

BY-LAWS II

JUDICIAL BOARD POLICIES & PROCEDURES

I. PURPOSE

The members of the Greek Senate recognize that in order to maintain high Greek standards, sanctions may be necessary. In order to ensure procedural fairness, the following guidelines have been established for the William Paterson University Greek Senate Judicial Board.

II. VOTING MEMBERSHIP

A. Voting Members

1. The voting membership of Judicial Board shall consist of one (1) member of the NPHC, one (1) member of the UCGC, one (1) member of the IFC, one (1) member of the NPC, one (1) Member at Large or one (1) member chosen Alternate Member at Large.
2. If a Board member(s) or a Board member's organization(s) is involved in a complaint, he/she may not sit on or hold a vote in that particular hearing.
3. Voting members must send an alternate representative if he/she is unable to attend a Judicial Board hearing or meeting.
4. Neither the chairperson nor the advisor(s) are considered voting members.
5. Each voting member will have only one vote.

NOTE: Each of the council representatives are selected by their respective councils. Member at large and alternate member at large are elected based on the Executive Board election procedures.

B. Voting Quorum

Quorum will be considered met if two-thirds (2/3) of the Judicial Board members are present for the hearing.

III. JURISDICTION

A. Major Violations include but are not limited to the following:

1. Hazing
2. Campus Vandalism
3. Failure to comply with sanction(s) set forth by the Greek Senate Judicial Board
4. All other major violations listed in the University Policies & Procedures Handbook

B. Minor Violations include but are not limited to the following:

1. Attendance
2. Misc. Greek Senate Policies and/or regulation(s)

IV. DUE PROCESS

A. Charges

1. Any member of the William Paterson University community may file a complaint against a Greek lettered organization(s) or affiliated member(s) of an organization.
2. A complaint may be made:
 - a) **Formally:** The complaint must be in writing and submitted to the Greek Advisor. A formal complaint must be received no more than one (1) month after the incident in question occurs.
 - b) **Informally:** The complaint must be made orally to any Greek Senate Executive Board member or the Greek Advisor. An informal complaint must also be made no more than one (1) month after the incident in question occurs.
3. The identity of individual making the complaint will remain confidential.
 - a. The Judiciary Chair may ask the filer to be available as a witness, but will respect the response.
 - b. The filer may be questioned by the Judiciary Chair in a meeting with the Greek Advisor to gather evidence.

B. Notification

1. A letter from the Greek Senate Judiciary chair to the chapter involved will designate:
 - a) Hearing date, time and place
 - b) Potential Infraction
 - c) Attendance requirement
2. Copies will be forwarded to:
 - a) Greek Advisor
 - b) Chapter Advisor
 - c) Chapter File
3. Letters must be placed in the organization(s) mailbox at least three (3) business days prior to hearing date.
 - a) This rule may be suspended by oral agreement between the Chapter President, Greek Senate Judiciary Chair and Greek Advisor for infractions during the last month of the fall or spring semester.

C. Hearing Procedures

1. The Judiciary Chair will convene the Judicial Board by written notification:
 - a) Date, time and place of hearing at least three (3) business days prior to the hearing.
2. The Greek Advisor as well as the Judicial Board chair may call a meeting immediately with the Chapter President and/or Chapter Advisor.
 - a) The purpose is to investigate the Chapters' position and to go over the hearing process.
 - b) If the charge(s) is admitted to, the hearing is waived and sanction(s) will be imposed by the Greek Senate Judiciary Chair and the Greek Senate Advisor.
 - c) If a charge is denied, a hearing is required.
3. The Judicial Board will convene punctually as scheduled.
 - a) If a chapter representative does not appear within ten minutes of the scheduled hearing time, the hearing will commence in their absence.
4. The charged Chapter or member has the right to bring to the hearing:
 - a) an Advisor
 - b) Witness(es)
 - c) Evidence
5. The Hearing will proceed as follows:
 - a) Introduction of Judicial Board
 - b) Introduction of Defendants
 - c) Introduction of Plaintiff (*if applicable*)
 - d) Judicial Board Chairman recites complaint/ alleged infraction
 - e) Defendant will give response with statement and pleading: responsible or not responsible
 - f) Evidence will be presented by both sides, including but not limited to relevant records, documents, photo's and written statement(s)
 - g) Cross-examination of the Defendants by the Board will be limited to direct questions and answers to clarify any statement made by the defendant and/or any evidence produced.
 - h) Witness (es) will be presented one at a time and will leave after their testimony is taken and cross-examined.
 - i) Defendant may present concluding remarks.
 - j) Defendant is excused and Board goes into closed session.
 - k) The hearing will be closed to all members of the University and outside community except those directly involved with the case.
 - l) The board will determine the following:
 - a. Is the complaint valid?
 - b. Is the defendant(s) responsible?

- m) If at all possible, the Board will determine the recommended results immediately. However, a postponement for additional evidence or investigation may occur; a postponement may only be granted for up to seven (7) business days.
- n) The Boards' decision will be determined by informal discussion and finalized by majority vote (no voting Board member can abstain their vote).
- o) All closed session discussion will remain confidential.
- p) The defendant is reminded of the appeal process by the Greek Senate Advisor.
- q) The hearing is adjourned.
- r) Within in a reasonable timeframe from the hearing, written notification of the Board's findings are to be distributed to all respective parties. All judicial board decisions must be approved by the Director of Campus Activities and Student leadership prior to being distributed to the Greek chapter.

D. Decision

- 1. The result of the Judicial Board hearing is a recommendation of sanctions to the Director of Campus Activities and Student Leadership or designee.
- 2. The Director of Campus Activities and Student Leadership or designee may:
 - a. Let the decision stand
 - b. Overturn part
 - c. Overturn all
 - d. Add-on or change any part or all
- 3. The decision of the Director of Campus Activities and Student Leadership or designee is final, subject to University regulation and disciplinary procedures.

E. Letter of record from the hearing.

- 1. Submitted to Chapter will include:
 - a) Date, time and place hearing convened
 - b) Charges
 - c) Verdict
 - d) Sanctions
- 2. Copies will be forwarded to:
 - a) President of the Chapter
 - b) Greek Advisor
 - c) Chapter Advisor
 - d) Director of Campus Activities and Student Leadership
 - e) Assistant Vice President for Campus Life
 - f) National or Regional Affiliation
 - g) Greek Senate President

F. Appeal

- 1. Written statement of reason for appeal within seven (7) calendar days from receipt of the sanction letter to the Assistant Vice President of Campus Life.
 - a) The basis for an appeal are as follows:
 - 1) Procedural error
 - 2) New evidence
 - 3) Severity of sanction

G. Decision

- 4. The result of the Judicial Board hearing is a recommendation of sanctions to the Assistant Vice President for Campus Life or designee.
- 5. The Assistant Vice President or designee may:
 - a. Let the decision stand
 - b. Overturn part
 - c. Overturn all
 - d. Add-on or change any part or all

6. The decision of the Assistant Vice President or designee is final, subject to University regulation and disciplinary procedures.

H. Letter of record from the hearing.

1. Submitted to Chapter will include:

- a) Date, time and place hearing convened
- b) Charges
- c) Verdict
- d) Sanctions

2. Copies will be forwarded to:

- a) Greek Advisor
- b) Chapter Advisor
- c) Assistant Vice President for Campus Life
- d) National or Regional Affiliation
- e) Greek Senate President

I. Appeal

1. Written statement of reason for appeal within seven (7) calendar days of the final decision to the assistant Vice President of Campus Life.

- a) The basis for an appeal are as follows:
 - 4) Procedural error
 - 5) New evidence
 - 6) Severity of sanction

IV. DISCIPLINARY BODIES

Actions taken by one disciplinary body shall not prevent actions taken by other disciplinary bodies. Disciplinary bodies include but are not limited to the Greek Senate, the office of Campus Activities and Student Leadership, the Student Government Association, Residence Life, the Assistant Vice President for Campus Life, and William Paterson University Campus Police, Municipal or State Court.

V. SANCTIONING

The Judicial Board has the authority to sanction Greek lettered organization(s) and its members for major/minor violations as per Article VI of the Greek Senate Constitution or if the Greek Senate Judicial Board can establish precedence. Sanctions to be imposed by the Judicial Board may include but are not limited to the following:

A. Sanctions:

a. *Reprimand*

- i. This is a warning indicating that an organization's or member's actions were inappropriate and that subsequent violations

b. *Educational Seminars*

- i. This sanction requires that 100% of an organization to attend, sponsor, and/or present an educational program within the William Paterson University.

c. *Community Service*

- i. This sanction requires that 100% of an organization must complete a specific number of community service hours as deemed by the Judicial Board either within the university or in the outside community. Proof of completion must be submitted to the Judicial Board Chair.

d. *Activity Restriction*

- i. This sanction prohibits organizations and its members from participating in some or all Greek life and/or University events. Specifications are to be made by the Judicial Board.

e. *Disciplinary Probation*

- i. This is a warning that any further infractions or violations of any of the disciplinary bodies listed above by an organization or its members during a specific time period—which is to be specified by the Judicial

Board—may result in stricter sanctioning and/ or further disciplinary action by the Judicial Board. If it is deemed fit, an organization's National headquarters will be notified of said organization's actions.

- f. *Miscellaneous*
 - i. These may be other restrictions, requirements, or sanctions that may be imposed in addition to or in conjunction with sanctions that are listed above.

- B. An organization's history as it pertains to its William Paterson University chapter, may be considered during the Judicial Board's deliberations and their sanctioning of an organization using following timeline:
 - 1. Minor Violations:
 - a. Past sanctions for *minor* violations may be taken into consideration **only** if they occurred within the past 3 consecutive semesters including the current semester.
 - 2. Major Violations-
 - a. Past sanctions for *major* violations may be taken into consideration **only** if they occurred within the past 5 years including the current semester.