

HOW TO FILE AN INFRACTION

If the informal discussion is unsuccessful, the judicial process will be set in motion when one of the designated individuals allowed to file infractions files a College Panhellenic Violation Report for the alleged infraction. Complete and present the College Panhellenic Violation Report in a timely manner but not more than 30 days from the date of the alleged infraction. Notify the accused chapter in writing within seven days of receiving the violation report form by using the College Panhellenic Infraction Notice.

There are six forms involved in this process:

- College Panhellenic Violation Report
- College Panhellenic Infraction Notice
- College Panhellenic Mediation Summary Report
- College Panhellenic Judicial Board Hearing Summary Report
- College Panhellenic Judicial Board Hearing Minutes
- College Panhellenic Appeal Notice

These forms are available to download from npcwomen.org and in the Resource Information section of this manual.

The proper reporting authority to file any infraction, other than a recruitment infraction, is:

- The chapter president on behalf of her chapter.
- A chapter executive officer/board member on behalf of her chapter.
- A College Panhellenic officer.
- The fraternity/sorority advisor.

The proper reporting authority to file a recruitment infraction is:

- The chapter president on behalf of her chapter.
- The College Panhellenic officer in charge of recruitment or a recruitment counselor.
- A potential new member.
- The fraternity/sorority advisor.

Upon receiving the College Panhellenic Infraction Notice, the accused sorority contacts the College Panhellenic president within seven days to schedule mediation. Hold a mediation unless the accused chapter chooses to proceed directly to a judicial hearing.

PANHELLENIC MEDIATION PROCESS

The purpose of mediation is to find a solution satisfactory to the party who filed the infraction and the accused sorority. Mediation is an off-the-record attempt to settle a dispute. In essence, it is a facilitated negotiation. Mediation is closed to the public, and all participants in the mediation process must keep strict confidentiality — including the outcomes. Sign and complete the proper documentation and forms (available on the NPC website) indicating the outcomes of the mediation session, and distribute as indicated on the forms.

Mediator

The mediator is a neutral person with a clear understanding of the mediation process. It should not be an undergraduate student. Although it is preferable the fraternity/sorority advisor not serve as the mediator, the advisor can serve if he/she did not file the infraction or has not been involved with the reported incident. Suggested mediators include other campus-based professionals, such as staff members from residence life, counseling center staff, professionals trained in conflict resolution or graduate assistants.

The mediator is not a decision maker but must control the process. The parties need to agree to this prior to starting mediation. The mediator sets the tone: somewhat informal but structured. The mediator can assist the parties in understanding the issues and in reaching a satisfactory resolution — or in deciding the matter cannot be resolved without further action. The mediator must not have a vested interest in the outcome of the case.

Parties involved

Both the accused and the accuser must be willing to be open and candid. All records pertaining to the action should be available for both parties to review. The parties must be willing to work toward an agreement.

Who may attend

The persons attending representing each chapter must be able to make decisions for their organization. Likely attendees are the chapter president and in the case of a recruitment infraction, the recruitment chairman. No more than three participants (including a chapter advisor) shall represent either party and/or each sorority at a mediation. The chapter advisor has the benefit of knowledge and experience beyond the undergraduate members and could be a benefit to both parties.

There may be some instances when more than one chapter files an infraction on another chapter. If there are multiple accusing parties, the accusing parties can choose no more than three people to represent all accusing parties filing infractions (including a chapter advisor).

In cases of infractions for which a College Panhellenic officer or another individual has information and did not file the infraction, then the person attends the mediation only for the purpose of presenting the information, after which he/she shall be excused from the mediation.

Mediation is most effective if the parties involved tell their versions of the event, and the chapter advisor acts as an advisor. In other words, the college women representing their respective chapters need to do the talking but should have the benefit of conferring with their chapter advisor when they believe it is necessary.

Setting

Most importantly, both parties should believe the mediation is held in a neutral place. An oval or rectangular table with the parties facing one another and the mediator at the head of the table gives reassurance this is a serious forum.

Process

Mediation outcomes should not be determined in advance by the Panhellenic. The mediator begins by setting the ground rules regarding the behavior of all involved in the mediation. Each side should be allowed to tell its version of the events in an uninterrupted, civil manner. Each party is encouraged to take notes so if questions arise that need answers, those questions can be asked later after each

side has had the opportunity to give information. The parties should be advised it might be necessary for the mediator to meet with the parties individually to reach an agreement. In the individual meetings, also called caucuses, the parties may give the mediator information that she/he cannot divulge to the other party without specific clearance. The mediator may need to meet with the parties separately more than once and may spend different amounts of time with each side.

Mediation conclusion

At the mediation's conclusion, the mediator meets with the parties and their chapter advisors to complete the College Panhellenic Mediation Summary Report indicating the outcome and the acceptance of any agreed-upon follow-up action or sanctions.

Minutes are not taken at the mediation. On the College Panhellenic Mediation Summary Report, the mediator summarizes the conclusion of the mediation, which all parties sign. The fraternity/sorority advisor retains a copy of the report for three years. Within 24 hours of completing the mediation, the College Panhellenic president sends a copy of the College Panhellenic Mediation Summary Report to all parties designated on the form.

Mediation checklist

Setting:

- Is a neutral place.
- Has an oval or rectangular table with:
 - Mediator at head of table.
 - Each party's participants to their right or left facing one another.

Mediator:

- Is neutral and will maintain confidentiality.
- Has a clear understanding of the mediation process.
- Has no vested interest in an outcome.
- Sets the tone — somewhat informal but structured.
- May meet with each side separately.
- May meet with each side more than once.
- Will complete the College Panhellenic Mediation Summary Report giving copies as indicated on the form.

Each party involved:

- Must be willing to maintain confidentiality.
- Must be willing to be open and candid.
- Must be willing to work toward an agreement.
- Must have a chapter's decision maker present.
- Will have an undergraduate spokeswoman.
- Will have a spokeswoman explain her chapter's version of events — uninterrupted.
- May take notes for a question-and-answer opportunity.
- May have an advisor present for consultation.
- May not have "observers" present.
- Will sign a confidential agreement or a list of issues that remain unresolved.

Main points of mediation:

- Confidentiality is a necessity.
- Mediator is a neutral person.
- Mediator must have no interest in the outcome of the case.
- All parties must be willing to be open and candid.
- All records pertaining to the case must be available for both parties.
- All parties must be willing to work toward an agreement.
- Person attending must be decision maker for the chapter.
- No “observers” should attend.
- Each party may have an advisor present.
- Mediation is held in a neutral place.
- Mediator sets ground rules.
- Each side is allowed to tell her version — uninterrupted.
- Mediator may meet with both sides separately — more than once.
- Both parties sign an agreement if one is reached; otherwise, both parties sign a list of issues.
- The summary report should provide an overview of the proceedings and not divulge any conversations in detail.

COLLEGE PANHELLENIC JUDICIAL BOARD

Organization and function

Any judicial board organization and operating plan selected or developed by the College Panhellenic must be used in conjunction with NPC Unanimous Agreement VII, the College Panhellenic bylaws and other governing documents, the code of ethics, membership recruitment rules/guidelines and the standing rules.

The goal is to create a document that fits the needs of the College Panhellenic Association and the campus. Below is a sample that includes several suggestions and options. Choose those that are appropriate for your College Panhellenic, and add other items if needed. However, there are certain items required by the NPC Unanimous Agreements that must be included. Those items are noted.

Sample document for establishing a College Panhellenic Judicial Board

College Panhellenic Judicial Board Membership

In accordance with the College Panhellenic Association bylaws and the NPC Unanimous Agreements, the judicial board is composed of _____ collegians from the College Panhellenic member organizations and the fraternity/sorority advisor as a nonvoting ex-officio member.

NOTE: A judicial board should be representative in size of the College Panhellenic. No less than three members, and no more than nine members. You can rotate participation in judicial board hearings based on your number of trained board members and the number of cases to be heard each year. Judicial board members should recuse themselves or not participate in a hearing if it involves a conflict of interest.