

Campus & Organizational

# **GUIDELINES AND GUARDRAILS**

for 'Interfraternity Council' Chapter Relationships

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Association of  
Fraternity/Sorority  
Advisors



Successful partnerships across campus leaders, front-line staffers (both in FSL and student conduct operations), and NIC fraternity staffs are critical to an organizational development and accountability arm that prioritizes student success, feels aligned, and moves with purpose. The partners involved in this Guidelines and Guardrails initiative (ASCA, AFA, and the NIC) acknowledge that the majority of our constituents operate from this partnership-oriented framework. These partners also recognize that, while there may be a perception of conflict between the core stakeholders – campus student affairs leaders, campus FSL professionals, campus student conduct professionals, and fraternity staffers – there is substantial opportunity to highlight consensus in approach to organization conduct for NIC-style fraternities.

A group of senior student affairs officers, NIC fraternity CEOs, and representatives of AFA, ASCA, and the NIC met over a period of six months to review and discuss some of the larger areas where there may be opportunities for consensus-building when approaching organization-level conduct processes and outcomes. ‘Guidelines and Guardrails’ is a result of these shared conversations and attempts to provide some areas in which there is consensus between campus leaders and fraternity leaders that should drive continued collaboration and keep our partnerships strong.

## **PURPOSE**

The purpose of this interdisciplinary effort is to:

- Provide guidance to campus professionals, both in the fraternity/sorority and student conduct functional areas, regarding leading practice in navigating organizational conduct with NIC fraternities.
- Provide guidance to NIC-style fraternity staffs regarding leading practice in engaging with campus professionals.
- Provide high-level leading practice when approaching NIC fraternity misconduct. This includes prioritizing education and reform, valuing partnerships, and keeping Interfraternity Council communities focused on accountability.



## **APPLICATION**

*Guidelines and Guardrails* is intended to be a set of collaborative recommendations for leading practice. While not intended to mandate or bring accountability to any particular course of action, timeline, or sanctions/outcomes related to an organizational conduct process, this *Guidelines and Guardrails* resource is designed to be helpful in the following ways:

- To provide guidance as colleges/universities and NIC/IFC fraternities are both developing and/or reviewing their organization conduct policies and procedures;
- To provide tangible examples that facilitate and encourage partnership between campus professionals and fraternity professionals in organizational conduct scenarios;
- To provide guidance for a more student-centered and partnership-driven conduct process.

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# CONDUCT PROCESS AND PARTNERSHIP

[FEA-ASCA's Communication and Collaboration Guidance for Inter/National Fraternal Organizations and Campus Student Conduct Professionals](#) provides a strong grounding for the more granular, complex partnership elements of effective shared investigations. Many of the recommendations outlined here are supported through this resource.

Also, the adoption of student organization-specific conduct procedures can lead to a more successful understanding and implementation of these recommendations. Colleges/universities are encouraged to develop such procedures if they do not already exist.



## **RECOMMENDATIONS**

1. There is recognition that incidents may come to both colleges/universities AND fraternities through their respective reporting processes. We believe that we are at our best when we are working in partnership to ensure accountability is being achieved and student safety is being prioritized, and that recommends communicating early and often about real and perceived threats to health, safety, and accountability.
2. When communication is necessary, it is recommended that within 2 business days of an alleged violation/initial report, the appropriate contact should provide notice to the appropriate partner professional (headquarters or campus professional) regarding the alleged violation. Identifying who makes initial contact should be a collaborative decision between (1) the appropriate campus conduct officer and (2) the appropriate fraternity/sorority life staffer.
  - a. Initial communication is recommended to include (1) the nature of the alleged misconduct, (2) the source of the report (if reasonable to provide given the scope of the investigation, and (3) notice of interim measures, if applicable and available, including specific conditions of any interim action and any immediate next steps that will be taken (i.e. an initial meeting with the chapter president and/or chapter volunteer).
  - b. Building a clear communication protocol that can be actualized for future reports (with specific attention to who makes initial outreach and what is included in that outreach) is recommended.
3. Within 10 business days of receipt of an alleged violation/initial report, an initial planning/scaffolding meeting is recommended to be held by (1) the appropriate campus conduct officer, (2) the appropriate fraternity/sorority life staffer, and (3) the appropriate headquarters staff member. At this meeting, it is recommended that the following items be outlined:
  - a. A tentative timeline for investigation and outcome;
  - b. Opportunities for, and expectation of, a joint investigation;
  - c. Potential investigation roadblocks and plans for moving past them.



## **RECOMMENDATIONS (Cont.)**

4. A joint investigation model, in which both the campus and the headquarters staff investigate in partnership and collaboration with each other, and collaborate on investigation outcomes, is the leading practice for investigating conduct issues and identifying appropriate sanctions. This recognizes the shared ownership over organizational accountability between campuses and headquarters staffs AND maximizes the use of shared talent.
5. When appropriate, parties should explore the use of a 'mutual agreement' or 'information resolution process' approach to resolution as a mechanism to (1) acknowledge that all violations may not warrant full investigations, and (2) to accelerate conduct issues towards resolution and reform.
6. It is recognized that both campuses and NIC fraternities may have complicating factors that delay the ability to bring resolution to a case as quickly as desired, and may pause investigative efforts on either or both ends. This includes but is not limited to issues that may need to be transitioned to a Title IX investigation operation, or the introduction of external litigation that may delay more immediate resolution. Partners are recommended to acknowledge and provide allowance and space for these factors in a way that still maintains and amplifies partnership.



# INTERIM ACTION

‘Interim action’ is defined as any action taken by a university towards a student organization/fraternity/sorority to prohibit any and all organizational activities that may pose an immediate safety risk to students while an investigation is conducted into alleged violations of student/organizational codes of conduct. Interim action that is applied to a single organization will be referred to as ‘organizational interim action’, while interim action that is applied across an entire community/sub-community will be referred to as ‘unilateral interim action’.



## **ORGANIZATIONAL INTERIM ACTION**

1. Interim Action can be a helpful, temporary tool in allowing chapters to pause activity as a safety measure. When applying interim action to address a potential violation, a maximum of 30 days is recommended as an appropriate duration for interim action.
  - a. It is recommended that if interim action is deemed necessary as a safety measure, its scope be limited to the nature of the alleged violation.
  - b. If a more complex investigation may warrant additional time beyond 30 days, it is recommended that interim action be reevaluated (in partnership with the fraternity and the university) towards a more surgical approach under the guidance of campus policies. This allows the chapter to regain the opportunity to engage in some level of chapter activity that is not directly connected to the alleged violation (i.e., allowing a chapter to continue to meet/convene, recruit in safe and responsible ways, host philanthropy and service events for a violation of the university's alcohol policy).
  - c. If the institution's student organization conduct policy does not allow for an appeal or review of an interim action while the investigation is pending, it is recommended the campus policy be updated to allow for such an appeal or review process.
2. Extended interim action beyond 30 days with (1) no foreseeable resolution to the investigation and (2) no opportunity to reassess for the chapter to regain all or some operational privileges is not recommended. Appeal processes within campus conduct/accountability operations are recommended to be the appropriate homes for processes that detail the right to reassess and appeal interim actions. If the institution's student organization conduct policy does not allow for an appeal or review of an interim action while the investigation is pending, it is recommended the campus policy be updated to allow for such an appeal or review process.





## **UNILATERAL INTERIM ACTION**

1. There may be times where a stream of reports come into a university over a concentrated period of time that may warrant a pause while an investigative approach is determined. However, unilateral interim action often impacts additional fraternities who are compliant with university and fraternity policies, and is not a recommended practice with a low level of efficacy. If an incident (or series of incidents) are alleged to have occurred, and there is pressure to explore and/or initiate community-wide action, the following recommendations should be actualized as alternatives:
  - a. Engage the local Interfraternity Council (or equivalent council) leadership immediately to help them understand the gravity of the situation, and challenge them to take ownership, so they feel empowered to make change.
  - b. Engage the fraternity's HQ and local alumni right away. Collaborating with them from the start generates a longer-term positive return on investment. Should you not be getting the responsiveness needed from the fraternity staff and local alumni, contact NIC staff so they can leverage the shared standards fraternities have agreed upon regarding responsiveness to communication.
  - c. Engage the staff team at the NIC. They are also uniquely positioned to gather support from inter/national organization partners in a time of urgency.



## **UNILATERAL INTERIM ACTION (Cont.)**

2. Interim action that is designed to address behaviors across multiple chapters is best recommended by using a ‘surgical’ (focused) approach.
  - a. While it may be perceived that unilateral interim action is a prudent approach, organizations that have no allegations against them are adversely impacted by the alleged behavior of others and should not be lumped in with the bad actors. It is recommended that interim action that extends beyond a single group focus specifically on groups in which there have been allegations of misconduct that may have merit.
  - b. Additionally, original recommendations around organizational interim action are recommended to apply to multi-chapter interim action in regards to length of time and in regards to the opportunities to reassess.



# CHAPTER SUSPENSION AND SANCTIONING

The following operational recommendations are grounded in the value that ‘behavioral reform’ is the primary priority when considering the appropriate accountability measures. Effective reform recognizes the readiness and ability of the (1) fraternity headquarters operation, (2) local fraternity volunteers, and (3) university staff to invest in that reform. Whatever recommendations are provided regarding sanctioning, it is important to note that sanctioning approaches are recommended to reflect the (1) severity of the violations, (2) patterns of behavior, and (3) be designed to address the root causes of problematic behaviors.



## **CHAPTER SUSPENSIONS**

Chapter suspensions can be an effective tool in providing both accountability to the chapter and to provide the opportunity for the group to ‘pause’ with the intent to align the resources necessary to reform.

- Chapter suspensions for a period of up to 2 years, called ‘short-term suspensions’, are not a leading practice when considered within the context of behavioral reform and are not recommended. As opposed to short-term suspensions, host campuses and fraternities are encouraged to use a more reformatory approach that invests in building and aligning the resources needed to provide stronger accountability guardrails for the chapter while remaining active.
- Should chapter suspension be a necessary component of reform, periods of 4 to 6 years are considered a leading practice, as they provide the appropriate amount of time for the previously mentioned reform efforts to take root, allow for any media attention that comes as a result of the suspension to subside, and allows for any students connected to a problematic chapter culture to matriculate.
  - Periods of longer than 6 years, including but not limited to lifetime bans, no longer serve the intended purpose of reform, and provide more time than necessary to reset and realign the efforts needed to support healthy chapter experiences. Suspensions for longer than a 6 year period are retributive in nature, are not considered a leading practice, and are not recommended.



## **RETURN AGREEMENTS**

A 'Return Agreement' is defined as a shared agreement between a host campus and a fraternity that outlines a plan and timeline for the group's return and re-recognition, supported by both the fraternity and the host campus. While there is recognition that there may be severe circumstances that may cause a deviation of these recommendations, it is expected that the overwhelming majority of chapter suspensions will benefit from these recommendations.

- Return agreements are recommended as an effective tool for partnership while considering a chapter suspension that can build trust and confidence across fraternities and host campuses, and can provide greater liberty to engage in the reform efforts needed, should that include suspension.
- Should host campuses and fraternities engage in a return agreement, as with all agreements, it is recommended that those agreements are honored, even if conditions change.





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*<https://afa1976.org>*



*<https://theasca.org>*



*<https://nicfraternity.org>*

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