

Kansas State University

Panhellenic Council Judicial Policy

December 4, 2006

1. Judicial Board

a. Purpose of the Judicial Board

- i. Self-governance – Judicial Board members are responsible for identifying and dealing with violations of Panhellenic and Greek Affairs ideals and policies.
- ii. Accountability – it is necessary to quickly and appropriately confront behavior that violates Panhellenic and Greek Affairs ideals and policies.
- iii. Education – the Judicial Board shall train its board members as well as all sorority chapters.
- iv. The judicial board is responsible for dealing with the violations of the following:
 1. Panhellenic Constitution
 2. Panhellenic Bylaws
 3. Standing Rules
 4. Recruitment Guidelines
 5. Panhellenic Code of Ethics
 6. NPC UNANIMOUS AGREEMENTS
 7. Greek Affairs Policies

b. Selection of the Judicial Board

- i. The composition of the Judicial Board should be specified in the Panhellenic Bylaws.
- ii. The composition of the Judicial Board is as follows.
 1. Panhellenic Vice-President will serve as the chairman of the judicial board. The chairman will be responsible for:
 - a. Coordinating the training of the judicial board members once per semester with the Director of Greek Affairs or designee.
 - b. Making arrangements for the hearing such as location, meeting room set-up and notification of the hearing to the board members and notification the chapter in writing of alleged violations, date, time, and location of the hearing.
 - c. Determining if any judicial board members need to be excused from serving because of a conflict of interest. All judicial board members from a chapter that is on trial should be dismissed from the hearing.
 - d. Providing involved chapters with an outline of Judicial Board Hearing Procedures.
 - e. Presiding over judicial hearings.
 - f. Informing, in writing, cited chapters and their advisors of the verdict, penalties (if applicable) and the appeals process.
 2. All members of the Panhellenic Council will serve as voting members of the Judicial Board.
 3. Four non-voting alumnae will serve as members of the Judicial Board.
 - a. Two members shall be chapter advisors, chapter advisory board members or housing corporation members. These alumnae members shall be appointed by Panhellenic Alumnae.

- i. Anyone may report a violation of policy or UNANIMOUS AGREEMENTS to Greek Affairs.
 1. Reports of violations should be based on fact, not hearsay.
 2. The Report Form must be filled out and turned in to the Panhellenic President not more than 30 calendar days from the date of the alleged infraction.
 - a. If the person filing the report wished, their name and any other identifying characteristics may be removed from the document to maintain their anonymity.
 - ii. A copy of the written report shall be forwarded to the accused member group, the NPC Area Advisor and the Director of Greek Affairs or designee within 48 hours of receipt of the written report.
 - iii. Upon receipt of the Panhellenic Notice of Infraction Form, the accused party shall contact the Judicial Board Chairman within one week to schedule mediation or choose to proceed directly to a judicial board hearing.
 1. If an Infraction Form is received during a University break, the mediation/judicial hearing may be scheduled after classes resume or held during the break if all parties are available.
- b. Mediation
- i. The purpose of mediation is to find a solution satisfactory to both the complaining party and the accused fraternity that is appropriate under NPC UNANIMOUS AGREEMENTS and the Panhellenic Constitution, Bylaws and rules.
 - ii. The Panhellenic President shall appoint a neutral party to serve as the mediator. The mediator shall not be an undergraduate student. The Director of Greek Affairs or designee may serve as a mediator if he/she has not filed the violation.
 - iii. Mediation shall be closed to the public. The participants in the mediation shall be representatives from each fraternity involved, including a chapter advisor or the complaining party if other than a fraternity, the Panhellenic President, the Director of Greek Affairs or designee and in cases of recruitment infractions, the Panhellenic Directors of Recruitment.
- c. Judicial Board Meeting Procedures
- i. The hearing is closed to observers.
 - ii. The Panhellenic Vice-President serves as the Hearing Officer, unless her chapter is involved. If the Vice-President's chapter is involved, the Director of Risk Management shall become the Hearing Officer.
 - iii. All evidence to be used at the hearing should be given to all parties involved no later than 48 hours before the hearing.
 - iv. Chapters involved in hearings have the right to consult with a sorority national officer and an alumnae advisor. The alumnae advisor and/or national officer shall have no voice unless they are acting as a witness.
 - v. Only the Judicial Board members shall be present during deliberations.
 - vi. Deliberations are confidential and all comments are not to be discussed outside the hearing room.
 - vii. Order of events
 1. Call to order by Judicial Board chairman.
 2. Introductions of all present.
 3. Five minute opening statement by accuser.
 4. Five minute opening statement by accused.

5. Call of any witnesses by accuser and cross examination by the accused.
6. Call of any witnesses by the accused and cross examination by the accuser.
7. Closing statement by the accuser.
8. Closing statement by the accused.
9. All present who are not members of the judicial board are excused so deliberations may begin.
 - a. The judicial chairman reads the charges.
 - b. The chairman requests a motion from a Judicial Board member regarding the guilt or innocence of the chapter(s) involved.
 - c. Discussion of motion.
 - d. Vote on motion. Must be a majority vote for the verdict to stand.
 - e. Verdict rendered.
 - f. A penalty shall be determined that is appropriate for the charges brought against the chapter.
 - g. After accuser and accused return to the hearing room the verdict is read.
 - h. Verdict and appeal information (if guilty) should be put in writing and mailed promptly to all chapters involved.
 - i. An official statement specifying the rule that was broken, the consequence received, and the chapter involved will be disclosed at the next Panhellenic Council meeting after a judicial hearing is finalized.

d. Penalties

- i. Penalties may include but are not limited to the following:
 1. Require a set number of community service hours carried out by the active chapter or any number of selected members.
 2. Assess fines.
 3. Require that the chapter conduct or sponsor educational program(s).
 4. Place the chapter on social probation (this shall not preclude legitimate recruitment activities).
 5. Place the chapter on intramural suspension.
 6. Suspend recognition as a member chapter of the Kansas State University Panhellenic Council.
 7. Penalties shall not forbid formal or informal entertainment that is part of membership recruitment or the observance of an inter/national fraternity celebration.
 8. Penalties shall not affect a fraternity or sorority chapter's Quota or Total.
 9. Penalties shall not affect the time of new member acceptance and/or initiation.
 10. Penalties shall not forbid the right of an NPC fraternity or sorority to vote in Panhellenic meetings.
- ii. The duration of any penalty imposed shall not exceed the duration of one calendar year from the time the final decision is rendered.
- iii. The judicial board chairman shall be responsible for ensuring compliance to all sanctions.
 1. The judicial board chair shall require written documentation for completion of all sanctions.
 2. This documentation shall be provided to all parties involved, including the National/International Headquarters of the chapter(s) involved.
 3. If a chapter(s) does not complete the assigned sanctions, they could be subject to further sanctions from the Judicial Board.

e. Appeals Process

- i. If a chapter is not satisfied that a fair and just decision has been rendered by the Judicial Board, the chapter may appeal the decision to the College Panhellenics Committee Appeals Chairman of the National Panhellenic Conference.
- ii. The form provided to issue notice of intent to appeal shall be submitted to the K-State Panhellenic President within 24 hours of the chapter's receipt of the Judicial Board decision. The verdict will stand if not challenged in 24 hours.
- iii. The K-State Panhellenic President notifies the NPC Area Advisor.
- iv. The chapter filing the appeal and the K-State Panhellenic President each shall send four copies of the complete records of the case by certified mail, return receipt requested, to the NPC College Panhellenic Judicial Appeals Chairman. (Her name and address may be obtained through the NPC Area Advisor.) These records may be sent in one envelope.
- v. These records shall be sent within one week of when notice of intent to appeal or pursue complaint is submitted.
- vi. The NPC College Panhellenics Committee Judicial Appeals Chairman will review the information and submit her response within four weeks of receipt.
 1. In the matter of a complaint resulting from a failed mediation, the decision of the NPC College Panhellenics Committee Judicial Appeals Chairman shall be final.
 2. If the NPC College Panhellenics Committee Judicial Appeals Chairman is unable to resolve the appeal, she shall be responsible for the further conduct of the case and shall submit by certified mail, return receipt requested, all data to the National Presidents of the chapters involved.
 - a. If the National Presidents cannot resolve the case, it may be appealed to the NPC Executive Committee by any National President involved in the case.
 - b. If the NPC Executive Committee is unable to resolve the case, it may be appealed by either a National Panhellenic President of the NPC Executive Committee to the National Panhellenic Conference, whose decision is final.