

**All Greek Judicial Board of Winthrop University**  
**By-laws**

Ratified by the Interfraternity Council – September 7, 2007  
Ratified by the National Pan-Hellenic Council – September 7, 2007  
Ratified by National Panhellenic Council – September 7, 2007  
Amended April 21, 2008  
Amended November 7, 2008

**Article I - Preamble**

The mission of the All Greek Judicial Board (hereafter the Board) is to promote a sense of community, community standards and values, civility, accountability, and the maintenance of good character. The Board supports the mission of Winthrop University.

The mission of the Board will be accomplished by educating the Greek Community, settling disputes civilly, and hearing complaints against Greek chapters.

**Article II - Authority**

The authority of the Board is delegated from the three governing councils: National Panhellenic Council, National Pan-Hellenic Council, Interfraternity Council (hereafter the Councils), and in cooperation with the Dean of Students Office. The primary responsibility of the Board will be to resolve complaints and carry out the community disciplinary responsibilities. The Board will be self-governing and will require chapters and members to be held accountable for their actions.

**Article III - Jurisdiction**

**Section 1**

The Board will have jurisdiction to resolve allegations regarding the Constitutions and By-laws of the Councils, official Council decisions, disputes referred by Council Presidents, Rock Hill and York County Regulations, and violations found in Winthrop University's Student Conduct Code.

**Section 2**

Chapters and members who commit offenses against the laws of municipalities, states, or the United States, are subject to prosecution by those authorities and may be subject to disciplinary action under University rules when their conduct violates institutional standards, as well as, the All Greek Judicial Board.

**Section 3**

The All Greek Judicial Board does not charge individual members with violations.

**Section 4**

NPC Recruitment violations will not be presented to the All Greek Judicial Board unless the violation is referred to the Judicial Board by the NPC President or NPC Advisor.

**Section 5**

The Board expects Chapters to discipline members who violate rules or standards of the respective Chapter.

**Article IV – Composition**

**Section 1 – Justices**

Three Justices will be nominated and approved at the discretion of each of the Councils. One appointment will be a two-year term (Associate Justice), while the other two will serve a one-year term (Assistant Justices). Terms will follow Winthrop University's academic year. Justices must be in good standing with their chapters and governing councils (as determined by the Chapters and

Councils), must not be on University disciplinary probation, and maintain a minimum of a 2.5 cumulative GPA and no less than a 2.25 semesterly GPA.

### **Section 2 – Vacancies**

The President and Vice President of each council will fill vacancies for their respective council within five business days by appointment. If an appointment cannot be indentified within five business days, the Council President shall serve until an appointment is made.

### **Section 3 - Officers**

Once the Justices are selected, a Chief-Justice and Secretary will be elected from within the student Board members. An Advisor will be appointed by the Dean of Students and serve as a non-voting member. An employee of the Division of Student Life, appointed by the Dean of Students, will present information to the Board during hearings.

### **Section 4 – Officer Duties**

#### **A: Chief Justice will:**

1. Meet with Greek Advisor on regular basis
2. Call Board meetings when necessary
3. Coordinate training with University Judicial Officer
4. Chair all hearings and meetings of the Board
5. Assist Councils with filling vacancies
6. Make recommendations for improvement to the Board to the Councils
7. Make official semester reports to the Councils

#### **B: Secretary will:**

1. Take and maintain minutes
2. Maintain Board membership information
3. Coordinate all official communications (except decision letters)
4. Serve as Chair of the Board in the absence of the Chief Justice
5. Meet with Greek Advisor when necessary

### **Section 5 – Boards**

- A: The Chief Justice, Secretary, Greek Advisor, and Dean of Students (or designee) shall constitute the Administrative Board. All serving with votes as described in these bylaws.
- B: The nine justices, Greek Advisor and Dean of Students (or designee) shall constitute the Full Board. The Greek Advisor and the Dean of Students (or designee) shall serve without a vote.

### **Article V - Complaints**

It is the responsibility of all members of the Greek Community to report violations and encourage others to report violations to the Greek Advisor.

All reports are collected by the Greek Advisor. Upon receipt, the Greek Advisor will contact the Chief Justice, Secretary, and Dean of Students or designee (hereafter Dean of Students).

The Greek Advisor, Chief Justice, Secretary, and Dean of Students will meet and evaluate the complaint and determine:

- A:** If there is information to suggest that a violation may have occurred.
- B:** Enough information to move forward - if yes, case moves to a hearing before the Board – if no, the complaint is filed with the Greek Advisor (3 years) and handled as appropriate.

## **Article VI - Due Process**

Chapters and members accused of violations heard by the Board will be entitled to due process. The Board is committed to a fundamentally fair process.

### **Section 1 – Student Rights**

Furthermore, the rights of Students shall be:

- A:** Notification of charges
- B:** To have an Advisor(s) present. Advisors may not address the Board or question witnesses
- C:** Question information presented and witnesses
- D:** Present information and witnesses
- E:** Right to be heard before an impartial committee of peers
- F:** A pre-hearing interview with the Dean of Students Office
- G:** Respond responsible or not responsible to allegations
- H:** Right to decline to make any statements to avoid the possibility of individual or chapter self-incrimination. Refusal to speak or answer questions will not be interpreted as evidence of responsibility
- I:** Be present during all testimonies
- J:** Right to have access to all information and a list of witnesses
- K:** Right to appeal decisions

### **Section 2 – Options for Resolution of charges**

Chapter representatives have two business days after the pre-hearing interview to respond to allegations. If the Chapter denies responsibility to the allegations a hearing date will be set no sooner than five business days from the pre-hearing interview in which the Justices will hear the case. If found responsible, sanctions will then be imposed upon the Chapter. If the chapter accepts responsibility, sanctions will be issued at the discretion of the Chief Justice, Secretary, Greek Advisor and Dean of Students.

## **Article VII. Hearing**

### **Section 1 – Notification**

If charges will be brought, The Chief Justice and Secretary will notify the Chapter President and Advisor in writing. Parties involved will be instructed to initiate a pre-hearing interview with the Dean of Students. During the pre-hearing interview, the chapter will respond responsible or not responsible.

### **Section 2 – Delivery of Notifications**

All communications between the board and chapters will be done electronically.

### **Section 3 – Hearing**

All hearings will be chaired by the Chief Justice. Quorum for all hearings shall be a minimum of seven justices. All information and witnesses will be presented. Board members and ex-officio members will be allowed to ask questions to all participants. Student representative will be allowed to ask questions. Student(s) will make summary statements. The Board will recess for confidential deliberation.

### **Section 4 – Decisions of the Board**

After deliberation the Chief Justice will announce the decision. Decisions of the Board will be made with a preponderance of evidence and a majority vote of the Board. Decisions resulting in suspension will require evidence beyond a reasonable doubt and a unanimous vote from the Board. All decisions will be written with the assistance of the Dean of Students Office. All judicial files will be maintained by the Dean of Students office.

**Section 5 – Sanctions**

Sanctions available to the Board may be found in Winthrop University’s Student Code of Conduct, with the exception of expulsion.

**Section 6 – Social Probation**

In addition to the sanctions found in the Student Conduct Code, social probation may be imposed. Social probation prohibits hosting parties, mixers, date nights, or other functions social in nature. Social Probation shall be defined by the board each time it is utilized through a Social Probation Agreement.

**Section 7 – Community Notice**

The Greek Advisor will inform the community of all judicial board decisions. Information will be limited to the chapters response (responsible or not responsible), who heard the case (full board or administrative board) and the decision (responsible or not responsible) and the sanctions.

**Section 8 – Appeals**

Chapters have the right to an appeal. Appeals will be in writing and submitted to the Dean of Students within five business days of the date on the sanction letter. Appeals must be based upon the following:

- A:** New information material to the case which was unavailable at the time of the hearing
- B:** Denial of due process or procedural error

The Dean of Students will hear all appeals. Appeals for the sanction of suspension will heard by the Dean of Students and the Council Presidents. In cases where suspension may be possible the three Council Presidents and the Dean of Students may serve as ex-officio members of the All Greek Judicial Board.

**Article VIII – Business Meetings**

Quorum for business meetings (not hearings) shall be set at five Justices, providing there is at least one Justice from each governing council.

**Article IX – Removal from Office**

Justices may be removed from their office following notice to the Justice, discussion at no less than two business meetings and by a clear majority (5 or more) vote of the Board.

**Article X – Ratification and Amendments**

This By-law will be ratified, and in force, with the approval of all three Councils by a majority vote. Amendments to this By-law will be made upon approval of the three Councils by a majority vote.