Adrian College Greek Judicial Affairs Board Constitution

Article I – Name
The name of this organization shall be the Adrian College Greek Judicial Affairs Board.

Article II – Object
The purpose of the Adrian College Greek Judicial Affairs Board shall be to:
A. To mediate and resolve conflicts within the Greek system.
B. To mediate or adjudicate violations of Adrian College Panhellenic Council (ACPC) and Interfraternity Council (IFC) rules and the Student Code of Conduct violations referred by the Vice President and Dean of Student Affairs.
C. Provide mediation to help communication within the Greek system.
D. Recommend sanctions when the accused have been determined responsible.

Article III – Organization
The Adrian College Greek Judicial Affairs Board shall be composed of:
A. One President from ACPC and one from IFC.
B. One Vice President of the Judicial Affairs from ACPC and one from IFC.
C. One Delegate from each chapter, who is not the President, to serve as a delegate representing their chapter on the board.
D. One Alternate Delegate from each chapter, who is not the President, to serve if the presiding delegate is unavailable.

Article IV – Membership Requirements
A. All Adrian College Greek Judicial Affairs Board members shall:
   a. Be an active member for at least one full year.
   b. Shall have at least a cumulative GPA of 2.5.
   c. May not be President or Standards/Personnel Chairmen within a chapter, a member of the Residence Life Staff, or a Public Relations Chairmen.
   d. Are expected to remain in their positions for the duration of their term.
   e. Will serve a term length of one year concurrent with their term of service of their respective organization.
B. Delegates  
   a. In addition to the above guidelines, these members may not sit on the ACPC or IFC Executive Board.

**Article V – Selection Process**

A. Vice President of Judicial Affairs and President of ACPC and IFC  
   a. The Vice President positions shall be appointed by the ACPC and IFC in accordance with the procedures determined by those organizations.

B. Delegates and Alternates  
   a. Will be nominated by their individual chapters.  
      i. The VP of Judicial Affairs from ACPC and IFC must approve nominations.  
      ii. Nominations may be refused and the VPs may request new ones.

**Article VI – Jurisdiction**

The jurisdiction of the Adrian College Greek Judicial Affairs Board shall be limited to conflicts between the following parties that occur on college property or at events sponsored by the College, an individual Greek organization, ACPC, or IFC:

A. Greek member in conflict with another Greek member  
   a. In different chapters  
      i. The Greek member in conflict will report the incident to the VP of Judicial Affairs.  
   b. In the same chapters  
      i. The Greek member in conflict will report the incident to their Standards/Personnel Chairmen.  
      ii. After some mediation has been tried within the chapter and problems still continue, or an agreement cannot be made, the Standards/Personnel Chairmen shall bring the situation to the VP of Judicial Affairs attention.

B. Greek member in conflict with the College/ACPC/IFC  
   a. Greek member will report the incident to the VP of Judicial Affairs.

C. Greek member in conflict with a Chapter  
   a. The Greek member will report the incident to the VP of Judicial Affairs.
D. Chapter in conflict with Chapter
   a. The President and Standards/Personnel Chairmen of the chapter or
      chapters in conflict will report the incident to the VP of Judicial Affairs.
E. Chapter in conflict with College/ACPC/IFC
   a. The Chapter’s President and Standards/Personnel Chairmen will report the
      incident to the VP of Judicial Affairs.
F. Chapter in conflict with Greek member
   a. In a different Chapter:
      i. The Chapter’s President and Standards/Personnel Chairmen will
         report the incident to the VP of Judicial Affairs.
   b. In the same Chapter:
      i. The Chapter’s President and Standards/Personnel Chairmen will
         report the incident to the VP of Judicial Affairs when:
         1. The guidelines of the sanctions after mediation are not
            being followed
         2. They are not sure what the appropriate sanctions would be
            for the situation in question.
G. College/ACPC/IFC in conflict with Greek member
   a. Reports will be filled out and given to the VP of Judicial Affairs.
H. College/ACPC/IFC in conflict with Chapter
   a. Reports will be filled out and given to the VP of Judicial Affairs.

**Article VII – Ethical Standards**

These ethical standards have been established to protect the privacy of the Greek
member(s) and/or Chapter(s) involved in a hearing. It is the responsibility of each VP of
Judicial Affairs, President, Delegate, and Alternate to observe the following ethical
standards.

A. Information regarding a Greek member is not to be disclosed or discussed outside
   of the hearing.

B. The actions or words of a Greek member during the hearing or mediation are not
   to be disclosed or discussed outside the hearing.
C. All information given during a hearing or mediation will be taken in confidence and will not be discussed outside of meeting.

D. When talking with the parties involved, Adrian College Greek Judicial Affairs Board members should refrain from making accusations or statements, of any kind, which cannot be supported.

E. A Greek Judicial Affairs Board member who feels that they are unable to be fair or impartial in the matter at hand may be excused from the hearing, mediation, or deliberation.
   a. A statement as to why they cannot be impartial must be filed with the presiding VP of Judicial Affairs over the incident within 24 hours of a member being excused from the proceedings.
   b. If a delegate is excused, the alternate may take their place. If the alternate is unable to take their place, the seat will remain empty.

F. When a vote is taken, the individual vote of each Adrian College Greek Judicial Affairs Board member is confidential.

G. If the Adrian College Greek Judicial Affairs Board hearing was called after an incident, that was not violating the Student Code of Conduct but violating the ACPC or IFC Code of Conduct, the vote of Responsible or Not responsible will be announced to the board members and the accused party. The final ruling will be approached with the full support of the board, despite personal opinions.

**Article VIII – Amendments and Additions**

This constitution and bylaws may be amended, or additions made thereto, at any meeting of ACPC and IFC by a two-thirds vote of the entire voting membership of both councils, provided that the proposed amendments were presented in writing in the previous meeting and read aloud. As the Adrian College Greek Judicial Affairs Board is given its authority by the Adrian College Student Code of Conduct, the Vice President and the Dean of Student Affairs must also approve amendments.

**Article IX – Ratification**

This constitution and bylaws shall be in effect immediately upon ratification of a two-thirds vote of the total voting membership of ACPC and IFC.
Adrian College Greek Judicial Affairs Board Bylaws

Article I – Rights of the Accused

In any judicial proceeding before the Greek Judicial Affairs Board, the accused shall have the following rights:

A. The right to be presumed not responsible unless otherwise decided by the Adrian College Greek Judicial Affairs Board.
B. The right to one advocate, who may be a student or a member of the Adrian College faculty or staff. However, the advocate may not speak directly to the board and cannot be a practicing lawyer or attorney.
C. The right to question all complainants and witnesses present at the hearing, as well as the right to present witnesses on their own behalf.
D. The right to testify on their own behalf. However, the choice to not make a statement will hold no weight on the decision.
E. The right to make the final statement in the proceeding
F. The right to an expeditious hearing of the allegation, normally within fifteen school days of its filing with the VPs of Judicial Affairs, and within calendar constraints.
G. The right to appeal the decision of the Adrian College Greek Judicial Affairs board to the Vice President and the Dean for Student Affairs within five school days of notification of the sanction. Grounds for the appeal should be as described in the Adrian College Student Code of Conduct.

Article II – Procedures

Section I – Filing an Allegation

A. Any Greek member, Chapter, ACPC, IFC, or Adrian College may initiate allegation of wrong doing by contacting a Vice President of Judicial Affairs, the Greek Life Coordinator, or the Associate Dean of Student Affairs.
B. The complainant(s) must file allegations no later than ten school days after said incident. The charge must be typed and submitted on an Adrian College Incident Report and signed by the complainant(s) or the appointed representative of the complaining group.
Section II – Processing an Allegation

A. Upon receiving the allegation, the VPs of Judicial Affairs will determine whether the alleged violation should be filed against a Greek member, Chapter(s), ACPC, or IFC. If the allegation is referred from the Adrian College Greek Judicial Affairs Board for an individual, the VPs of Judicial Affairs will determine whether an additional charge should be placed on the Chapter(s), ACPC, or IFC.

   a. If the issue is determined to be an individual matter, the individual shall be notified of the complaint by the VPs of Judicial Affairs and offered the opportunity to present the case before an administrative hearing officer or the Adrian College Greek Judicial Affairs Board.

   b. If the situation is determined to be a Chapter matter, it will automatically be referred to the Adrian College Greek Judicial Affairs Board.

B. Once the case is referred the Adrian College Greek Judicial Affairs Board, the VPs of Judicial Affairs will determine the appropriate course of action, under the guidance of the Greek Life Coordinator. This is including but not limited to:

   a. Dismissing the case with a recommendation to the Adrian College Judicial Board of Not Responsible.

   b. Referring the allegation to mediation.

   c. Referring the allegation directly to a hearing.

Section III – Mediation

A. The first step of the judicial proceedings shall be mediation.

B. The VPs of Judicial Affairs shall set the date, time, and location for a mediation conference, and notify all parties of the mediation time, location, and purpose within three days of that determining mediation taking place.

C. Either the complainant(s) or the accused may waive the mediation conference no later than 24 hours before the mediation or hearing. The VPs of Judicial Affairs reserve the right to waive mediation between the two parties if they believe that mediation will not lead to a successful resolution of the conflict. If the mediation conference is waived, the case may go directly to the Adrian College Greek Judicial Affairs Board.

D. The Mediation will be held as such:
a. The VPs of Judicial Affairs will facilitate the discussion, clarifying why the mediation is taking place and to what goal the mediation is being held. They will ask questions to gain mutual understanding of the situation and they will lead those in conflict to a possible agreement.

b. If an agreement is reached, both parties and both VPs will sign a written statement outlining the details of the resolution. A copy of the resolution will be kept by the Adrian College Greek Judicial Affairs Board and copies will be given to both parties. Failure for either party to keep to the resolution will result in a hearing of the Adrian College Greek Judicial Affairs Board.

c. If an agreement cannot be reached, a hearing shall be held with the Adrian College Greek Judicial Affairs Board.

Section IV – Pre-Hearing Procedures

A. Within three school days of receiving the allegation, the VPs of Judicial Affairs will inform the accused party, explaining the process and the party’s rights within that process. This will include the date, time, and location of the hearing and the procedures for witnesses and statements.

B. The VPs of Judicial Affairs shall notify all Adrian College Greek Judicial Affairs Board delegates of the date, time, and location of the hearing.

C. VPs of Judicial Affairs shall notify the complainant(s) of the date, time, and location of the hearing as well as procedures for witnesses and statements.

D. The accused and complaints(s) shall notify their own witnesses and/or advisor of the time and place of the hearing. They shall also provide the VPs of Judicial Affairs with a typed witness list 24 hours prior to the hearing.

E. All parties involved are not to take action of any sort that might influence the outcome of the hearing.

F. VPs of Judicial Affairs shall send written notification concerning the hearing to the Vice President and the Dean of Student Affairs, the Associate Dean for Student Affairs, and the Greek Coordinator. The VPs of Judicial Affairs shall ask one of the before-mentioned administrative staff members to attend the hearing and serve as an Advisor to the Adrian College Greek Judicial Affairs Board.
Section V – Hearing Procedures

A. The hearing will be closed to all those not directly involved with the hearing. Those in attendance will be:
   a. ACPC and IFC VPs of Judicial Affairs.
   b. Delegates from each chapter as outlined in the constitution.
   c. The President of both ACPC and IFC.
   d. The Greek Coordinator, who will have no influence on any parties except in an advisory role.
   e. Accused, complainants, and advocates. If the matter is a Chapter matter, the Chapter will be represented by its President.
   f. Witnesses may be in attendance during the following procedures: the reading of the charges, response, and their own testimony. However, witnesses may not be present during testimonies presented by other witnesses.

B. At the discretion of the VPs of Judicial Affairs, the hearing may be held regardless of whether the accused or the representatives of the accused are present.

C. The burden of establishing responsibility rests with those bringing the allegation. Therefore, if the complainant(s) is not present, the case will be dismissed unless extenuating circumstances can be established.

D. The presiding VP of Judicial Affairs will be the VP of the opposite sex than the accused.

E. In a Chapter matter, neither the accused nor the accusing chapter delegates will serve on the board.

F. Except as noted above, the Adrian College Greek Judicial Affairs Board will conduct its hearings in accordance with the guidelines established by the Adrian College Student Code of Conduct.

Section VI – Deliberation

A. After hearing all testimonies, the Adrian College Greek Judicial Affairs Board shall deliberate, in private, the facts of the case without regard to any other
information or matters not presented during the hearing. The Greek Coordinator will be present during deliberation.

B. A finding of responsible or not responsible will be taken by a private vote. The power of one vote will be given to each delegate and the ACPC and IFC Presidents. The VPs of Judicial Affairs and the Greek Coordinator will not have the power to vote. The presiding VP of Judicial Affairs shall collect and tally the votes, with the help of the other VP of Judicial Affairs. A simple majority will make the decision of responsible or not responsible.

C. In the case of a tie of a tie vote, the presiding VP of Judicial Affairs will make the decision.

Section VII – Sanctioning

A. The VPs of Judicial Affairs of the Adrian College Greek Judicial Affairs Board may impose, and are not limited to, one or more of the following sanctions as a result of a finding responsible:
   a. Formal Warning: A formal written warning that the Member or Chapter is violating or has violated ACPC, IFC, or College regulations.
   b. Disciplinary Probation: A temporary suspension of a Member's or Chapter’s good standing with the College. Disciplinary probation is for a designated period of time and includes the probability of more severe disciplinary sanctions if the Member or Chapter is found responsible for another violation while on this status.
   c. Loss of Privileges: The Member or Chapter may be subject to any or all of the following for specified period of time:
      i. May not schedule or hold any social functions.
      ii. May not participate in ACPC or IFC sponsored functions including recruitment, dependent upon the significance of the action in question.
      iii. May not participate in any ACPC or IFC sponsored function except recruitment, dependent upon the significance of the action in question.
iv. Any other conditions or sanctions deemed appropriate by the VPs of Judicial Affairs. These may not include a revocation of a Member’s chapter membership or a pulled charter of a Chapter.

d. Any community or campus service project deemed appropriate.

e. Restitutions, specified by the VPs of Judicial Affairs.

B. Approved sanctions shall be supported by ACPC and IFC.

C. When the matter is not referred from the College, the Greek Coordinator must approve all sanctions. If the matter is referred to by the College, the Vice President and Dean of Student Affairs must approve all sanctions.

Section VIII – Notification

A. Oral Notification of Decision

a. Immediately after the deliberation, the board will notify the accused and complainant(s) of the decision.

B. Written Notification of Decision and Sanction

a. The following people will be notified of the decision and sanctions in writing within three school days of the hearing:

   i. Accused
   ii. Complainant(s)
   iii. Greek Coordinator
   iv. Vice President and Dean of Student Affairs
   v. Associate Dean of Student Affairs

b. If a Chapter is involved, the before-mentioned letter will be sent to the appropriate Chapter President within three school days of the hearing.

c. National affiliations will be informed at the discretion of the VPs of Judicial Affairs.

Section IX – Enforcement

A. VPs of Judicial Affairs are responsible for following up on sanctions and if necessary will involve the Greek Coordinator and/or the Associate Dean of Student Affairs.
B. If the responsible party does not comply with the conditions of the sanction in the given period of time, the VPs of Judicial Affairs has the authority to reconvene the Adrian College Greek Judicial Affairs Board to determine further action.

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