

FLORIDA ATLANTIC UNIVERSITY STUDENT GOVERNMENT

STUDENT COURT

Petition: S.C 2022.01

The Pi Kappa Alpha Fraternity Lambda Beta Chapter (Pi Kappa Alpha)

v.

Florida Atlantic University Interfraternity Council (IFC)

Petitioner's Address

REDACTED

Respondent's Address

777 Glades Rd, Boca Raton, FL 33431

Relief being

We would like the sanctions given to the Pi Kappa Alpha Fraternity by

Requested:

the Interfraternity Council to be waived. The mission of the Student Court is to "promote and advance the pursuit of justice and equality within the Student Body." The Pi Kappa Alpha Fraternity was denied due process according to the IFC Constitution and several IFC statutes were violated throughout the judicial process, making the sanctions invalid.

We are asking for the Student Court to use the power invested in it to restore justice and due process to the Greek Life community at FAU.

Relevant sections of constitution about power of Student Court:

Constitution: Article V Section 2D "student or student organization disputes" This is a dispute between Pike and the IFC, so Student Court has jurisdiction Article V Section 5A2 "Any student, student

organization, and/or Student Government Officer, member and/or Student Employee may appeal to the Student Court any non-legislative action taken against them” Student Body Statues Chapter 601.200 “The mission of the Student Court is to promote and advance the pursuit of justice and equality within the Student Body. The Court does this by providing a venue for any student, organization, or member of any organization within or established by the Student Government of Florida Atlantic University that believes the Student Government Constitution or Student Government legislation has been misinterpreted or violated to the effect that some adverse action has resulted” Student Body Statues Chapter 603.140 “The Student Court shall have original jurisdiction over: Student(s) or Student Organization(s) disputes with the Student Government Constitution or Statutes” Student Body Statues Chapter 611.300 “The Student Court has authority to act upon the filing of a petition.”

Factual

Information:

This spring semester, the Pi Kappa Alpha Fraternity (Pike) was serving a suspension that was set to end at the end of the spring semester. The Beta fraternity held a wet social event, and some of the Pi Kappa Alpha brothers were invited as guests. On February 25, the IFC served the Pi Kappa Alpha fraternity a notice that they were in violation of their suspension by “co-hosting an event when not permitted to have wet events.” Pike was granted an informal hearing by the IFC, and the IFC

EVP (Seth Gordon) determined the appropriate punishment was as follows: - Re-Do Social Host Training and notify IFC when completed before holding your next wet event. -Your organization must not host or co-host any wet events for 1 month starting the fall 2022 semester. (August 20 - September 20, 2022) -Following the completion of the 1 month (Aug 20 - Sept 20) of no wet events your organization will not be able to hold BYOB events for 1 month (Sept 21- Oct 21) but will be permitted to hold TPV events and will be permitted to tailgate. The punishment given to Beta was only to re-do social host training. Our sanctions violate the IFC's power to administer suspension and/or acceptable sanctions for a fraternity on probation. However, this petition is focused on the violation of the IFC constitution throughout our judicial process. As stated below, several sections of the IFC constitution were broken throughout the judicial process. We deserve to have our sanctions waived since we were not given due process as defined by the IFC constitution.

Statement on
Situation:

Throughout our judicial process, many bylaws and statutes of the IFC constitution were violated. I have listed all sections of the IFC constitution that were violated below. First, we were given an informal hearing when we should have been granted a formal hearing in front of the IFC Judicial Board. IFC bylaws state that a fraternity found in violation while on pre-existing sanctions must be immediately referred to

the IFC Judicial Board (Article IX Section H (f iv)). Next, the IFC went beyond their constitutional powers by having the Executive Vice President (Seth Gordon) administer a suspension based on an informal hearing (Article IX: Section H: (c iii)). If IFC tries to argue that they did not overreach because they placed us on probation rather than suspension, then they also violated their constitutional definition of probation by banning us from all wet social events for the entire duration of our probation (Article IX: Section H (f iii c)). IFC bylaws violated: Article IX: Section A: "Training: The IFC will provide annual training to member chapters on its IFC Judicial Code and Judicial Process (conducted by the EVP)" This training was never given to our chapter or any chapter in the IFC by the EVP. Section G: (d) ""Right to be accompanied by an advisor for advisory purposes only, but not for representation" We were not granted the right to an advisor during the judicial process, our advisor had no idea about the punishment that was signed by our former president Section H: (c iii) "The IFC Executive Vice President should not recommend suspension or loss of IFC recognition through an Informal Judicial Hearing. Should the IFC Executive Vice President believe suspension or loss of recognition is warranted, the case should automatically be referred to a Formal Judicial Hearing." In our informal hearing, the IFC Executive Vice President (Seth Gordon) recommended suspension. This clearly violates the IFC bylaws and we should be eligible for a formal hearing. IF IFC tries to

argue that we were not placed on suspension, but rather probation, then their punishment for probation also violates the IFC bylaws as evidenced below: Section H (f iii c) "Interfraternity Council Probation: Under this probation, a Fraternity will be held to the following sanctions: "Organizations are limited to two wet social events a month" Our punishment does not allow us any wet social events the entire time we were placed on probation. We were not given the right to two wet social events a month. Thus, these statues of the IFC constitution were also violated throughout our judicial process. Section H (f iv) "Any Fraternity, which is found in violation of an offense while on pre-existing sanctions, will be immediately referred to the IFC Judicial Board" We were on pre-existing sanctions, yet we were not referred to the IFC Judicial Board. We should have been granted a formal hearing, but we were only granted an informal one.