

2005 Panhellenic Association Judicial Policy and Review Board

Purpose:

The Panhellenic Association Judicial Board should work in conjunction with the Panhellenic Association Executive Board, Cabinet, and Legislative Body in an effort to provide for the general welfare, and social, scholastic, and recreational activities of the members of the Sororities at the University, and to instill in them the highest regard for the traditions and institutions of the University of Maryland.

The duty of the Judicial Board is to hear any and all violations of: PHA bylaws or constitution, general University rules or regulations, and all items listed in this policy. The Judicial Board's duty is also to maintain the Panhellenic Association as a self regulating organization by ensuring the enforcement of all policy. The PHA recognizes that acts of a single chapter can both positively and negatively effect the community as a whole.

The Review Board is to serve as a yearly assessment of the chapters of the PHA. It serves the purpose of keeping accurate records for up to five years, whereas only the past two can be used either for or against the chapter. It is mandatory for all chapters to attend their annual Review Board meeting.

Judicial Board:

Members of the Board

The Vice President of Judicial Affairs shall serve as the presiding officer of all Judicial Board hearings. She shall not have a vote, but rather be responsible for maintaining proper parliamentary procedures and order. The responsibilities include:

1. To brief the judicial board before a hearing so that areas of questioning may be developed.
2. To explain the guidelines and operational procedures to the board and ensuring that the procedures are being followed
3. To monitor appropriations of questions asked by the board and/pr participants.
4. To discuss with the board the facts of the case after having allowed ample time for individual deliberation and input – this will include findings, possible actions, and appropriate disciplinary sanctions.
5. To deliver a decision that will include:
 - A. An explanation of the decision reached by the board
 - B. An explanation of all sanctions available to the board, and
 - C. An explanation of the appeals process
6. To prepare a written opinion within one week of the conference for the PHA executive board as well as involved persons/organizations.

Members of the Social Judicial Board will serve as members of the PHAJB. In the case that a hearing is called, one of the three panels will be selected to hear the case. The chapter with charges brought against them may not serve on their own panel.

Reasons for a Conference

All violations of policy should first be brought forth to the PHA executive board. All appeals to any conference should be in written form and the executive board will elect whether or not to send the chapter to a hearing.

The duty of the Judicial Board is to hear any and all violations including but not limited to:

1. Violations of PHA Bylaws or Constitution
2. Violation of general University rules or regulations
3. Conduct Unbecoming of a Chapter
4. Recruitment Infractions (See Recruitment Policy and Bid Night Policy)
 - Alcohol at a recruitment event
 - Alcohol at bid night
 - Illegal bids – Bids to a student with under 12 credits and/or a 2.5 GPA
 - Use of fraternities as a recruitment tool
5. Community Impact Forms

Prior to a Hearing

The VP Judicial Affairs will receive a written complaint:

1. Contact the president and present the complaint and any additional paperwork
2. Place a copy of complaint, board comments, and board decision in chapter file.
3. Notify the Board that will be serving on the hearing
4. The chapter must be notified within 24 hours prior to the hearing. Hearings will be held at the same time every week, at a time announced and place announced at the beginning of the semester.

Judicial Board Conference/ Hearing

Note: Those sitting on the review board should arrive 30 minutes ahead of the scheduled conference time in order to prepare.

Pre-Conference Review

1. Time sequence of the alleged event/incident(s) is determined.
2. Main areas which need to be questioned are established.
3. Board members shall inform the presiding officer if acquainted with any involved party or is familiar with the facts of the events/incident(s).
4. Seating is arranged to accommodate all participants.

Conference Procedures

1. All respondent and complainant parties are invited into the room.
2. Panel members are introduced; representatives of both the respondent and complainant parties are also introduced. Witnesses are introduced with their relevance to the incident.
3. PHAJP philosophy and purpose are explained as well as the intent of the disciplinary conference.
4. The presiding officer reads the alleged violations and letter of complaint (if available).
5. All parties are then asked to leave the room.

Role of Community Advocate

1. A Community Advocate will be chosen from the members of the Judicial Board. She will be a member not serving on the panel hearing the case.
2. She will facilitate questioning to the chapter and ask questions on behalf of the complaining party.
3. The Community Advocate will make opening and closing statements on behalf of the complaining party.

Discussion and Questioning

1. Both parties will make opening statements
2. Complainant representatives make a narrative statement or the Community Advocate will ask questions of the complainant.
2. The board asks questions in the areas determined by the pre-conference.
4. The respondent makes a narrative statement.
5. The board asks questions.
6. The respondent has opportunity to ask complainant questions
7. Complainant is excused from the room as soon as all questions are exhausted by both the Board and the respondent.
8. The Community Advocate asks questions of the respondent. The board is also given an opportunity to ask questions at this time.
9. Both parties make closing statements

*PHA Vice-President Judicial Affairs reserves the right to recall a witness at any time during the conference.

Deliberation

1. Presentation of decision of board by the presiding officer to parties involved
2. Sanctions are determined if necessary by the PHAJB.
3. The appeals process is explained by the presiding officer.

Guidelines and Procedures for the PHA Presiding Officer

1. The board members are briefed about the event/incident.
2. Areas of questioning are developed.
3. Check for affiliation or known facts of the case with board members.
4. Invite all participants to be involved in the conference in the room.
5. Introduce members of the board to all participants:

“My name is _____ and I will be the presiding officer in today’s proceedings. Before we begin, I would like the board members to state

their names.... Now the complainant and his/her witnesses.... Now the respondent and his/her witnesses....”

6. State that the conference is an informal proceeding, not comparable to a criminal trial:

“Today’s judicial board conference has been convened to consider the case of _____. This is an informal proceeding, not comparable to a criminal trial. The board’s objective is to determine the facts of the case, to make a determination regarding the responsibility for violation of PHA policy, and to recommend appropriate sanctions , if necessary. All participants are encouraged to treat each other with respect and courtesy.”

7. Read charges and letter of complainant (if available). A response is then requested for each violation.

8. If responsible or “guilty,” proceedings will continue to determine the events of the incident.

9. Read honesty statement (optional).

10. Ask both parties if their are any procedural questions to be resolved before the conference begins. Refer to the 11 steps outlined in the “Discussion and Questioning” section.

11. The board adjourns for deliberation considering only the evidence that has been presented.

12. Collect adjudication reports from board members.

PHAJB Case Adjudication Report

Items marked are for evidence:

<u>Complainant</u>	<u>Respondent</u>
1. _____	1. _____
2. _____	2. _____
3. _____	3. _____
4. _____	4. _____

Complainant(s): _____

Respondent(s): _____

Conference Date: _____ Time: _____

A. Charges	Response			
Decision				
1. _____	R	NR	R	NR
2. _____	R	NR	R	NR
3. _____	R	NR	R	NR
4. _____	R	NR	R	NR
5. _____	R	NR	R	NR
6. _____	R	NR	R	NR

Recommendations (majority vote of board)

Social Probation _____

Suspension of Privileges _____
period _____

Monetary Fine _____
Amount _____

Community Service _____
period _____

Other Sanctions/Restrictions _____

Presiding Officer: _____

Name of Board Members:

Counting Vote:

Dissenting Views (attached)

Recruitment Infraction

Recruitment violations will be divided into two categories, Minor and Major infractions. The PHA Judicial Board will handle all recruitment violations and determine sanctions and punishments.

Minor recruitment infractions will be determined by the PHA Judicial Board and may incur a monetary fine and/or other appropriate punishment based on the infraction. Major rush infractions will be determined by the PHA Judicial Board and may incur a monetary fine and/ or other appropriate punishment based on the infraction.

Major Recruitment infractions include, but are not limited to:

- Alcohol at a recruitment event
- Alcohol at bid day celebration/ event
- Illegal bids – Bids to a women with under 12 credits and/or a 2.5 GPA
- Use of fraternities/ men as a recruitment tool

Academic Probation

1) CATEGORY 2: chapters that are below all women's for the second semester or more in a row BUT they have improved their GPA by the required .1 or more. President and scholarship chair will meet with a staff member in OFSL, their chapter advisor, and their faculty advisor to discuss "academic strategy"

2) CATEGORY 3: chapters that are below all women's for 2nd semester or more in a row AND haven't increased by required .1. Will follow same meeting and planning as above, and will also be placed on probation for one semester. This includes, but is not limited to, having no organized social activities including Homecoming or Greek Week related events, no participation in University-recognized step shows, and restrictions will also be place don all non-Vision programming. Chapters can be removed from probation after 4 weeks is the OFSL staff and Vision Standards Review Committee deems it appropriate.

3) CATEGORY 4: chapters that have demonstrated little or no effort to improve their GPA for the second or third consecutive year. Same as above, but must “show cause” in order to be removed from probation status and to prevent from being kicked off.

COMMUNITY IMPACT FORM

Date: _____

Chapter: _____

Is this a:

_____ Positive Reference

_____ Negative Reference

Please explain the nature of the events to be documented:

Name of Person Filling out Impact Form: _____ Phone Number: _____

**** Please include a name to help the Panhellenic Association Continue Judicial Proceedings accurately. If you choose to have your identity kept confidential include a reason on the back of this form.****

**** Please drop off Community Impact Form at the either the Office of Fraternity and Sorority Life or the Panhellenic Association office both in the University of Maryland Stamp Student Union****

For Internal Use Only

Date received by OFSL/PHA VP Judicial Affairs: _____

Who received copies of this form?:

Chapter President Fraternity National Office OCP PHA Records JPO

Appeals

Appeals must be made in writing within 72 hours of the sanction notification and turned into the VP Judicial Affairs. The Appeal will be heard by a different board

Appeals may only be made on the grounds of:

1. Unfair or unproportional punishment
2. Misinterpretation of regulations or guidelines
3. New and significant evidence

All decisions of the appellate board are final.

Review Committee

Members

The committee should be head by the VP Judicial Affairs of the Panhellenic Association.

Every panel should include 8 presidents, and each president is required to sit in on a full day of reviews (1/3 of Chapters/Colonies).

A president may not sit on the panel the same day his chapter is brought forth.

Scheduling

The committee shall meet for three consecutive days in either the first or second week of May depending on Greek Week, Rededication, OCP Awards, and Finals.

Pre-Conference

The chapter president should come prepared with the following:

1. Outline of Vision for the year
2. Outline of Community Involvement
3. Chapter Improvements over the past school year
4. Campus Involvement by chapter members
5. Grade Point Average
6. PHA Advisor Leadership Evaluation
7. Response to any negative Community Impact Forms
8. Any National, University, or PHA Awards Applications (optional)

The Vice President of Internal Affairs should come prepared with the following:

1. File on past two years of chapter
2. Community Impact Forms
3. Judicial Board Findings
4. Social Judicial Board Findings
5. PHA Financial Status
6. Athletic Forfeits
7. PHA Advisor Leadership Evaluation
8. Attendance at PHA Events (compiled by VP of Administrative Affairs)

Conference

The chapter may come with the President and two more representatives (undergraduate or alumni).

The chapter can come in and quickly overview file presented by VP Judicial Affiars.

The chapter has up to a maximum of 10 minutes to present any information they brought.

Post-Conference

The board will discuss the chapter for no more than 3 minutes. Individually, the panelists will complete the Review Committee Survey. The VP Judicial Affairs will compile and calculate an All-Fraternity Average and individual chapter average.

All National Offices should receive an annual report on the chapter.

The top 3 chapters who score the highest average score will be given \$500 to hold an educational event during the next school year.

The lowest 3 chapters will be responsible for matching up with one of the chapters in the top 10 (overall average score) and plan a joint program in a problem area.

Rewards and consequences shall be reevaluated after the committee meetings each year.

Review Committee Evaluation Sheet Chapter: _____ Year: _____
Please circle the appropriate rating with 1 being the lowest and 7 being the highest (best score)

VISION COMPLETION

1 2 3 4 5 6 7

COMMUNITY INVOLVEMENT

1 2 3 4 5 6 7

CHAPTER IMPROVEMENTS

1 2 3 4 5 6 7

CAMPUS INVOLVEMENT

1 2 3 4 5 6 7

ATHLETICS INVOLVEMENT

1 2 3 4 5 6 7

GRADE POINT AVERAGE

1 2 3 4 5 6 7

PHA ADVISOR LEADERSHIP EVALUATION

1 2 3 4 5 6 7

COMMUNITY IMPACT FORMS

1 2 3 4 5 6 7

PHA JUDICIAL BOARD FINDINGS

1 2 3 4 5 6 7

PHA SOCIAL JUDICIAL BOARD FINDINGS

1 2 3 4 5 6 7

PHA FINANACIAL STATUS

1 2 3 4 5 6 7

PHA INVOLVEMENT

1 2 3 4 5 6 7

Please provide additional information below:

Average Score:

PHA Advisor Chapter Leadership Survey

Provide Advisor with two copies

Chapter: _____

Year: _____

Did you believe the chapter met its goals this year? Why or why not?

How would you describe the morale of the chapter?

What was the biggest challenge of the chapter? How did they handle it?

What was the biggest success of the chapter?

How would you rate the leadership of the chapter? (1 – lowest 5 – highest)

1 2 3 4 5

Chapter President

PHA Advisor

**** Please give one copy back to the chapter president and one copy to the PHA VP of Judicial Affairs****