

## **Linfield College Greek Judicial Board Constitution and Procedures**

### **Goals:**

The Greek Judicial Board was established to protect the rights of chapters and individuals as well as to promote responsible self-governance of the Greek System at Linfield College. The Board will hear complaints filed against Greek chapters, or individual Greek members, if so empowered by the Director of the office of Residence Life, and or the Dean of Students. The Board will issue appropriate sanctions to the accused party(ies) as it deems fit.

All matters will be handled in a fair, objective, consistent, and orderly manner. All parties have the following rights before the Greek Judicial Board:

- 1) The right to a expeditious hearing.
- 2) The right to be heard before an impartial committee made up of fellow students.
- 3) The right to reasonable and complete notice.
- 4) The right to examine all evidence and hear all testimony presented.
- 5) The right to have a Chapter Advisor present.
- 6) The right to present a defense.
- 7) The right to a decision based solely on the facts presented and supported by evidence.
- 8) The right to receive timely and written notification of the results of any hearing.
- 9) The right to appeal a decision found by the Greek Judicial Board.

The Board will recognize the right and responsibilities of the Greek chapters as well as individual Greek members. Abuses or neglect of any of these rights by the Greek Judicial Board constitutes a mistrial.

### **Structure:**

The Greek Judicial Board will be made up of three Executive Board Officers.

The Executive Council will consist of:

- **President** - The President will sit as chairperson of the Board and hear the cases. They will also represent and uphold the standards of the Greek Judicial Board. The President will be elected by the IFC or Panhellenic representatives. In the event of a hung court, the president will vote.
- **Vice President** - The Vice-President will be in charge of the Constitution and Procedures of the Greek Judicial Board. The vice-president will be elected by the IFC or Panhellenic representatives. In the event of a hung court and the

President being from the same organization as the accused, the vice-president will vote.

- **Secretary** - The Secretary is in charge of all the records and hearings of the Greek Judicial Board, as well as notices to individuals and chapters. The secretary will apply to and be selected by the President and Vice-President, in the event of a tie, the candidate will be selected by the Greek Advisor.

**\* In the event that there are not enough applications, the President and Vice President positions will come from the Executive Boards of Panhellenic and IFC. The Vice President of IFC will serve as a Greek Judicial Board Executive Board officer and the President of Panhellenic will serve as the other Greek Judicial Executive Board officer. The secretary will be on a rotating basis and chosen before each hearing.**

(A)

- 1.) Through an application process, the Interfraternity Council and Panhellenic Executive Boards will select the President and Vice-President. The president and Vice-President positions will be on a rotating basis between Panhellenic one year and IFC the next. This will allow for equal representation for all groups. The Panhellenic representatives will select a female for the executive position as the Fraternity representatives will select a male for the executive position.
- 2.) The term of office shall follow the Academic Calendar.
- 3.) The application process will occur during the middle of April to allow enough time for accurate training and proper transition. However, the new Board will not take effect until the start of the new academic school year.

(B)

- 1.) Representatives will be selected through an application process by the Greek Judicial Board Executive Council.
- 2.) The term of office shall follow the Academic Calendar.

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3.) The application process will occur during the middle of April to allow enough time for accurate training and proper transition. However, the new Board will not take effect until the start of the new academic school year.

(C)

The joint IFC/Panhellenic Rules and Regulations must be distributed to every Greek member and Pledge at the beginning of the academic year. If a person joins during the middle of the year, or at semester, they must be given a copy of the joint IFC/Panhellenic Rules and Regulations at that time.

(E)

It is the responsibility of each chapter president to ensure that every member and pledge of his/her chapter has a current copy of the rules and regulations.

All matters pertaining to Recruitment will be left to the groups appropriate council (IFC or Panhellenic). However, if the incident involves members from both councils, the incident would be heard before the Greek Judicial Board.

#### **Complaint Procedures:**

(1)

Complaints against a Greek member or a chapter may be made by any member of the **Linfield** Community.

(2)

All complaints must be written and submitted to the President of the Greek Judicial Board and to the Greek Advisor no later than five class days after the alleged violation.

(3)

The Board must act upon the complaint by holding a hearing within seven class days of the filing of the written complaint.

(a) The Greek Judicial Board President and Vice-President must schedule a hearing.

- (b) Those persons involved in the complaint, must be notified of the scheduled hearing within twenty-four (24) hours after the time it is scheduled.
- (c) In effect, all parties will be notified of the scheduled hearing no later than forty-eight (48) hours after the written complaint is filed.
- (d) In the event that an involved party can not be present, they must provide a written statement for the hearing or face a \$50 fine per missed appearance.
- (e) If a member of the Board is to be called as a witness, that member and the President of the Board must be notified in writing seventy-two (72) hours prior to the hearing. The member will be replaced on the Board for the length of the hearing by their proxy.

**Hearings:**

All hearings will be recorded and, unless otherwise determined, shall be closed to the public. Only those directly involved may attend. Witnesses will be called in one-at-a-time and must stay for the duration of the hearing.

**Hearing Procedures:**

1)The President will explain the process, and ask the accused group(s) and or student(s) if they have any questions about the process.

2)The President will then start the hearing by stating the charges and will read the violation report form.

3)Any member of the Judicial Board may ask questions at any given time that are relevant to the issue at hand.

4)The accuser will have ten (10) minutes to present information about the incident and any witnesses will have five (5) minutes to present their testimony.

5)The group(s) and or student(s) being accused will then have the opportunity to present information and witnesses in their defense -- within the same time limitations as the accuser.

- 6) When both sides have presented all their information, the Board has a final opportunity to ask questions of anyone involved in the alleged incident.
- 7) After the Board asks their questions, there will be a ten (10) minute recess for each side to prepare their final statement. The final statement is to be no longer than five (5) minutes in length and it may not introduce any new information. The accuser will make the final statement first followed by the accused.
- 8) When all of the information has been presented, the accuser, the accused, and their parties will leave the room and the Board will render a decision. (Only the Board members and the Greek Advisor may be present during the deliberations.)
- 9) A simple majority vote of the Board will decide an issue before the Board. In the case of a tie, the President must vote and break the tie.
- 10) If a violation of College or of joint IFC/Panhellenic Rules and Regulations is found, the Board will render a decision on an appropriate sanction. The Board's decision on sanctions requires simple majority.
- 11) The President will then discuss the sanction(s) with the group(s) and or student(s), and a follow-up letter will be sent within twenty-four (24) hours to confirm the decision.
- 12) The process for appeal will be explained in writing and the group(s) and or student(s) will be asked if there are any questions about the process.
- 13) Responsibility for this Board lies with the Director of Housing and Dean of Students. The Dean reserves the right to overrule or amend decisions of the Board, and in extreme circumstances, remove the case from the Board.

**Deliberation:**

The board will only discuss evidence that is presented during the hearing and will decide by the pro-ponderance of evidence to determine innocence or guilt.

- 1) The Board has the power to issue appropriate sanctions. The following guidelines will be strongly considered when deciding upon sanctions:
  - a) Past violations
  - b) Past precedents set by the Office of Residence Life and the Greek Judicial Board.

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2) Sanctions could include:

A) **Warnings:** The student and or chapter is given written notice, which becomes part of the College record. Future violations of the Standards of Conduct/Joint IFC-Panhellenic Rules and Regulations may result in the imposition of more serious sanctions.

B) **Community Service:** The student and or chapter is required to render a designated number of hours of labor in the service of the academic or off-campus community. (In addition to regularly scheduled philanthropic programs.)

C) **Educational Programs:** The student and or chapter is to sponsor or attend a professional educational program. (Beyond regularly scheduled educational programs.) Or it may include a training program for current members.

D) **Probation:** The student's and or chapter's participation in the College Life is suspended. (i.e., parties, serenades, IM's, Greek Week, Homecoming.)

E) **Restitution:** The student and or chapter is required to reimburse for personal injury costs or replace or restore damaged, stolen, or misappropriated property.

F) **Fine:** The student and or chapter is required to pay a designated amount of money (not to exceed punitive damage incurred).

**Appeal Process:**

As stated in the Linfield Standards of Conduct, the party has the right to appeal the decision of the Board to the Dean of Students. The intent to appeal must be in writing and submitted to the Dean of Students and the President of the Board within twenty-four (24) hours upon receiving the follow-up letter.

**Amendments:**

Any proposed change(s) must be submitted in writing to the Vice-President of the Greek Judicial Board. The Vice-President will then disseminate the proposed change(s) to the respective councils and the Greek Advisor for deliberation and action. All amendments to the operating procedures of the Greek Judicial Board must be ratified and passed by IFC and the Panhellenic Council according to their by-laws. Changes

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**will take effect upon ratification by both councils and the final approval by the Dean of Students.**

## Initial Greek Violation Report Form

To be filled out and submitted to the Greek Judicial Board President and Greek Advisor within 5 class days after the alleged violation.

Today's Date \_\_\_\_\_

Violation reported by:

\_\_\_\_ chapter      \_\_\_\_ individual

Against: \_\_\_\_\_

Name of Greek Organization(s) and or Individual(s)

For having violated:

\_\_\_\_\_

specify rule, policy, etc.

### STATEMENT OF ALLEGED INCIDENT

*Please clearly answer the following questions regarding the incident. (Use the back of this form or a separate piece of paper if necessary.)*

Date of the Incident \_\_\_\_\_ Time of the incident \_\_\_\_\_

Location: \_\_\_\_\_

Names of person(s) reporting the incident: \_\_\_\_\_

Who witnessed the incident? \_\_\_\_\_

**Briefly describe the incident. Include relevant times, locations and the names of persons involved.**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Names and affiliation of cited individuals and chapters reporting the incident: \_\_\_\_

\_\_\_\_\_

Signed by:

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To be completed by the Greek  
Judicial Board/Greek Advisor

Submitted: -----

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name - position

Date\_\_\_\_\_ Name \_\_\_\_\_ Title \_\_\_\_\_  
Time\_\_\_\_\_ Notification sent to: \_\_\_\_\_  
\_\_\_\_\_ (cited chapter president)