctions(s) of the hearing, along with recording, if any, will be filed with the Office of Greek Life and the Office of the Dean of Students/ Student Advocacy and Accountability regardless of finding.

Section 14. Structure:

- A. **PRESIDENT:** The President of NPHC shall serve as the presiding officer of the NPHC Accountability Board Hearing. He/she shall be responsible for conducting the hearing, ensuring that all NPHC by-laws

and procedures are properly followed, and shall make the final decision on all matters involving interpretation of rules, procedure or matters objected to by parties involved in all hearings.

B. CHAIRMAN: The Chairman shall be responsible for holding any necessary hearings on charges filed against any fraternity/sorority received by the University. He/she, along with the NPHC President, shall be responsible for determining if need exists to have a hearing, its place and time, the charges, and for notifying the University of charges filed and the decision of the Accountability Board and sanctions, if any, levied in each matter heard.

C. SPOKESMAN: The President of each fraternity/sorority shall serve as its spokesman or representative in defense of the matters, charges and violations brought against such fraternity/sorority. The President of the charged fraternity/sorority, as well as, the Chapter Advisor, shall receive a written copy of all charges, notification of hearing, decision and sanctions imposed.

D. Accountability BOARD. The judicial board shall make a decision of responsible or not responsible based on the information presented at the formal hearing. If a decision of not responsible is found, the charges will be dismissed and the hearing terminated. Upon a decision of responsible, the Accountability board will immediately thereafter reconvene and determine appropriate sanctions(s) to recommend to the NPHC advisor and then the Dean of Students/ Advocacy and Accountability, for the violation(s) found.

Accountability Board Hearing Guidelines

1. Provided that no new charges occur during the determination of responsibility, restrict all questions to the facts of the incident and the allegation.
2. If there are witnesses to the incident for either party, have the witnesses remain outside the hearing room until they are needed. Then call them one at a time to present their views. Take care to note contradictions in their explanations and question them. When each witness is finished, he/she should leave the hearing but cannot discuss the case with witnesses who have not testified.
3. Do not talk with the person bringing the allegations, the accused, or any witness during the hearing other than to direct questions regarding the charges. The Accountability board should enter the hearing room approximately thirty minutes prior to the start of the hearing in order review any information and prepare for questioning. At the conclusion of the hearing, members are required

to either leave the room or instruct all others to leave as soon as the hearing is over.

4. If at any time it is believed by the board that the accused has a problem that might benefit from counseling, report this to the Office of Greek Life and/or Advocacy and Accountability. Do not question anyone regarding their mental stability or recommend counseling during the hearing. Such matters must be handled with care in order that the person is willing to accept help, if needed. Such a need for help should not come out as part of a hearing.

Accountability Board Hearing Procedures

Initiating a hearing:

1. All persons, including any witnesses are called into the hearing room. The Board members, the accused organization, and the LSU representative will introduce themselves. Then the Chairman will then start the hearing by stating:

“Thank you for attending this hearing of the NPHC Accountability Board. It is essential that all information presented in this hearing remain completely confidential. This hearing must be conducted in an orderly manner and anyone violating that directive will be required to leave. Since this is a University disciplinary hearing, all those participating are obligated to tell the truth. Disciplinary action may be pursued against anyone found to be misrepresenting the truth in this hearing.”

Charge and Response:

2. The NPHC President instructs those present:

“All discussion and questions must be limited to the specific acts and charges alleged in the incident report or written statement while the Board is trying to determine responsibility. The NPHC Accountability Code provides that if other infractions should be revealed during the course of the hearing, they may also be addressed by the Accountability Board. Please restrict your discussion accordingly. Only the information presented in this hearing can be used to determine responsibility.”

3. The President will ask all witnesses to leave the room. The Chairman, the spokesman, the Accountability Board, the Board Advisor, and the chapter advisor (if present) shall remain.

4. The President states:

“I will now ask _____, NPHC Accountability board Chairman, to read the charge.” (He/She should not read a description of the incident, only the specific charge or charges as stated in the Charge Letter.)

A. The Chairman shall:

- (1) State Charges;
- (2) Submit all written information/statement/reports, (i.e. Security/University/Fraternity/Sorority/Council reports);
- (3) Call all witnesses individually and question them, followed by questioning by Spokesman and Accountability Board, if any.
- (4) Statements of hearsay shall not be admissible as evidence/information.

B. The Spokesman shall:

- (1) Make a statement for accused fraternity/sorority.
- (2) Submit all written evidence/statement/reports;
- (3) Call all witnesses, including the Charged Party, and question them, followed by questioning by Chairman and Accountability Board, if any.

C. Final Statements by:

- (1) Chairman
- (2) Spokesman

D. President shall:

- (1) Read any rules, regulations, by-law alleged to have been violated
- (2) Re-read the charges filed
- (3) Instruct Board of responsibility to consider evidence heard apply guidelines as stated and determine level of responsibility. The board is dismissed to determine the outcome. After determination J-Board shall report back to President.

E. NPHC President announces decision.

- (1) If not responsible, hearing is terminated and all parties dismissed;
- (2) If responsible, President shall give guidelines of possible sanction(s) and instruct the Board to make recommendation.
- (3) Recommendation is reported in written form to President. NPHC President will then make a recommendation to the

Article V: Disciplinary Sanctions

Section 1. After hearing the case, the Board must render one of two decisions.

- A. The Board may determine that the group is not responsible for violation of a regulation University Policy or Code of Student Conduct. A finding of not responsible will not be considered when making future disciplinary decisions.
- B. The Board could determine that the group is responsible for a violation of a regulation University Policy or Code of Student Conduct. If a group is found responsible, a disciplinary sanction will be recommended and the decision and sanction will be used as precedent in subsequent cases to decide the appropriate disciplinary sanctions.

Section 2. If a group is found in violation of a regulation University Policy or Code of Student Conduct, one or more of the following sanctions may be recommended or imposed in accordance with Article III, Section 4.

- A. Warning. Reprimand of an organization for behavior unbecoming of a fraternity/sorority at LSU.
- B. Reprimand. This is a warning indicating that the group's actions were inappropriate and that subsequent violations may result in more serious disciplinary action.
- C. Restitution. A payment for financial impact. The assessed costs to be paid may be in addition to other penalties.
- D. Intramural Restrictions. These restrictions prohibit the group from participation in any portion of the intramural program as determined by the board.
- E. Educational Seminars. This sanction requires the group to attend, sponsor, and/or present an educational program. The program must be approved by the Accountability Board Advisor, The Office of the Dean of Students/ Student Advocacy and Accountability.
- F. Activities Restrictions. These restrictions prohibit groups from participating in some, or all, university, chapter, and Greek events. This may include social events and events off campus.

G. University/Community Service. The group must complete a specified number of hours, approved by the Accountability Board Advisor, with certain minimum requirements.

H. Fine. A fine of no more than \$2,000.00 can be imposed on a chapter. A fine makes a matter of record any incident that reflects poorly on the chapter, the system, or the University. The fine shall be paid to NPHC.

I. Probation. This is a serious warning that subsequent violations of regulations may result in an organization's forfeiture of specifically listed social and/or other privileges for a period of not less than three months, or more than three calendar years, and may also require specific performance during probation. The international headquarters of the fraternity/sorority placed on probation will be notified of this action. In addition to imposing the sanction of probation, the Board may impose one or more of the restrictions listed and other actions that are deemed appropriate. In the event an organization is currently on probation, and found responsible, additional sanctions may be imposed, if further violations occur.

J. Total Probation. This is most server sanction that the University may impose upon a student organization, short of rescinding University recognition. Total Probation shall be for a stated period of time not to exceed one calendar year and prohibits the organization from: sponsoring, co-sponsoring, or participating in any and all social, intramural, athletic, or other similar activities on or off campus; the solicitation of any new members or pledges; and the initiation of any new members. Total probation may also include forfeiture of other specifically listed privileges. It may also require specific performance by the organization during the period of probation.

K. Rescission of Recognition. This represents the most serious penalty that may be imposed on a chapter which consists of the removal, for a specified or indefinite period of time, from the National Pan-Hellenic Council, and involves the revoking of the University's registration of the organization. A fraternity/sorority who is not recognized by the NPHC is deemed "not in good standing" with LSU. A fraternity/sorority not in good standing is subject to the following restrictions: Prohibition of the group's participation in all Council and LSU activities and the use of University services and facilities, ineligibility of any member to hold an office in the NPHC, ineligibility to represent the University in any way. Rescission of Recognition must be approved by two-thirds (2/3) vote of the National Pan-Hellenic Council, and will then be recommended to the Office of the Dean Students/ Advocacy and Accountability.

L. Other sanctions. The Accountability Board may impose other restrictions, requirements or sanctions in addition to, or in conjunction with those listed, when deemed appropriate.

Section 3. If an individual is found in violation of a regulation, they will be referred to Advocacy and Accountability.

Section 4. Upon Request, the National Pan-Hellenic Council shall be given a summary of the actions of the Accountability Board at the end of each semester.

Article VI: Requests for an Appeal

Section 1. The purpose of the appeal procedure is to provide the opportunity for questioning the appropriateness of actions or recommendations as a result of NPHC Accountability Board Hearing. It is not the nature or purpose of the appeal procedure to provide for a new hearing at a higher administrative level.

Section 2. The sanctioned fraternity/sorority involved in a judicial action shall have the right to appeal only on the following grounds:

- A. The Accountability Body has committed a major procedural error in the case.
- B. New information is discovered that was not available at the time of the hearing.
- C. The sanction is substantially disproportionate for the violation.
- D. Their organizations rights have been violated. See Article IV.

Section 3. All appeals must be made in writing, addressed to the Dean of Students within seven class days of receipt of sanctions. A copy must also be sent to Greek Life. The Chairman will also have seven class days to provide a response for the Dean of Student's consideration. The Dean of Students will render a decision after considering both the appeal and the response.

Section 4. An appeal seeking to modify a sanction imposed or recommended by a hearing panel will be successful only if clear and convincing reasons are advanced to show that the sanction does not meet the test of reasonableness and fairness. A successful appeal will normally result in the case being referred to the Judicial Board for reconsideration of the sanction; however, the Dean of Students may make reasonable modifications in a sanction. Any modifications of sanctions must be consistent with similar cases with similar circumstances.

.Article VII: Amendments

Any member of the National Pan-Hellenic Council or Accountability Board may propose an amendment to the Accountability Code. Such changes are contingent upon an approval vote of 2/3 of the National Pan-Hellenic Council member chapters in good standing.

REVISED 04.14.08

REVISED 07.07.09

REVISED 02.23.10

REVISED 03.16.10

REVISED 09.20.10