

PHC Judicial Board of Review Manual

TRAINING, PROCEDURES, & POLICIES

Created by the Panhellenic Council in conjunction with
the Office of Greek Life

Last Revised July 2017



Judicial Board of Review Manual

Panhelleic Council Members,

This manual is a conglomeration of many resources, borrowing heavily from Dr. David Fried, Director of Student Rights and Community Standards at Ball State University and from the University Review Board manual. It is also adapted from source materials from Iowa State University, Texas A&M University, Sigma Sigma Sigma Sorority Honor Council, and from Dr. Lori Hart Ebert, Ph.D. from Pi Kappa Phi Fraternity: as compiled by Angela Baugher, Graduate Advisor, January 11,2011.

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Online Websites

<http://www.bsu.edu/greeklife>

<http://www.bsu.edu/phc>

<http://www.bsu.edu/sa/srcs/>

<http://www.bsu.edu/sa/media/pdf/code-of-student-rights.pdf>

Confidentiality Agreement

As a Judicial Board Member You Will:

1. Respect the confidentiality of the hearing process. Under no circumstance should you divulge any information to anyone about a hearing or the students/chapters involved. This includes roommates, spouses, parents, siblings, friends, colleagues, etc.
2. To hold confidential information in trust and confidence information and agrees that it shall be used only for the intended purpose of Judicial Board of Review.
3. In the event the media contacts you regarding a hearing, please refer those individuals to the Office of Greek Life or the VP of Risk Reduction and inform them that you are not permitted to comment.
4. All notes taken by board members during the hearing will be collected and destroyed by the Chief Justice.
5. Confidentiality is expected even after board members leave their position and the university.
6. Sharing names, topics, or discussion that occurred during this meeting would be considered a violation of confidentiality. All members and advisors present are held to the same standard of confidentiality. Talking about how decisions were determined or revealing personal information shared during the meeting IS a violation of confidentiality.

Name (Print) _____

Signature _____

Date _____

Judicial Board of Review Expectations

Congratulations on being selected to serve as a Judicial Board of Review Member! On behalf of the Panhellenic Council and the Office of Greek Life, we welcome you to a year of challenges, learning, and growth. We know you recognize the seriousness and responsibility associated with this position and wanted to provide you with a few basic guidelines that will help you to be successful in this endeavor.

Professionalism

1. You are expected to be a role model on and off campus. All members must abide by all University, PHC, and national regulations and recognize that your status on the board may be contingent upon your disciplinary standing and behavior.
2. *Dress appropriately.* This means business casual. You will be recognized as a professional and should appear as such. Do not wear chapter letters.
3. ***You will be assigned a “standing hearing time” each week and will be asked to hold this time in your calendar. If you do not receive notice from the JBR’s Chief Justice of a scheduled hearing time during your standing time four (4) days before the hearing, you may assume that no hearing has been scheduled.***
4. When you are assigned a hearing, it is imperative that you attend. The office, your colleagues, complainants and the accused chapter (s) are relying on you to hear the case and make a judgment. **If you are ever going to miss a hearing, contact the VP of Risk Reduction at least 24 hours in advance.**
5. *Arrive at the meeting early enough to be able to acquaint yourself* with the incident report and discuss any questions you may have with the advisor, chief justice, and board members. This will allow for the meeting to start on time.
6. Members are highly recommended to participate in all required training activities to improve their skills in the hearing process. Seek out those areas you are deficient in that you would like more guidance with and be open to suggestions and aid from the advisors.

Hearing Behavior

1. Please read and understand all the policies. It is vital that you not only know the policies, but also understand their rationale.
2. Regardless of your personal feelings on a policy, your decisions should be in accordance with what is written in the policies. Policy debate should take place in Panhellenic Council meetings.
3. Members of the board should disqualify themselves from a hearing if they have a personal relationship with the chapters or members involved or have knowledge of any circumstance of the case which could compromise their objectivity.
4. Ask questions rather than make accusations.
5. Maintain decorum. Keep side conversations to a minimum anytime the hearing is in progress. As uncomfortable as it might be, waiting in silence is the best policy.

Purpose and Duties of the Judicial Review Board

The purpose of the judicial board is:

- Self governance, accountability and education
 - Self governance: affirms that Judicial Board members are responsible enough to identify and deal with violations of Panhellenic ideals and policies
 - Accountability: identifies the need to quickly and appropriately confront behavior that violates Interfraternal ideals and policies
 - Education: assures that training, hearing procedures and sanctions are educational for the individuals and chapters involved as well as the Greek community

All interfraternal women and women's fraternities/sororities have the right to a fair and impartial hearing.

The Judicial Board is responsible for dealing with violations of:

1. NPC UNANIMOUS AGREEMENTS
2. Panhellenic Constitution and Bylaws
3. Panhellenic Code of Ethics
4. Recruitment Regulations
5. Greek Community Risk Management Policy
6. Standing Rules
7. Panhellenic Association Alcohol-Free Housing Resolution
8. FIPG

Duties of the Judicial Board include:

1. Handling alleged violations of the NPC Unanimous Agreement, Recruitment Guidelines and Rules, Greek Community Risk Management Policy, and FIPG as needed and/or if mediation is not successful.
2. Educating each chapter about the Panhellenic judicial procedures. Including education on PHC policies and chapter visits.
3. Participating in training to educate Judicial Board members about the Purpose of the Judicial Board, the rules and regulations the Judicial Board will monitor, the procedures to be followed, proper questioning techniques, the right of the charged organization, evaluating evidence and deliberations and sanctioning.
4. Conducting fair hearings with impartial Judicial Board members who follow adopted procedures.
5. Maintaining confidentiality before, during and after judicial hearings.

Goals and Responsibilities

- Developing and Upholding Standards
- Making the judicial process an educational one
- Judicial Jurisdiction
- Support the Greek Community

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Very Important Information Can Be Found In These Boxes Throughout The Manual. If you have any questions please ask!!

Recruitment Violation Process



COLLEGE PANHELLENIC VIOLATION REPORT FORM

To be filled out and submitted to the College Panhellenic within 30 days of the alleged infraction. (The 30 calendar day timeline even applies during university/college breaks.)

University/college: _____

Against (name of fraternity): _____

For violating: _____
 (List specific rule, Code of Ethics, NPC UNANIMOUS AGREEMENT, etc.)

Violation reported by: *(Reports may only be filed by one of the following:)*

- Chapter President Panhellenic Officer in Charge of Recruitment
 Recruitment Counselor Potential New Member Panhellenic Advisor

Date/time/location of alleged infraction: _____

Witness(es) to the incident (include affiliation/Panhellenic office and phone numbers):

Description of the incident (use additional sheets if necessary): _____

Names and affiliations of cited individual(s) and fraternity involved: _____

Names, addresses and phone numbers of individual(s)/fraternity reporting incident:

Signed by: _____

Name & position

Date

To be completed by the College Panhellenic President or Panhellenic Advisor

Date submitted: _____

Form properly submitted? Yes No (If no, briefly explain:)

Notification of Infraction form sent to:



COLLEGE PANHELLENIC NOTICE OF INFRACTION FORM

This form is to be completed by the Panhellenic President or Panhellenic Advisor after a Violation Report Form has been properly filed. This form must be given to the accused fraternity President (or designated representative) within ONE WEEK of receipt of the Violation Report Form by the College Panhellenic. A copy of the form is also given to the Panhellenic Advisor and the NPC Area Advisor within the same time period. (The one-week timeline applies even during college/university breaks.)

University/college: _____

Accused fraternity: _____ **Date of notification:** _____

Alleged violation(s): *(List specific rule, NPC UNANIMOUS AGREEMENT, etc., and brief description.)*

Date(s) of alleged violation(s): _____

**Violations must be reported within 30 days of the alleged violation.*

Rights and obligations of accused fraternity:

The accused fraternity has the right to have the alleged infraction resolved through the use of Mediation or a Judicial Board Hearing. The accused fraternity is responsible for contacting the College Panhellenic within one week of receipt of this Notice of Infraction Form to schedule a Mediation or opt directly for a Judicial Board Hearing. The Mediation or the Judicial Board Hearing does not have to take place within the week; it must be scheduled as soon as possible at a time convenient for the parties involved. If the Notice of Infraction form is received during a college/university break, the Mediation or the Judicial Board Hearing can be deferred until classes resume.

**To schedule a Mediation or a Judicial Board Hearing, contact the person below by _____
Date**

Name: _____ **Phone number:** _____

RECORD OF DELIVERY

The accused fraternity receives the original of this form. The college Panhellenic keeps a copy of this completed form as part of the documentation. Copies of this form are given to the Panhellenic Advisor and the NPC Area Advisor.

- Delivered to Accused Fraternity
- Signature of Chapter President or designee _____

- Copy to Panhellenic Advisor
- Copy to NPC Area Advisor Date:_____

Panhellenic Procedures Recruitment Violations

The College Panhellenic (CPH) Violation Report Form may be used by:

- A college chapter
- A Recruitment Counselor (Pi Chi)
- A potential New Member
- The Panhellenic Advisor
- A member of the Panhellenic Recruitment Team

Timeline for CPH Violation Form

1. Completed and presented to the Panhellenic President in a timely manner, but not more than 30 calendar days from the date of the alleged infraction
 - a. Must be very detailed
 - b. Not based on Hear-say
 - c. Time, place and witness must be specified
 - d. Must be filled out properly and specifically as well as signed
2. In one, signed by the chapter President or in two, three, four or five by the person filing the report
3. If Pi Chi, PNM or Advisor files, then it must first be discussed by PHC Exec to determine if the report will be endorsed for Mediation
4. Panhellenic President must:
 - a. Verify that the CPH Violation report form is filled out completely, including proper signatures and indication of rule/policy violated, file and all parties notified
 - b. Fill out the College Panhellenic Notice of Infraction Form and deliver it to the accused chapter, chapter advisor, Panhellenic Advisor, and NPC area advisor with one week of the receipt of the form
 - c. Forward Panhellenic VP of Risk Reduction a copy of any violation that is going to a judicial board hearing
5. The accused chapter must contact the Panhellenic President within one week of the receipt of the CPH Notice of Infraction Form to schedule mediation or choose to proceed directly to a judicial board hearing.

If Mediation is Held.....

(Off the record attempt to settle a dispute)

Purpose: To find a solution to both the complaining party and the accused chapter that is appropriate under NPC UNANIMOUS AGREEMENTS and the Panhellenic Constitution, Bylaws, and rules.

Mediation Procedures:

- A time and place for the mediation meeting shall be scheduled within one week of the receipt of the report and shall
 1. Be scheduled at the convenience of the participants
 2. Be conducted by a neutral mediator
 3. Be held as soon as possible
 - If a prospective member is involved, the meeting may be postponed until recruitment is complete
 - If a prospective member is involved, she may present material evidence in writing

<i>Mediation</i>	<i>Responsibilities</i>
Mediator	Stays neutral, ensures meeting does not get out of control, assists the parties in understanding the issues and assists them in reaching a satisfactory resolution
Setting	Neutral place for all parties involved.

Participants:

- Mediator
- Chapter President
- Recruitment Chair
- Advisor from each chapter involved
 - Cannot speak
 - Purely a support and a counsel
- Complaining party if other than sorority
- Panhellenic Advisor
- Panhellenic President
- Panhellenic VP of Recruitment
- NO OBSERVERS
- A secretary to record the minutes of the mediation meeting on the College Panhellenic Mediation or Judicial Board Hearing minutes.

Mediation Guidelines

1. Confidentiality
2. Not to last longer than 1 hour
3. Provide material for everyone
 - a. A copy of the College Panhellenic Violation Report Form
 - b. Copies of the UNANIMOUS AGREEMENTS
 - c. Other pertinent information
4. Identify the problem
5. Provide the time for each party to explain their position/version of events
 - a. What happened
 - b. Why
 - c. What chapter has done to internally correct the problem
 - d. Possible sanctions related to the incident
6. Take a break to select a fair and reasonable course of action, specific, and doable
7. Discuss the outcome with the chapter. Both parties sign Mediation Form
8. IF SUCCESSFUL: Panhellenic President must send a copy of the College Panhellenic Record of Mediation or Judicial Board Hearing Form to the NPC Area Advisor, NPC Delegate, National Presidnet, chapter president and chapter advisor, within 48 hours.
9. IF UNSUCCESSFUL: A judicial board hearing must take place within one week after the mediation date, or as soon as possible



COLLEGE PANHELLENIC RECORD OF MEDIATION FORM

This form is to be completed by the Mediator after Mediation has been completed. This form is to be given to the Panhellenic Advisor. One copy of the form is to be given to the accused fraternity.

University/college: _____

Accused fraternity: _____ **Date of mediation:** _____

Location of mediation: _____

Alleged violation(s):
(List name of accuser and site specific rule, NPC UNANIMOUS AGREEMENT, etc.)

Names and titles of all present:

- All parties satisfied with mediation.**
- All parties are not satisfied with mediation.**
If all parties are NOT satisfied, list issues on the following page.

Accused fraternity designee (Print name) Signature _____ Date

Accusing fraternity designee (Print name) Signature _____ Date

Mediator (Print name & title if applicable) Signature _____ Date



COLLEGE PANHELLENIC RECORD OF MEDIATION FORM

- All parties are satisfied with mediation and agreement has been reached.
Below is the AGREEMENT:

- OR** All parties are not satisfied with mediation.
Below are the LIST OF ISSUES yet to be resolved:

Non-Recruitment Violation Process/ Unsuccessful Mediation

Office Use Only

DATE RECEIVED: _____

TIME RECEIVED: _____

RECEIVED BY: _____

Ball State University Fraternity & Sorority Incident Report

This report should be completed anytime a fraternity/sorority at Ball State is not in compliance with the Social Events Policy, Student Code of Conduct, (inter) national policies and procedures or federal, state, or local laws.

Type of Incident:

- Alcohol Violation Hazing Vandalism Theft
- Fighting Sexual Assault Other (please specify):

Violation Reported by:

- Chapter Potential Member Student Parent
- Faculty/Staff Member Community Member Other (please specify):

Incident Information:

Date: _____ Time (Indicate AM/PM): _____

Location (on campus/off campus, fraternity/sorority house, residence hall, other):

Description of Incident (Include as much detail as possible):

Name and Affiliation of Individuals Involved:

Please return this completed form to:

The Office of Greek Life - Student Center Room 131

Email: kamurphy2@bsu.edu

Would you like someone to follow up with you?

Yes

No

If yes, you may contact the Office of Greek Life at 765-285-4733 or provide the following information:

Name: _____ Phone: _____

Email: _____

Ball State University
Student Affairs Disciplinary Jurisdiction
Memorandum of Understanding
Office of Greek Life & Ball State Greek Councils
Effective Date: January 1, 2009

Purpose: This Memorandum of Understanding (MOU) is between the Office of Greek Life and the Ball State Greek Councils (Panhellenic Council and Interfraternity Council). It is intended to specify the judicial body with primary responsibility for the handling of organizational disciplinary cases involving fraternity and sorority chapters affiliated with the aforementioned Greek Councils at Ball State University. Both the Office of Greek Life staff members and council designees shall review this document annually.

Note: Student/organizational disciplinary matters that may involve possible criminal violations should be communicated to University Police by the department receiving the original report so that the appropriate action can be taken by law enforcement units.

- I. Resolution Authority: Determination of how cases are identified in accordance with this MOU will take place by joint discussions between representatives from the Office of Greek Life and the applicable Council officers.
 - A. Reports involving alleged violations of The Code of Student Rights and Responsibilities by members of a fraternity or sorority that are submitted to the Office of Greek Life by a source outside the office or that originate within the BSU Greek community will be shared expeditiously with the Office of Student Rights and Community Standards. The Assistant Director of Greek Life will review the complaint and make recommendations pertaining to resolution authority for such reports to the Director of Greek Life.

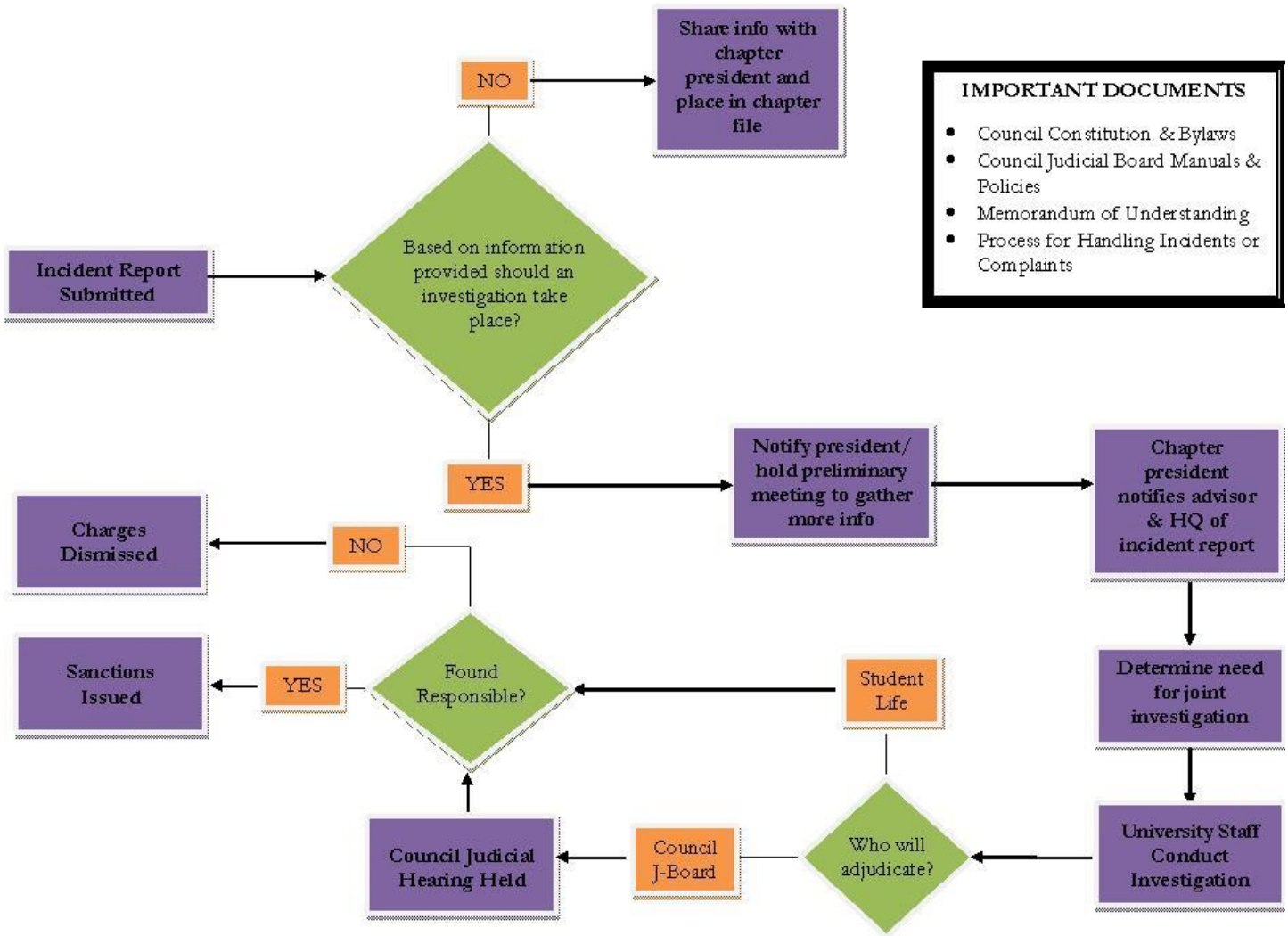
II. Case Identification/Jurisdiction

- A. All cases that deal with an alcohol violation, vandalism, recruitment rule violation, fight or other Council policy violation will fall under the primary jurisdiction of the Greek council judicial board.
- B. All cases that deal with sexual harassment, sexual assault/rape, sexual abuse, hazing, illegal drugs or the joint involvement of a recognized fraternity or sorority and a non-Greek recognized student organization will fall under the primary jurisdiction of the **Office of Greek Life**.
- C. Based on available preliminary information, any case that is likely to result in the assignment of a disciplinary sanction of Suspension, Dismissal or Expulsion of a chapter from the University will fall under the primary jurisdiction of a student organization judicial board or the Office of Greek Life.

III. Investigations

- A. Normally, serious cases such as those identified in Section II above, will require an investigation prior to charges being issued. Such investigations should be conducted expeditiously. In those cases, the Assistant/Associate Director of Greek Life or Director of Greek Life (when appropriate) may appoint one or two staff members to assist in the official investigators.
- B. Investigative reports will be submitted to the Assistant/Associate Director of Greek Life for processing. Jurisdiction of the case will be determined in accordance with Section II above.

INVESTIGATION & ADJUDICATION FLOW CHART



A Judicial Board Hearing is held when mediation was unsuccessful or for non-recruitment violations

Hearing Procedure

(The hearing will be audio-taped)

Judicial Board of Review	Responsibilities
Chief Justice	Serve as spokes person and moderator
5 Board Members	Listen to all statements made and review all information submitted in order to determine responsible or not responsible
Advisor	Assure that procedures are followed and to answer questions of clarification

Chapter entitlements:

Each chapter is entitled to two (2) spokespersons

- Must be undergraduate active members of the chapter
- If one of the spokespersons is not the chapter president, the president may still be present as an observer

Each chapter which is in violation has their right to an advisor to be present during the hearing

- Not an undergraduate student affiliated with the chapter
- Role is simply to advise/show moral support to the chapter/individual
- Not able to ask questions of witnesses, provide statements, etc.

Phase 1

Prehearing: (Make sure you understand the information that has been given to you...if not ask questions!)

Chief Justice, Board Members and advisor from Office of Greek Life only:

- Read incident report and the sequence of events
- Identify any **ambiguous areas** or **possible discrepancies** in the report to determine what areas you will need to clarify to determine whether or not the chapter/individual is in violation
- Resolve any process issue (acceptability of witness, written information, etc.) under the direction of the advisor from the Office of Greek Life.
- Remember that all **discussion** and **questions** should be limited to facts of the incident and the basis of the charges.

The most effective form of questioning in a hearing is the use of open-ended questions.

Four key words to remember when formulating an open-ended question:

What? Ask for Facts – “What were you doing when...?”

How? Bring out feeling and emotion – “How do you think your actions affected others?”

Could? Be Careful! (These can turn out close ended) “Could you describe the incident in your own words?”

Why? Determine state of mind - “Why did you choose to drink so much alcohol that night?”

Think of effective questions. Are they open ended?

Are you catching them in a multiple choice trap??

Questioning – How To

- Ask simple questions that allow the person to talk and allow for greatest clarity.
 - Understand the sequence of events
 - Clarify conflicting information
 - Understand each party's perception
- Make an easy, casual and smooth transition from topic and timelines to reduce confusion.
- **BE BRIEF!** The longer you speak, the more likely you are to provide the answer to the student rather than leaving it open-ended. We call it the **MULTIPLE CHOICE TRAP!**
- **Do more listening than talking.** Encourage the student to open up. Listen carefully, including between the lines. Insert brief “prompters” as needed.
- Give appropriate time to hear the answer for each question before moving on. Maintain appropriate visual contact.
- **TONE** is VERY important. **Be inquisitive, NOT interrogative.** Avoid judgmental or evaluative comments like “that’s too bad”, or “I’m glad you said that.” Remember that during every case, an opinion is being formed of the Board and consequently of the disciplinary system as a whole.
- Work as a team during questioning. Without being too mechanical about it, try to cover topics in a systematic order. Have a **purpose** in asking each **question**. Stick to the topic at hand and avoid irrelevant topics the student might address.
- Be certain that you have **resolved** any **conflicting information** before entering deliberation. Do not wait until you are in deliberation and start guessing at reasons for conflicting information.
- Ask questions that reveal the student’s attitude. Try to find out how the student would react if the situation were to arise again.
- Board members should not pass notes, watch the clock, or whisper back and forth during a hearing. Take notes only as necessary.

Questions you could ask:

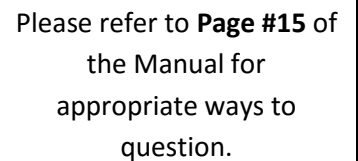
- Over the course of the evening, where had they been? (i.e. bars, private party, fraternity or sorority house).
- Did they consume alcohol at a fraternity or sorority event? If so, who provided them with the alcohol? Was it an open bar or an individual who provided the alcohol? What type of alcohol did they consume (shot, beer, etc.)
- Do they remember how much they drank at the fraternity house? At other locations?
- Was this a rush/recruitment activity?
- Can they describe the house (inside and out – this is used to strengthen the accusation that it actually took place at the house)?
- How did they know about the party at the house (i.e. were they invited by someone, walked up to the house and admitted, etc.)?
- Can they provide an estimate of how many people were at the party?

Phase 2

Hearing:

▪ Board members, advisor, & chapter representatives

1. Hearing is called to order by the Chief Justice
2. Introductions of hearing participants
3. The Chief Justice will present the facts of the case including: the presentation of witnesses (if any)
4. Accused is asked Responsible or Not Responsible for each violation, If *responsible* go directly to deliberation (*phase 3*) if *not responsible* – proceed to #5
5. Five-minute opening statement by accuser (s)
6. Questioning of the accuser (s) by the justices
7. Five-minute opening statement by the accused
8. Questioning of the accused by the justices
9. Accuser calls witness, witness makes a statement
10. Justices question witness
11. Accused questions witness
12. Accused calls witnesses, witness makes a statement
13. Justices question witness
14. Accuser question witness
15. Closing statement by the accuser
16. Closing statement by the accused
17. Deliberation follows



Please refer to **Page #15** of the Manual for appropriate ways to question.

Phase 3

**FOR DELIBERATION: ALL IN ATTENDANCE EXCEPT THE BOARD MEMBERS
AND ADVISOR ARE EXCUSED FROM THE MEETING**

Deliberation: Purpose is not only to reach a decision about responsible or not responsible. You should be deciding exactly what happened in the incident and explain how it is that you arrived at the decision.

▪ **Board members, Chief Justice, and Advisor**

1. Chief Justice requests motion from Judicial Board member of whether they find the accused responsible or not responsible.
2. Discussion of results in deliberation

When deciding responsible or not responsible of the chapter/individual remember to think of what exactly happened in the incident and be able to explain how you arrived at your decision.

Measure the quality of information with:

Preponderance of the Information

- “More likely than not” or “50% and a feather”
 - Preponderance means that you as a board feel that the facts are more likely to be so than not so.

Example:

Gamma Omega is being accused of doing scavenger hunt, which is considered hazing. The women doing the scavenger hunt were new members and under the influence of alcohol.

Do you base your decision based on what you think or based on the conclusions of the questioning session?

In deliberation do you say “I know that Gamma Omega hazes, this has to be right?”
Or “Based on the information that was concluded by the questioning, I find them responsible.”

In deliberation after you come up with whether the chapter is responsible or not responsible you must come up with a statement that directly hits at all the points on why you decided either responsible or not responsible.

Based on the example above how would you support your decision of responsible?
(Be very specific.)

Weighing Information

Is the information you are hearing:



If you find conflicting information that you cannot reconcile you must decide what information you believe is accurate and what information you disbelieve.

Use your own knowledge, experience, and common sense to decide.

Phase 4

Sanctioning: Effective disciplinary sanctions educate students and encourage behaviors that have positive impact on the campus community.

■ **Board members, Chief Justice, and Advisor**

1. Verdict rendered (Responsible or Not Responsible) per violation
2. Appropriate sanction determined if found in violation or if not found in violation, charges are dismissed.
3. Charges are put in writing.

4 Key Characteristics of Good Sanctions

1. The expectations for the chapter/individual are clear and unambiguous.
2. There is a definite date by which the activity must be completed.
3. Minimum “quality” and quantity standards (e.g., of words in a paper, hours of community service, etc.) are established.
4. The Panhellenic Council officer can reasonably monitor the requirements.

Questions to ask yourself:

1. What action by the board would help the individual/chapter learn from this experience?
2. Is the sanction in anyway demeaning? Is it a realistic sanction to expect the individual/chapter to carry out?
3. Does the sanction fit the incident?

- **Decisions of the board are assumed to be of the board as a whole.**
- **All members of the board are expected to support the final decisions including those with opposing opinions.**



COLLEGE PANHELLENIC RECORD JUDICIAL BOARD HEARING FORM

This form serves as Page 1 of the College Panhellenic or Judicial Board Hearing Record. One representative of the College Panhellenic will take the minutes on the Judicial Board Hearing Minutes and attach the minutes to this document.

Judicial Board Hearing record (Was mediation held? Yes No)

University/college: _____

Accused fraternity: _____ **Date of meeting:** _____

Location of meeting: _____ **Start time:** _____ **End time:** _____

Name of recorder: _____

Number of additional pages of minutes* _____

**Attach the signed College Panhellenic Mediation or Judicial Board Hearing Minutes Form to this page.*

Names and titles of all present:

_____	_____	_____
_____	_____	_____
_____	_____	_____
_____	_____	_____

Alleged violation(s):

(List specific rule, NPC UNANIMOUS AGREEMENT, etc., and brief description.)

Summary of decision/penalty:

(Give a brief description of results. Attach the detailed College Panhellenic Mediation or Judicial Board Hearing Minutes Form.)

Notice of Appeal Form Given to Chapter President/designee *(If applicable)*

Signatures: *The signatures verify that the minutes have been read by those present.*

Accused fraternity designee *(print name)* _____ Signature _____ Date _____

Panhellenic representative *(print name)* _____ Signature _____ Date _____

RECORD OF DELIVERY

The College Panhellenic maintains the original form and minutes. The accused fraternity will receive copies of this form and minutes. Copies of this form are sent to the parties listed below (do not include the minutes page).

- Accused Chapter President/designee
- Copy to NPC Delegate
- Copy to NPC Area Advisor
- Copy to Panhellenic Advisor
- Copy to Inter/National President

Date: _____



COLLEGE PANHELLENIC JUDICIAL BOARD HEARING MINUTES FORM

This form serves as Page 2 of the College Panhellenic Judicial Board Hearing Record and is used by one representative of the College Panhellenic to record the minutes. Use as many copies of this minutes form as needed. The completed minutes shall be attached to the College Panhellenic Judicial Board Hearing Record. Each page should be numbered and signed.

Judicial Board hearing record (Was mediation held? Yes No)

University/college: _____

Accused fraternity: _____

Date of meeting: _____

Minutes:

Signatures:

The signatures verify only that the minutes have been read by those present at the conclusion of the Judicial Board Hearing.

Accused fraternity designee (*print name*)

Signature

Date

Panhellenic representative (*print name*)

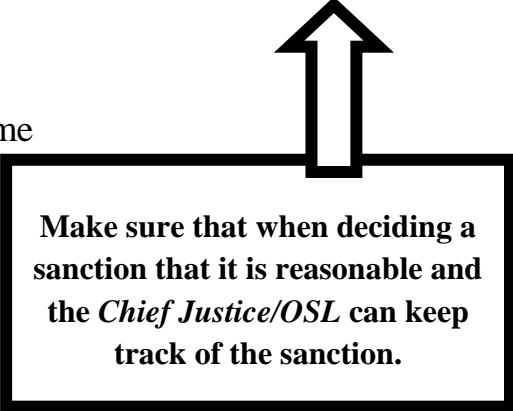
Signature

Date

Page # _____ of _____

Examples of non- recruitment Sanctions: There is not a set of mandatory sanctions dependent on any given instance of misconduct. Sanctions available as parts of the JBR Hearing Process are:

1. ***Sanctions on social events/Social Probation***
 - a. No social events for a set duration of time
 - b. Limit on social events (#)
 - c. Eliminate social events
 - d. Alcohol-free socials
2. ***Probation***
 - a. A specific period of probation with or without selected restrictions. The Hearing Board shall determine the length and terms of the probationary period.
3. ***Action Plan***
 - a. Chapter develops a plan of how they will make significant changes within the chapter to prevent future incidents.
 - b. Sanction should clearly state which areas the chapter should focus change initiatives on.
4. ***Restitution***
 - a. A payment for financial injury to an innocent party in cases involving theft, destruction of property or deception.
 - b. The assessed costs to be paid may be in addition to receipt of any of the above sanctions.
5. ***Attend/Host educational seminars***
 - a. Educational programming hosted and/or attended by a percentage or organization membership.
6. ***Suspension from IFC***
7. ***Suspension of specific privileges***
 - a. Intramurals
 - b. Host or participate in any social activity
 - c. Voting privileges at IFC
8. ***University Restrictions***
 - a. The withdrawal of specified privileges for a definite period of time.
9. ***Participation, limit, or restricted participation in certain events such as...***
 - a. Homecoming
 - b. Greek Week



Make sure that when deciding a sanction that it is reasonable and the *Chief Justice/OSL* can keep track of the sanction.

10. *Reprimand*

- a. A letter of notification placed in the organization's file and sent to its national organization warning of more severe sanctions in the event of a repeat of the offending behavior.

*Where appropriate, the duration of the sanction and any terms and conditions imposed as a part of the sanction must be in direct proportion to the **degree of the seriousness** attached to the misconduct.*

- Beginning and/or ending dates of the sanction must be specified.
- No sanction may exceed one (1) year.
- Failure on the part of the chapter to satisfactorily complete the sanction may result in further judicial action

Sanctions for Recruitment Infractions

Minor Recruitment Infractions:

- Budget violations
- Recruitment regulation violations
 - Decorations
 - Recruitment outfits
 - Food/drink
 - Entertainment
 - Gifts of any sort, including personal or preference notes
 - Party extending beyond scheduled closing time, thus delaying potential members
 - Submitting event invitation list after specified time

Minor Infraction Sanctions:

- Official Reprimand (Reports to be sent within one week of imposing sanction.)
 - Officially recorded in Panhellenic minutes
 - Report sent to National President of offending group
 - Report sent to NPC Delegate of offending group
 - Report sent to NPC Area Advisor
- Constructive Sanctions of Positive Nature:
 - Host Panhellenic reception for advisors, new members, etc.
 - Present academic enrichment seminars.
 - Set number of community service hours required of each member
 - Plan a workshop for chapter/Panhellenic dealing with recruitment procedures.

Major Recruitment Infractions:

- Failing to observe formal silence or contact rules
- Disparaging remarks about other sororities
- Identifying recruitment counselors by sorority
- Incurring recruitment public relations violations, i.e. illegal advertising/removal of advertising
- Extending invitation, directly or indirectly, through a third party before time set by Panhellenic.
- Encouraging prospective members to Intentionally Single Preference.
- Suggesting prospective members refuse an invitation from one
 - group to wait for an invitation from another group.
- Serving an alcoholic beverage at a recruitment function
- Having men present at a recruitment function
- Knowing inviting a woman to pledge who previously committed or pledged to another NPC group before one year had elapsed from the date of her original pledge commitment.

Major Infraction Sanctions:

- Constructive Sanctions of Positive Nature
 - Plan a Panhellenic workshop and pay for travel expenses of NPC Area Advisor or other NPC representative to attend
 - Plan and execute a major fund raiser for:
 - Panhellenic scholarship program
 - Panhellenic's Alcohol Education Awareness Week
 - Regional NPC meeting registration fee
 - Plan and sponsor a "mini retreat" for recruitment chairs to talk about ways to improve relations between chapters.
 - Plan a positive public relations program for Panhellenic.
- Suspension of Social Activities
- The deprivation of social privileges involves the suspension of social or intramural participation in varying degrees for specified periods of time. The suspension must be appropriate to the nature and the degree of the infraction. Social probation shall not forbid formal or informal entertainment incident to recruitment or the observance of a national fraternity celebration, i.e. Founder's Day.

Phase 5

Outcome: During this phase the individual/chapter will be read whether they are responsible or not responsible.

1. Accuser, accused, and chief justice return to the hearing room, verdict is read.
 2. One of the justices will read the verdict.
 3. Verdict and appeal information (if found in violation) put in writing and mailed promptly to groups involved.
- **The chapter will receive a written copy of the decision within five (5) days. An explanation of the appeals process will accompany the decision. Every chapter has the right to one (1) appeal.**

Phase 6

Appeals: Appeal to the College Panhellenic Committee Appeals Chairman of the National Panhellenic Conference

If a chapter is not satisfied that a fair and just sanction has been rendered by the Judicial Board, or if the mediation process has failed or because a small number of chapters in a College Panhellenic Association, makes a Judicial Board ineffective, the chapter may appeal the decision to the College Panhellenic Judicial Appeals Chairman. The CPH Notice of Appeal Form provided to issue notice of intent to appeal shall be submitted to the Panhellenic President within 48 hours of the chapter receipt of the Judicial Board decision.

The following procedures are required:

1. The chapter filing the appeal and the Panhellenic President each shall send four copies of the complete records of the case by certified mail, return receipt requested, to the NPC College Panhellenics Judicial Appeals Chairman. Her name and address may be obtained from the NPC Area Advisor. These records may be sent in one envelope.
2. The records shall be sent within one week of the time notice of intent to appeal is submitted.
3. The Panhellenic President notifies the NPC Area Advisor Committee.
4. The NPC College Panhellenic Committee Judicial Appeals Chairman will review the information and submit her response within four weeks of receipt.
5. If the NPC College Panhellenics Judicial Appeals Committee 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.
6. If the National Presidents cannot resolve the case, it may be referred to the NPC Executive Committee by any National President involved in the case.
7. If the NPC Executive Committee is unable to resolve the case, it may be appealed either by the National President or the NPC Executive Committee to the National Panhellenic Conference, whose decision is final.



COLLEGE PANHELLENIC NOTICE OF APPEAL FORM

This form is to be submitted to the Panhellenic President or Panhellenic Advisor within 48 hours of the judicial hearing decision if an involved party wishes to appeal the decision to the National Panhellenic Conference Judicial Appeals Committee.

University/college: _____

Appealing party: _____ **Date of decision:** _____

Name, address, phone number and e-mail of appealing party representative:

Reason for appeal of rendered decision: *(additional pages may be attached)*

Signature of appealing party

Signature of fraternity alumna advisor
(If appealing party is a fraternity)

Appeal Procedures:

- The College Panhellenic President is responsible for sending the complete record in a timely manner upon receipt of the Notice of Appeal.
- Four copies of the complete record must be sent in one envelope to the NPC Judicial Appeals Chairman. Include copies of all documentation relating to this infraction.
- A copy of the College Panhellenic Bylaws, Judicial Procedures and applicable rule(s) should be included in the mailing.
- The appeal should be sent certified mail, return receipt requested.

To be completed by the College Panhellenic President or Panhellenic Advisor

Date appeal submitted: _____

Within 48 hours of decision? Yes No

Date sent to NPC Judicial Appeals Chairman _____
(Certified mail/receipt requested)

Copy of *Notice of Appeal* sent to:

Panhellenic Advisor Date: _____

NPC Area Advisor Date: _____

Ball State University Panhellenic Code of Ethics

We, as members of the Panhellenic community of Ball State University, agree to honor and uphold the National Panhellenic Conference UNANIMOUS AGREEMENTS through our thoughts, words, and actions. Our goal is to be models of pride, honesty, and courtesy for all chapters and individuals of the Greek community. Respect for and consideration of individual rights and feelings are the responsibility of every member. Through encouraging and assisting all Greek members in the pursuit of moral and social advancement and the promotion of love and unity within the Greek community, we will foster an environment of harmony and understanding that furthers the ideals of every fraternity. While keeping with our aim to promote the highest ideals of womanhood, we will hold each other accountable for behavior that is inconsistent with our expected standards of conduct and educate our members fully on these same standards. We will strive to behave in a manner consistent with each chapter's ritual and founding principles in all interactions with others. By demonstrating these ethical* standards, we truly will be "furthering our fraternity life, in harmony with its best possibilities."

We as women of Panhellenic Council believe ethical behavior to be the following: We trust each other to be responsible and to conduct ourselves within the realm of high moral standards. We will treat each other with respect and dignity and with the highest amount of fairness and honesty!!

NPC UNANIMOUS AGREEMENTS

- Since 1903, the member groups of NPC have unanimously agreed to pursue certain procedures and ethics that lead to the orderly and equitable conduct of their mutual functions. The UNANIMOUS AGREEMENTS are binding on all member fraternities of the National Panhellenic Conference.
- They are agreed on by all groups therefore they apply to everyone
- Recruitment:
 1. Panhellenic Officers should be completely “disassociated” from their respective chapters for the period immediately preceding formal recruitment (not to exceed 30 days) and during formal structured recruitment
 2. No disparaging remarks about other groups
 3. No men or alcohol in recruitment and Bid Day activities
 4. No bids implied or given out beforehand – before Bid Day
 5. No negative publicity on Panhellenic matters
 6. No favors or gifts may be given to PNM by the sorority and/or individual members
 7. No buying anything for a PNM
 8. No sorority members may visit a PNM in her place of residence during membership recruitment.
 9. No suggesting to any PNM that she refuse a bid from one group in order to wait for a bid from another groups or suggest that a PNM list only one choice on her Membership Recruitment Acceptance.
- The college Panhellenic cannot take any action that infringes on the rights of the individual fraternities.
- A signed bid is binding for 1 calendar year.
- Each college Panhellenic will have a Bid Day to conclude formal recruitment.
- Each Panhellenic chapter will have one vote through their delegate.

Ball State Panhellenic Judicial Board Policy

I Judicial Board

A Purpose of the Judicial Board

Self governance, accountability and education are three important reasons for the Judicial Board to exist within the Panhellenic Council. The self governance component affirms that Judicial Board members are responsible enough to identify and deal with violations of Panhellenic ideals and policies. The accountability component identifies the need to quickly and appropriately confront behavior that violates Panhellenic ideals and policies. The education component assures that training, hearing procedures and sanctions are educational for the individuals and chapters involved as well as the Greek community.

All Panhellenic women have the right to a fair and impartial hearing.

B Selection of the Judicial Board

1. The Judicial Board is responsible for dealing with violations of:
 - a Panhellenic Constitution
 - b Panhellenic Bylaws
 - c Panhellenic Code of Ethics
 - d Recruitment Regulations
 - e NPC UNANIMOUS AGREEMENTS
 - f Standing Rules
2. The Judicial Board, as a whole, is composed of:
 - a Panhellenic Vice President of Risk Reduction serving as Chief Justice
 - b Twelve justices and 12 alternates – one representative from each chapter and one alternate from each chapter
 - c Panhellenic Advisor and/or Graduate Assistant serving as an ex-officio member
 - d Panhellenic President as Chief Justice in the event that the Vice President of Risk Reduction cannot serve due to conflict of interest or other extenuating circumstances
3. Requirements for chapter representation:
 - a Chapter presidents, recruitment officers and risk management officers may not serve as they may be directly involved in answering charges on behalf of their chapters at a hearing
 - b Women interested in becoming a justice or alternate must meet the following conditions:
 - (i) She must maintain a minimum cumulative GPA of 2.5
 - (ii) She must have been an initiated member of her respective sorority for a minimum of two semesters.
 - (iii) She may not be an officer of the Panhellenic Council.
 - (iv) She must submit an application and interview with elected members of the Panhellenic Executive Board.
 - c Justices will serve one full-year term. If a woman is interested in serving a second term, she must reapply for membership.
 - d Any justice serving in a particular hearing may not be a member of the chapter (s) involved.

C Duties of the Judicial Board include:

1. Handling alleged violations of the Panhellenic Constitution and Bylaws, Code of Ethics, Recruitment Regulations, Standing Rules and NPC UNANIMOUS AGREEMENTS, as needed and/or if mediation is not successful.
2. Educating each chapter about the Panhellenic judicial procedures.
3. Participating in training to educate Judicial Board members about the Purpose of the Judicial Board, the rules and regulations the Judicial Board will monitor, the procedures to be followed, proper

questioning techniques, the right of the charged organization, evaluating evidence and deliberations and sanctioning.

4. Conducting fair hearings with impartial Judicial Board members who follow adopted procedures.
5. Maintaining confidentiality before, during and after judicial hearings.

D The Chief Justice is responsible for:

1. Coordinating the training of the Judicial Board members
2. Making arrangements for the hearing as indicated by the Panhellenic president (Location, meeting room, setup, appointment of a secretary among board members and notification of the hearing to the board members and involved chapters)
3. Determining if any Judicial Board members need to be excused from serving because of a conflict of interest.
4. Providing, in writing, involved chapters' presidents and advisors with the hearing arrangements and the agenda of the Judicial Board Hearing Procedures.
5. Presiding over the judicial hearings.
6. Informing, in writing, cited chapters' presidents and their advisors of the verdict, sanctions (if applicable) and the appeals process.

II Panhellenic Judicial Procedures for Non-Recruitment Violations

A The College Panhellenic (herein referred to as CPH) Violation Report Form may be used by:

1. A college chapter
2. The Panhellenic Advisor
3. Panhellenic Council officer

B CPH Violation Report Form

1. Form must be:
 - a In one, signed by the chapter President or in two and three, by the person filing the report.
 - b Time, place and witnesses must be specified
 - c Inclusive of all witnesses (The witnesses specified are the only witnesses allowed to testify in the Judicial Board hearing.)
 - d Completed and submitted to the Panhellenic President in a timely manner, but no more than 30 calendar days from the date of the alleged infraction (including university/college breaks).
2. Violations must be:
 - a Based on fact, not hearsay or rumor
 - b Witnessed
3. During school breaks or vacation, above procedures must be followed, then considered at the first Panhellenic meeting when school resumes.

C Duties of the Panhellenic President

1. When the Panhellenic President receives a signed copy of the Initial CPH Violation Report Form, she must:
 - a Verify that notification has been made in a timely manner, but no more than 30 calendar days from the date of the alleged infraction.
 - b Verify the report is specific as to time, place and witnesses.
 - c Verify the report is based on fact, not hearsay or rumor
 - d Endorse the report for Judicial Board hearing
 - e Convene the Panhellenic elective Executive Board members to evaluate the report, conduct an inquiry if indicated and determine if the report will be endorsed for a Judicial Board hearing.
 - f Forward a copy of an endorsed report within one week of the President's receipt of the CPH Violation Report Form to the cited chapter, chapter advisor, the Panhellenic advisor and the NPC Area Advisor

- g Forward to the Panhellenic Vice President of Risk Reduction a copy of any violation that must be adjudicated.

D Judicial Board Time Line

1. The CPH Violation Report Form must be filed in a timely manner, but no more than 30 calendar days from when the alleged infraction occurred.
2. Panhellenic President must send the CPH Notice of Infraction Form to the accused chapter within one week of receiving the CPH Violation Report Form.
3. The involved chapters' presidents and advisors have one week to schedule mediation or to choose to proceed directly to a judicial board hearing after receiving the CPH Notice of Infraction Form.
4. The Judicial Board hearing must take place no more than one week after the receipt of the CPH Notice of Infraction Form. If the hearing cannot take place within one week, then it should take place as soon as possible.
5. The decision letter and appeal information must be sent to the chapters' presidents and advisors within 24 hours after the Judicial Board hearing.
6. The appeal form must be submitted to the president of the College Panhellenic within 48 hours of the chapter's receipt of the Judicial Board decision.

III Panhellenic Judicial Procedures for Recruitment Violations

A The College Panhellenic (herein referred to as CPH) Violation Report Form may be used by:

1. A Chapter President
2. A Recruitment Counselor (Pi Chi)
3. A Potential New Member
4. The Panhellenic Advisor
5. A member of the Panhellenic Recruitment Team

B CPH Violation Report

1. Form must be:
 - a In one, signed by the chapter President or in two, three, four or five by the person filing the report.
 - b Time, place and witnesses must be specified
 - c Inclusive of all witnesses (The witnesses specified are the only witnesses allowed to testify in the Judicial Board hearing.)
 - d Submitted to the Panhellenic President
 - e Filed in a timely manner, but no more than 30 calendar days from the date of the alleged infraction (including university/college breaks).
2. Violations must be:
 - a Based on fact, not hearsay or rumor
 - b Witnessed
3. During school breaks or vacation, above procedures must be followed, then considered at the first Panhellenic meeting when school resumes.

C Duties of the Panhellenic President

1. When the Panhellenic President receives a signed copy of the CPH Violation Report Form, she must:
 - a Verify that notification has been completed and submitted in a timely manner, but no more than 30 calendar days from the date of the alleged infraction (including university/college breaks).
 - b Verify the report is specific as to time, place and witnesses.
 - c Verify the report is based on fact, not hearsay or rumor
 - d Endorse the report for mediation or adjudication of the report is filed by a college chapter.

- e Convene the Panhellenic Elective Executive Board members to evaluate the report, conduct and inquiry if indicated and determine if the report will be endorsed for mediation if the report is filed by a Recruitment Counselor, Potential New Member or Panhellenic Advisor.
- f Forward a copy of the CPH Notice of Infraction Form within one week of the receipt of the CPH Violation Report Form to the cited chapter, chapter advisor, the Panhellenic advisor and the NPC Area Advisor.
- g Arrange for mediation with an appointed mediator, representative of each chapter involved, the Panhellenic Vice President of Recruitment and the Panhellenic Advisor.
- h Arrange for the appeals process if mediation is not successful.
- i Forward to the Panhellenic Vice President of Risk Reduction a copy of any violation that must be adjudicated.

D Responsibilities of the Panhellenic Executive Committee

1. When the Panhellenic President receives a signed copy of the Initial CPH Violation Report Form from a Potential New Member, a Recruitment Counselor or the Panhellenic Advisor, she consults immediately with the Panhellenic Executive Committee to determine if the report will be endorsed and submitted for mediation. The Committee must base its decision on the facts contained in the report. Hearsay evidence is not permitted.
2. Executive Committee guidelines for evaluating report forms include determination that:
 - a The proper form has been submitted.
 - b All sections of the form have been completed.
 - c All the proper signatures are included.
 - d The report is specific as to time, place and witnesses.
 - e The report is based on fact and not hearsay or rumors.
 - f The proper time frames have been observed.
 - g Whether the infraction is appropriate for mediation or adjudication. If so determined, the Panhellenic president should contact the cited chapter.

E Judicial Board Time Line

1. The CPH Violation Report Form must be filed in a timely manner, but no more than 30 days after the alleged violation occurred.
2. The involved chapters' presidents and advisors must be notified by the CPH Notice of Infraction Form within one week of the Panhellenic President's receipt of the CPH Violation Report Form.
3. The mediation must be scheduled to take place no more than one week after the accused chapter president's receipt of the CPH Notice of Infraction Form. If mediation cannot take place within one week, then it should take place as soon as possible.
4. If mediation is successful, then the decision letter must be sent to the chapters' presidents and advisor within 24 hours after the mediation. If mediation is unsuccessful, then a Judicial Board hearing must take place within one week after the mediation date or as soon as possible.

IV Mediation

A Endorsed Recruitment Infractions

1. All endorsed reports shall be submitted by the Panhellenic President for mediation. A time and place for the mediation meeting shall be scheduled within one week of the receipt of the report and shall:
 - a Be scheduled at the convenience of the participants.
 - b Be conducted by a neutral mediator.
 - c Be held as soon as possible
 - (i) If a prospective member is involved, the meeting may be postponed until recruitment is completed.
 - (ii) If a prospective member is involved, she may present material evidence in writing.

B Choosing the Mediator

1. Before recruitment begins, a mediator shall be selected who is available to serve when necessary as a neutral party to the mediation process. College or university staff members or the Panhellenic advisor may serve as a mediator; undergraduate chapter members shall not serve.

C Participants

1. Participants shall be the mediator, the president, recruitment officer and an advisor (if desired) from each chapter involved, the complaining party if other than a chapter, the President and Vice President of Recruitment of the Panhellenic Council and the Panhellenic Advisor, if not the mediator. The Executive Board shall not serve, because they may have evaluated and/or endorsed the report. The Judicial Board shall not serve because in most instances it will serve as the appeal agency.

D Records

1. A secretary shall be appointed to record the minutes of the mediation meeting on the CPH Mediation or Judicial Board Hearing Minutes Form. The Minutes Form is submitted to the secretary of the Judicial Board if closure is not reached by mediation.

E Mediation Guidelines

1. A successful mediation preserves confidentiality, settles differences without the formal process of a hearing, provides a solution acceptable to all without involved multiple witnesses and time consuming decision.
 - a Set a time frame for the meeting (to last no longer than an hour)
 - b Set the time of the meeting for the convenience of all who will attend.
 - c Provide pertinent materials for everyone: a copy of the infraction report, copies of the UNANIMOUS AGREEMENTS, the Panhellenic Code of Ethics and any other pertinent materials.
 - d Identify the problem.
 - e Provide time for each participant to explain her position.
 - f Search for alternative solutions, list all solutions and discuss each other.
 - g Select a fair and reasonable course of action, specific and doable.
 - h Agree to keep the mediation discussion private.
 - i Take written minutes using the CPH Mediation or Judicial Board Hearing Minutes Form and complete the CPH Record of Mediation or Judicial Board Hearing Form.
 - j Before the meeting closes, be sure everyone knows the results of the discussion.
 - k Be sure questions by all parties are answered satisfactorily.
 - l After recruitment is over, evaluate the process and course of actions.
 - (i) Did it fit the infraction?
 - (ii) Was it a reasonable expectation?
 - (iii) Was there cooperation among all parties?
 - m If mediation is not successful, an appeal may be sent to the Judicial Board.

V Judicial Hearing

A Procedures

1. In the case of two or more chapters bringing the same violation against one chapter, all accusing chapters will be present at the hearings. The order in which accusing chapters speak will follow the order in which the violation forms were received.
2. The hearing is closed to observers.
3. Witnesses shall only be present while being questioned.
4. As many as seven justices may serve in a hearing, but a minimum of five is required. Justices serve on a rotating basis and are initially chosen by a random selection.

5. Each sorority involved is represented by its president or her designee.
6. Chapters involved in hearings have the right to consult with a fraternity (inter) national officer and an alumna advisor. An advisor may be present during the hearing. A national officer or advisor is for consultation and should not have a voice, unless she is acting in the role of witness.
7. When questioning witnesses, the representative of the chapter for whom the witness has been called will first ask questions. Then the witness will be cross examined by a representative of the opposing chapter. After cross examination, the witness shall be questioned by the justices, if necessary.
8. During deliberations, all will leave the room except the Judicial Board members.
9. Deliberations are confidential and the comments are not to be reported outside of the hearing room.
10. CPH Mediation or Judicial Board Hearing Minutes Form and the CPH Record of Mediation or Judicial Board Hearing Form must be completed in writing.

B Order of Events

1. Call to order by Chief Justice
2. Introductions
3. Five-minute opening statement by accuser (s)
4. Five-minute opening statement by the accused
5. Questioning of the accuser (s) by the justices
6. Questioning of the accused by the justices
7. Call of any witnesses by the accuser (s) and cross examination
8. Call of any witnesses by the accused and cross examination
9. Questioning of the accuser (s) by the justices
10. Questioning of the accused by the justices
11. Closing statement by the accuser
12. Closing statement by the accused
13. All in attendance except the Chief Justice and Board members excused from the meeting
14. Charges stated by the Chief Justice
15. Chief Justice requests motion from Judicial Board member
16. Discussion of motion
17. Verdict rendered
18. Appropriate sanction determined if found in violation or if not found in violation, charges are dismissed.
19. After accuser and accused return to the hearing room, verdict is read.
20. Verdict and appeal information (if found in violation) put in writing and mailed promptly to groups involved.

C Making Decisions

1. Should unanticipated circumstances arise, the Judicial Board may clarify, modify or change the procedures. In all such instances, however, every effort will be made to maintain fairness to all parties and to facilitate clear and reasonable expression of the positions reported.
2. In a closed session, the Judicial Board shall decide if there is sufficient evidence to support any alleged violations. The decision reached should be based upon the evidence presented at the hearing, which is most convincing, most credible and of greatest weight or probability.
3. If the Judicial Board finds that there is not sufficient evidence to support the allegations, the case will be dismissed. If the Judicial Board finds the group did violate the regulations, the Board will determine the sanctions.
4. If and only if the group is found responsible, four factors should be taken into consideration:
 - a The gravity of the violation
 - b Level of cooperation from the cited organization
 - c The impact that violations have on the Greek, university and the surrounding communities.
 - d The educational impact of the sanctions on the organization.
5. A good Judicial Board will balance these considerations and make appropriate sanctioning decision.

VI Sanctions for Infraction of Recruitment Rules

A The purpose of the Panhellenic Code of Ethics is to encourage a cooperative spirit rather than punish people who do not adhere to the agreement. It is the spirit behind the Code of Ethics that is important – the spirit for recruitment to be fair and consistent for all Panhellenic women and for the women seeking membership in a Greek organization. Ethical behavior is expected of all members at all times. Unfortunately, there are times when the recruitment judicial process must be called into place. The NPC UNANIMOUS AGREEMENTS state that each college Panhellenic shall adjudicate fair and reasonable sanctions for infractions of the Code of Ethics. Sanctions must correspond to the nature and degree of seriousness of the offense for both Minor and Major infractions.

B Minor Infractions and Sanctions

1. Minor infractions are based primarily in recruitment procedure violations as outlined in the Panhellenic recruitment guidelines.

a Minor infractions include, but are not limited to, recruitment procedure violations such as:

- (i) Budget violations
- (ii) Recruitment regulation violations
 - (i) Decorations
 - (ii) Recruitment outfits
 - (iii) Food/drink
 - (iv) Entertainment
- (iii) Gifts of any sort, including personal or preference notes
- (iv) Party extending beyond scheduled closing time, thus delaying potential members
- (v) Submitting event invitation list after specified time

b Examples of Appropriate Sanctions for Minor Infractions:

- (i) Official Reprimand (Reports to be sent within one week of imposing sanction.)
 - (i) Officially recorded in Panhellenic minutes
 - (ii) Report sent to National President of offending group
 - (iii) Report sent to NPC Delegate of offending group
 - (iv) Report sent to NPC Area Advisor
- (ii) Constructive Sanctions of Positive Nature:
 - (i) Host Panhellenic reception for advisors, new members, etc.
 - (ii) Present academic enrichment seminars.
 - (iii) Set number of community service hours required of each member
 - (iv) Plan a workshop for chapter/Panhellenic dealing with recruitment procedures.

C Major Infractions and Sanctions

1. Major infractions are based primarily on recruitment ethics violations as outlined in the NPC UNANIMOUS AGREEMENTS and the Panhellenic Code of Ethics.

a Major infractions include, but are not limited to, recruitment ethics violations such as:

- (i) Failing to observe formal silence or contact rules
- (ii) Disparaging remarks about other sororities
- (iii) Identifying recruitment counselors by sorority
- (iv) Incurring recruitment public relations violations, i.e. illegal advertising/removal of advertising
- (v) Extending invitation, directly or indirectly, through a third party before time set by Panhellenic.
- (vi) Encouraging prospective members to Intentionally Single Preference.
- (vii) Suggesting prospective members refuse an invitation from one group to wait for an invitation from another group.

- (viii) Serving an alcoholic beverage at a recruitment function
- (ix) Having men present at a recruitment function
- (x) Knowing inviting a woman to pledge who previously committed or pledged to another NPC group before one year had elapsed from the date of her original pledge commitment.
- b Examples of Appropriate Sanctions for Major Infractions:
 - (i) Constructive Sanctions of Positive Nature
 - (i) Plan a Panhellenic workshop and pay for travel expenses of NPC Area Advisor or other NPC representative to attend
 - (ii) Plan and execute a major fund raiser for:
 - 1. Panhellenic scholarship program
 - 2. Panhellenic's Alcohol Education Awareness Week
 - 3. Regional NPC meeting registration fee
 - (iii) Plan and sponsor a "mini retreat" for recruitment chairs to talk about ways to improve relations between chapters.
 - (iv) Plan a positive public relations program for Panhellenic.
 - (ii) Suspension of Social Activities
 - (i) The deprivation of social privileges involves the suspension of social or intramural participation in varying degrees for specified periods of time. The suspension must be appropriate to the nature and the degree of the infraction. Social probation shall not forbid formal or informal entertainment incident to recruitment or the observance of a national fraternity celebration, i.e. Founder's Day.

D Inappropriate Sanctions:

NOTE: these are only examples, and inappropriate sanctions are not limited to these examples. For more inappropriate sanctions, please refer to the NPC UNANIMOUS AGREEMENTS

1. Fines – it is strongly recommended that appropriate sanctions, other than monetary, be assessed. If fines are utilized for certain violations that are measurable, i.e. late event lists, the fine should not exceed a previously determined amount established by a vote of the Panhellenic Council.
2. It is a violation of the NPC UNANIMOUS AGREEMENTS for a college Panhellenic to lower a chapter's new member quota as a recruitment infraction penalty.
3. "Delaying pledging" and "delaying initiation" infringe in the sovereignty of individual fraternities and may not be used as a recruitment penalty.

E Duration and Completion of Sanction

1. The duration of any sanction imposed shall not exceed 1 year from the time the final decision is rendered. The Panhellenic Advisor and Chief Justice of the Judicial Board imposing the sanction are responsible for the oversight during the life of the sanction.

VII Handling of Other Infractions

- A Sanctions for violations of the Constitution and Bylaws of the Panhellenic Council, actions which reflect unfavorably upon the Panhellenic or behavior which violates provisions I, II, III, IV, V, VII, IX, X of the NPC UNANIMOUS AGREEMENTS shall be assessed by the Judicial Board to fit the nature and degree of the offense following a hearing which conforms to the requirement of due process.
- B Sanctions may include but not be limited to the sanctions outlined for use in recruitment violations.
- C Duration and completion of sanctions provisions specified for recruitment violations apply.

VIII Participation of the Panhellenic Advisor in Judicial Matters

- A When a report of a recruitment violation is filed with the Panhellenic President, a copy is also filed with the cited chapter, its advisor and the Panhellenic Advisor.
- B The Panhellenic Advisor attends all meetings on judicial matters and may serve as a mediator during the mediation process.
- C The Panhellenic Advisor remains neutral, makes sure minutes of judicial meetings are taken, may suggest two appropriate alternative sanctions and keeps the records of all judicial proceedings in her files for three years.
- D The Panhellenic Advisor works with the Chief Justice to insure that penalties assessed or recommendations made are fulfilled on time.
- E The Panhellenic Advisor may inform the appropriate chapter advisors concerning the judicial procedures and provide written data.

IX Participation of the Chapter Advisor in the Judicial Process

- A The chapter advisor of the cited chapter is made aware of the filing of a rule violation by receiving a copy from the College Panhellenic President.
- B Advisors act as a resource to their chapters during the judicial process.
- C One advisor from each involved chapter may attend the mediation meeting as an observer/non-participant.
- D The advisors may assist the chapter in making a presentation to the College Panhellenic Judicial Board if necessary and the preparation of further appeals as desired.
- E Advisors receive a copy of the solution/resolution from the Panhellenic Judicial Chairman.
- F Advisors make sure that deadlines are kept and closure to the issue is reached.
- G Advisors are supportive in upholding the NPC UNANIMOUS AGREEMENTS, the Panhellenic Code of Ethics and recruitment regulations.

X Appeal to the College Panhellenic Committee Appeals Chairman of the National Panhellenic Conference.

- A If a chapter is not satisfied that a fair and just sanction has been rendered by the Judicial Board, or if the mediation process has failed or because a small number of chapters in a College Panhellenic Association, makes a Judicial Board ineffective, the chapter may appeal the decision to the College Panhellenic Judicial Appeals Chairman. The CPH Notice of Appeal Form provided to issue notice of intent to appeal shall be submitted to the Panhellenic President within 48 hours of the chapter receipt of the Judicial Board decision.
- B The following procedures are required:
 1. The chapter filing the appeal and the Panhellenic President each shall send four copies of the complete records of the case by certified mail, return receipt requested, to the NPC College Panhellenics Judicial Appeals Chairman. Her name and address may be obtained from the NPC Area Advisor. These records may be sent in one envelope.
 2. The records shall be sent within one week of the time notice of intent to appeal is submitted.
 3. The Panhellenic President notifies the NPC Area Advisor Committee.

4. The NPC College Panhellenic Committee Judicial Appeals Chairman will review the information and submit her response within four weeks of receipt.
5. If the NPC College Panhellenics Judicial Appeals Committee 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 date to the National Presidents of the Chapters involved.
6. If the National Presidents cannot resolve the case, it may be referred to the NPC Executive Committee by any National President involved in the case.
7. If the NPC Executive Committee is unable to resolve the case, it may be appealed either by the National President or the NPC Executive Committee to the National Panhellenic Conference, whose decision is final.

THE PANHELLENIC JUDICIAL BOARD HAS JURISDICTION OVER THE FIPG POLICIES, BALL STATE UNIVERSITY GREEK LIFE RISK MANAGEMENT POLICY, THE PHC CONSTITUTION, BYLAWS, STANDING RULES AND RECRUITMENT RULES. PLEASE REFER TO THE GREEK LIFE WEBSITE FOR THE MOST UP TO DATE VERSIONS OF EACH OF THESE DOCUMENTS.

