

The National Pan-Hellenic Council, Incorporated

Virginia Commonwealth University

Constitution and Bylaws

Preamble

We, the representatives of historically established community service fraternities and sororities, similar in structure and background, recognizing the need for coordination and cooperation in the activities of intercollegiate Greek letter fraternities and sororities, recognizing there are certain areas of action and programming that can be realized by formal organization, do hereby establish such an organization and bind ourselves to abide by the provision of the following Constitution and Bylaws.

ARTICLE I - NAME

Section 1. The name of this organization shall be the NATIONAL PAN-HELLENIC COUNCIL, INC., hereinafter referred to as "NPHC."

Section 2. All Undergraduate Councils chartered by this organization shall be designated as the National Pan-Hellenic Council, Inc. of Virginia Commonwealth University hereinafter referred to as the National Pan-Hellenic Council (or NPHC) of Virginia Commonwealth University(VCU).

Article II - PURPOSES

Section 1.

MISSION STATEMENT: The National Pan-Hellenic Council shall serve as the official coordinating agent of the National Pan-Hellenic Council member fraternities and sororities in the furtherance of their national programs and to promote unity at Virginia Commonwealth University.

NON-DISCRIMINATION CLAUSE: This Organization and its members shall not discriminate against any individual(s) for reasons of race, color, creed, religion, sexual orientation, national origin, sex, age, handicap, or Vietnam-era veteran status

Section 2.

The NPHC is designed to assure that member organizations cooperatively work together while maintaining their distinct identities. NPHC organizations have a profound commitment to providing community service and to uplifting and promoting the general public's welfare. Students are at Virginia Commonwealth University to graduate. NPHC organizations should jointly provide programs that assist Greeks and non-Greeks in attaining this goal.

The objectives of the National Pan-Hellenic Council of Virginia Commonwealth University shall be to:

1. To serve as a governing body of all affiliate organizations.
2. To promote awareness of affiliate organizations, NPHC, and Virginia Commonwealth University fraternity and sorority life.
3. To foster unity and understanding among all affiliate organizations of the National Pan-Hellenic Council of VCU.
4. To serve as a resource for Virginia Commonwealth University in matters concerning the National Pan-Hellenic Council, Incorporated.
5. To address, coordinate, and develop action strategies on matters of mutual concern to the affiliate organizations and to serve as a conduit for such plans of action.
6. To promote superior scholarship and intellectual achievement
7. To Maintain and facilitate cooperative fraternity, sorority, and inter-Greek relationships through discussions and activities

ARTICLE III - MEMBERSHIP

Section 1. Affiliate Membership: The NPHC at VCU shall include the undergraduate chapters of Alpha Phi Alpha Fraternity Inc., Alpha Kappa Alpha Sorority Inc., Kappa Alpha Psi Fraternity Inc., Omega Psi Phi Fraternity Inc., Delta Sigma Theta Sorority Inc., Phi Beta Sigma Fraternity Inc., Zeta Phi Beta Sorority Inc., Sigma Gamma Rho Sorority Inc., and Iota Phi Theta Fraternity Inc. No other organization shall have the right to participate at the collegiate level.

Section 2. There shall be two classes of membership:

Eligibility for Affiliate Membership.

Recognized. The recognized membership of the National Pan-Hellenic Council of Virginia Commonwealth University shall be composed of all affiliate organizations of the National Pan-Hellenic Council **recognized by and in good standing** with Virginia Commonwealth University. Membership is ultimately limited to the nine recognized national members of the National Pan-Hellenic Council, Incorporated.

1. Recognized by and in good standing with Virginia Commonwealth University means that the organization must maintain a membership of five (5) active, undergraduate members at all times, who are enrolled full time at Virginia Commonwealth University. In addition the organization must complete all required registration processes annually prior to October 1. Refer to Fraternity and Sorority Life (FSL) Guidelines.

b. **Probationary.** The probationary membership of the National Pan-Hellenic Council of Virginia Commonwealth University shall be composed of organizations transitioning in through the registration phases of Virginia Commonwealth University. This membership and its restrictions exist temporarily until an organization is fully registered with Virginia Commonwealth University. (Restrictions will be decided by the Executive Officers and the Office of Fraternity and Sorority Life).

ARTICLE IV - OFFICERS

Section 1. The officers of the National Pan-Hellenic Council of Virginia Commonwealth University Executive Board shall be the President, Vice President, Treasurer, and Secretary.

Section 2: Additional appointed officers/committee chairs to the Executive Board shall be introduced as needed by the Executive Board of the NPHC.

Section 3. The Executive Board officers shall be representatives from the recognized member organizations in the National Pan-Hellenic Council of Virginia Commonwealth University.

Section 4. The officers shall serve a term of one year, beginning no later than the first meeting in September.

Section 5. Any officer failing to perform his/her duties as outlined shall appear before the NPHC Delegates who shall decide the proper course of action. Removal from office must be done by a vote of 2/3 the delegates.

Section 6. The position of president cannot be held by a member of the same organization as the previous president; exceptions include extenuating circumstances such as, a) if no other organization can nominate an eligible presidential candidate. A presidential candidate for the executive board must be in the NPHC for one academic semester. In the event that there is no eligible candidate in the NPHC, then the presidency is open to any member of the NPHC at VCU.

Section 7. Any officers who resigns or is removed from their position shall be replaced within three weeks of their resignation during academic year, excluding university closures (holidays and breaks).

ARTICLE V - Meetings And Quorums

Section 1. The National Pan-Hellenic Council of Virginia Commonwealth University shall hold meetings once a week per semester during the academic year.

Section 2. A special meeting of the National Pan-Hellenic Council of Virginia Commonwealth University may be called by the President when necessary and can be called upon the written request of any recognized member organization at Virginia Commonwealth University.

Section 3. The representatives from each member organization shall be responsible for notifying their chapter members of all regularly scheduled and special meetings of the National Pan-Hellenic Council of Virginia Commonwealth University.

Section 4. Two-Thirds of the active organizations in NPHC constitute a quorum.

Section 5. Attendance at all NPHC meetings is mandatory by the NPHC Executive board and member representatives deemed by each organization. Failure to attend without one-day prior notification to the Recording Secretary or the President will result in a \$10 fine.

Section 6. Meetings shall be run in accordance with Robert's Rule of Order, except where they conflict with the Constitution and Bylaws. In those cases, the Constitution and Bylaws shall supersede Robert's Rules of Order

Section 7. If a representative from a organization isn't able to attend the meeting, but a member of that organization sits on the NPHC E-Board chair positions, then the E-board member counts for attendance for that organization.

ARTICLE VI - NPHC ADVISOR

Section 1. Virginia Commonwealth University shall appoint the on-campus NPHC Advisor.

Section 2. The advisor(s) shall serve in advisory capacity to the NPHC.

ARTICLE VII – VOTING PROCEDURE

Section 1. The voting members of the NPHC shall be the representatives of each chapter holding recognized membership.

Section 2. Two-thirds of the voting members of the National Pan-Hellenic Council of Virginia Commonwealth University shall be required in order to pass any amendments to the Constitution and/or Bylaws, or any issues that comes to the NPHC general body during its meetings.

Section 3. The primary representatives have voting rights within the Council but any member of the NPHC has voice. The alternate representative has voting rights in the absence of the primary delegate. (Meaning each chapter is to receive one vote)

Section 4. Any topic of discussion should not be voted upon unless there has been proper prior notice. This can include discussion of an event in a council meeting, with voting taking place the following council meeting. Each organization should receive notice of the vote at least one week prior to voting.

ARTICLE VIII - FINANCE

Section 1. Membership Dues to the NPHC of Virginia Commonwealth University are \$10 per member per year. Membership dues may be amended by the general body at the beginning of each academic year with a two-thirds vote.

Section 2. The annual budget for the NPHC shall be approved by the General Body, prior to the beginning of the academic school year.

Section 3. The fiscal year shall be July 1 to June 30.

Section 4. The NPHC at VCU is responsible for paying National NPHC dues, and attend the bi-annual national NPHC conference.

Section 5. The NPHC will only pay for security for one new member show per academic year for each active chapter in the council.

ARTICLE IX - COMMITTEES

Section 1. The Standing Committees of the NPHC shall be: Service, Scholarship, Judicial Board, New Member Development, Fall Block Step Show, and Programming.

a. Standing Committee chairs shall be appointed by the NPHC Executive Board to serve during the tenure of the Board, which appoints them.

Section 2. The Executive Board may form such other committees as it deems necessary to carry out the duties of the NPHC. The Vice President shall appoint the chairperson and members of such other committees with the concurrence and agreement of the Executive Board.

ARTICLE X - VIOLATIONS

Violations of any regulations of this Constitution or its related Bylaws shall be occasion for penalties established by the National Pan-Hellenic Council of Virginia Commonwealth University in conformity with the Virginia Commonwealth University Office of Fraternity and Sorority Life, NPHC of VCU Judicial Procedures, Virginia Commonwealth University Student Handbook, VCU Governing Council Risk Management Guidelines, and the National Pan-Hellenic Council, Incorporated.

ARTICLE XI - AMENDMENTS

Section 1.

This Constitution shall be amended by a two-thirds vote of the NPHC affiliate organizations.

Section 2.

Amendments may be proposed by: a representative of a member organization, the Executive Board, or the NPHC adviser.

Section 3.

All proposed amendments should be submitted in writing to the Secretary or the Executive Board and lastly approved by the NPHC council.

Section 4.

The proposed amendments will be presented and distributed to the council at the NPHC meeting or a special meeting following the submission of the amendments. A subsequent amendment to the initial amendment must be approved by a two-thirds vote of the NPHC member representatives.

Bylaws

Article I– Executive Board

Section 1: The Executive Board

- A. Administer routine business between meetings of the NPHC general body when advisable and such other business has been approved for action by the NPHC council votes.
- B. Report all action taken by the Executive Board at the next scheduled meeting of the NPHC through the Secretary/Treasurer and record the action in the minutes of that meeting.
- C. The NPHC E-Board will consist of a president, vice president, secretary, and treasurer
- D. The NPHC E-Board chair positions will consist of programing chair, membership development chair, academic chair, judicial chair, community service chair, and fall block director.
- E. The NPHC Executive Board is elected annually by representatives of affiliate chapter within the NPHC.
- F. The formal chain of command will be as followed:
 - a. President
 - b. Vice President
 - c. Secretary
 - d. Treasurer
 - e. Judicial Chair

SECTION 2 – President

- A. Have the overall responsibility for the operation of the NPHC of Virginia Commonwealth University.
- B. Call and preside at all scheduled and special meetings of the NPHC of Virginia Commonwealth University.
- C. Call and preside at all NPHC Executive Board meetings.
- D. Review, authorize, and approve all NPHC contracts, memos, letters, public relations, and press releases.

- E. Maintain a complete up-to-date President's file of all material pertinent to the running of the Council
- F. Properly represent fraternal men/women of Virginia Commonwealth University at official functions, meetings, conferences and events as necessary
- G. Attend the Fraternity and Sorority Finance Committee meetings.
- H. Maintain a working relationship with the NPHC Advisor & Greek Life office and serve as liaison between the University, the community, other Councils, and NPHC
- I. Plan and Facilitate the NPHC Delegate Retreat(s)
- J. Must have been in the NPHC community at VCU for at least one semester to serve as president.
- K. Responsible for maintaining the Google Drive which holds council meeting minutes, NPHC Retreat presentation/information, and Why Be Greek Information. That is accessible to NPHC Delegates and adviser.
- L. Be responsible for keeping a current Google calendar of all NPHC and individual organization events. This is accessible to NPHC Delegates, chapter presidents, and adviser. The calendar must be done at least one semester in advance, and with the minimal of dates & idea of NPHC events.
- M. In collaboration with the NPHC adviser, holding all executive board and chair members accountable for their formal responsibilities.

SECTION 3 - Vice-President

- A. Perform duties of the President in their absence, inability to serve, or at their call.
- B. Maintain a close working relationship with the President
- C. Preside over all NPHC committees and be responsible for any special projects assigned by the Executive Board.
- D. Serve as liaison between all committees and the general body.
- E. Maintain a complete and up-to-date Vice President's file which will include copy of the current constitution, bylaws and standing rules, current budget, and copies of the agendas and other pertinent materials in the NPHC office.
- F. Serve as the liaison between organizations of VCU and the NPHC of VCU.

- G. Coordinate the affiliate organizations participation in New Student Orientation, Welcome Week, Admissions Events, and other promotional opportunities.
- H. Responsible for semester correspondence with the NPHC of Metro Richmond.

SECTION 4 – Secretary

- A. Keep an up-to-date roster of the members of the NPHC, and take roll call at every NPHC meeting.
- B. Be responsible for keeping a record of attendance for all representatives at meetings, activities and programs.
- C. Be responsible for keeping an accurate and strict record of all proceedings of all meetings of the NPHC of Virginia Commonwealth University and Executive Board actions.
- D. Keep record of all documents of the Council.
- E. Be responsible for keeping an accurate record of minutes for all meetings, keeping these minutes readily available at all times and distributing these minutes to all NPHC Presidents and delegates.
- F. Perform all other duties usually pertaining to this office, and as specified elsewhere in this Constitution and By-laws.
- G. Maintain a complete and current file which includes the minutes of the meetings of the NPHC of Virginia Commonwealth University and all current correspondence.
- H. Be responsible for official correspondence of the NPHC unless otherwise provided for.
- I. Record all minutes and notes into the NPHC Google Drive.
- J. If President or vice president is absent/vacant, the secretary shall be acting president until either position is fulfilled.
- K. Maintain the NPHC website, Twitter account, and other social media elements.
- L. Maintain a complete and up-to-date Secretary file which will include copy of the current constitution, bylaws and standing rules, current budget, service event files and correspondence, copies of the agendas and other pertinent materials in the NPHC office.

SECTION 5 – Treasurer

- A. Be responsible for the general finances of the NPHC.

- B. Receive all payments due to the NPHC, collect all dues and inform the President of those member fraternities/sororities who may be financially ineligible to vote.
- C. Be responsible for all deposits, balancing of the checkbook, and writing of receipts as well as notifying members of the NPHC regarding all internal affairs (e.g. fines, notices, etc...).
- D. Be responsible for the preparation of an annual budget to be approved at the beginning of each calendar year.
- E. Perform all other duties usually pertaining to this office, and as specified elsewhere in this Constitution and By-laws.
- F. Be responsible for the general supervision of the finances of the NPHC of Virginia Commonwealth University.
- G. Prepare for and attend the Fraternity and Sorority Finance Committee Budget Hearings.
- H. Be responsible for preparation of the annual budget and, following the approval of the NPHC Council, for providing a copy to each Virginia Commonwealth University member organization.
- I. Be responsible for the prompt payment of all bills of the NPHC of Virginia Commonwealth University.
- J. Maintain up-to-date financial records, give a financial report at each regular meeting of the NPHC and an annual report at the close of their term of office.

Section 6 - Programming Chair

- A. Serve as the chair of the Programs Committee.
- B. Plan and implement all educational and social programs for the NPHC of Virginia Commonwealth University.
- C. Plan and implement the annual NPHC Week of Events.
- D. Coordinator the efforts of the affiliate organization for Greek Week.
- E. Maintain a complete and up-to-date Director of Programming file which will include copy of the current constitution, bylaws and standing rules, current budget, programming event files and correspondence, copies of the agendas and other pertinent materials in the NPHC office.

Section 7 -Fall Block Director

- A. Serve as the overall coordinator of the Fall Block Step Show.
- B. Conduct yearly review of Fall Block Step show.
- C. Chair all meetings with Fall Block Committee.

- D. Take active role in ensuring the proper execution of VCU Policies and procedures during planning of the show.
- E. Responsible for creating and maintaining Google drive with committee meeting minutes contained in Google Drive. Must be accessible to committee and adviser.
- F. They should oversee the fall block committee.

Section 8 - Member Development Chair

- A. Organize semesterly Neophyte training, or as needed.
- B. Provide programming on Anti-Hazing, Quality Membership, and other developmental aspects of being an exception fraternal/sisterly member.
- C. Organize once a semester NPHC gathering/retreat.

Section 9 - Academic Chair

- A. Maintain NPHC affiliate organization grade reports.
- B. Schedule NPHC mandatory study sessions for those organizations in violation of GPA requirements.
- C. Provide Programming in line with educational goals and standards.

Section 10 - Community Service Chair

- A. **Serve as the chair of the Service committee.**
- B. **Plan and implement three service events a semester for the general body members of the NPHC of VCU.**
- C. **Coordinate the efforts of the affiliate organizations participation in major university service projects.**
- D. **Communicate service opportunities to affiliate member organizations on a monthly basis.**

Section 11 -Judicial Chair

- A. Oversee the NPHC Judicial Board process.
- B. Recruit and train Judicial Board members for affiliate organizations.
- C. Maintain records pertaining to Judicial Board hearings.

ARTICLE II - NPHC DELEGATES

Section 1: The representatives of the general body shall be composed of one delegate from each recognized chapter. Failure to achieve attendance of one delegate per activer organization, without prior notification (approved by executive board) will result in a fine.

Section 2: Delegates to the NPHC shall be selected by their respective chapter to serve for a minimum term of one semester.

Section 3: When a delegate vacancy occurs, it shall the responsibility of the respective member organization concerned to select a replacement within two weeks and to notify the NPHC secretary of her/his name, address, telephone number, and e-mail address. When a meeting of NPHC occurs

while a delegate vacancy exists, a member of that organization shall fulfill the duties of the delegates in all NPHC business.

Section 4: Delegate Responsibilities:

- A. Attend all general body meetings;
- B. Report chapter updates and events to the council;
- C. Maintain a council notebook complete with constitution, bylaws, roster, budget, agendas and any other information given by the executive board or the Office of Fraternity and Sorority Life;
- D. Report NPHC events and information back to respective chapter meetings; and
- E. Act as the liaison between the NPHC and respective chapters.

Section 5: Delegate Eligibility

- The delegate may not be a current member of the standing Executive Committee (President, Vice President, Treasurer, Secretary).
- In the case that a chapter cannot provide a delegate, or a delegate vacancy occurs, a member of that organization shall fulfill the duties of the delegate in all NPHC business regardless of position.

ARTICLE III – FINANCES

Section 1: Fiscal Year: The fiscal year of the National Pan-Hellenic Council of Virginia Commonwealth University shall be July 1 to June 30.

Section 2: Contracts: Contracts can only be signed by the appropriate staff of Virginia Commonwealth University after the endorsement of the NPHC of VCU President and Treasurer. Contracts must be processed through the on campus advisor, who will pass it onto the appropriate departments.

Section 3: Checks: The signatures of the NPHC on-campus Advisor and Secretary/Treasurer shall be required for checks issued on behalf of the National Pan-Hellenic Council of Virginia Commonwealth University.

Section 4: Payments: All payments due to the National Pan-Hellenic Council of Virginia Commonwealth University shall be made to the Council and placed under the responsibility of the Treasurer, who shall record them. Checks for payments shall be made payable to the National Pan-Hellenic Council of Virginia Commonwealth University.

Section 5: Membership Dues and Fees

A. Dues Payments

1. Each organization is required to pay the amount for dues of \$5 per active member per chapter per academic semester due by the last meeting of October and March for the respective semesters.

2. The dues shall be imposed using the member rosters provided to the Virginia Commonwealth University Office of Fraternity and Sorority Life due each year.

3. If a member is to graduate in December, before the academic year is over, or will only be active for one semester of the academic year, the dues will be halved; \$5 for that member. The fee should be paid in the semester the member will be an active member in their chapter.

B. Late Fees

1. A late fee of \$5.00 will incur every week, starting the day after the fee deadline, will accrue until the dues and late fees are paid in full, unless the NPHC Adviser is given a one week notice before the deadline.

2. Failure to pay dues or other fines will result in a loss of chapter's good standing with the NPHC until the above-mentioned dues and fines are cleared.

Section 6: Fines: The Executive Board of the NPHC of Virginia Commonwealth University can institute fines for chapters that are not participating based on the NPHC of Virginia Commonwealth University Attendance Policy.

ARTICLE IV – ATTENDANCE POLICY

Section 1: Programming and Service

A. For events sponsored or endorsed by the National Pan-Hellenic Council of Virginia Commonwealth University, at least fifty percent (50%), unless otherwise stated by the NPHC Executive Board and/or advisor of each member's organizations' roster should be in attendance. Without prior notification (approved by executive board) lack of attendance will result in a fine on the following schedule:

1. First violation: Warning
2. Second violation: \$10.00
3. Third violation: \$25.00
4. Fourth violation: \$40.00
5. Fifth or more violations: to be determined by the NPHC Judicial Board.

B. Those not attending must submit a notice by Chapter President or delegate to NPHC Executive Board (3) days prior to event.

Section 2: General Body Meetings

A. Attendance at NPHC meetings is required by all member organizations that comply with all policies, registrations, and procedures of Virginia Commonwealth University. If a member organizations is not properly represented at the NPHC meeting and proper steps were not taken

to notify the appropriate officers (i.e. Secretary/Treasurer), the following actions shall take place:

1. The first absence shall result in a letter of warning being sent to the default organization.
2. The second absence shall result in a fine of \$15 being assessed to the default organization with a time-period of two (2) weeks to pay to the NPHC of Virginia Commonwealth University.
3. The third absence shall result in \$30 fine being assessed to the default organization with suspension of all pre-scheduled programs for an additional month. Additionally, the organization will lose its voting privileges for four (4) weeks; loss of such privileges is to go into effect immediately upon acknowledgement of the third absence and/or assessment of \$30 fine.
4. The fourth absence and/or failure to pay assessed fines shall result in the following:

I. The default organization shall lose all privileges to put on any/all pre-scheduled non-nationally mandated events on the campus of Virginia Commonwealth University for the remainder of the semester.

II. Such organization shall also lose its voting privileges for the remainder of the semester. If this offense occurs subsequent to the 12th week of a semester, all penalties shall carry over to the ensuing 15- week semester for the initial four (4) weeks of said semester.

III. A letter shall be sent properly to notify the Chapter Advisor of the organization found in default.

ARTICLE V - HAZING

Section 1: All forms of hazing, pledge day, and/or pre-initiation activities which may be construed as hazing are strictly prohibited.

Section 2: Hazing is defined, according to Virginia statutes, as “to annoy any person by playing abusive or ridiculous tricks upon him/her, to frighten, scold, beat or harass him/her, to subject him/her to personal indignity.” Hazing is further defined by the Office of Fraternity and Sorority Life as “any action taken or situation created intentionally whether on or off campus, to produce mental, emotional, or physical discomfort, embarrassment, harassment, or ridicule.”

ARTICLE VI - JUDICIAL BOARD

Section 1: Purpose

A. The purpose of the Judicial Board shall be to interpret the NPHC Constitution and Bylaws and the Virginia Commonwealth University Student Rules and Procedures, Fraternity and Sorority Governing Council Risk Management Guidelines, and Hazing Policy in response to alleged violations of these documents by affiliate members of the National Pan-Hellenic Council.

Section 2: Judicial Board Composition

- A. The NPHC Judicial Board shall be composed of one member from each active affiliate member organizations of the National Pan-Hellenic Council of Virginia Commonwealth University and the Judicial Board Chair of NPHC.
 - B. Each active affiliate member of NPHC will select one representative to be trained to hear judicial board cases.
1. Judicial Board members must have a 2.5, semester and cumulative GPA while serving on the Board.
 2. Judicial Board members must be in good standing with their fraternity or sorority chapter.
 - A. The only member of the NPHC Executive Board to serve on the Judicial Board will be the Judicial Chair. If the Judicial Chair not able to serve, the NPHC President will sit as the chair of the judicial board. If the NPHC President is not able to serve the Vice President will sit as the chair of the Judicial board.
 3. The Judicial Board Chair will work with the NPHC on-campus Advisor on the following:
 - A. Provide notice to charged organizations of the alleged violations, time and place of the hearing in writing within two days of the Fraternity and Sorority Advisor's receipt of the NPHC Violation Form.
 - B. In the event the Judicial Board Chair's chapter is involved in the violation inquiry, they must pardon themselves from the process. The replacement must be a member of the Executive Board and not involved, starting with the president.

Section 3: Pre-Hearing Procedures

- A. The NPHC President, NPHC Advisor(s), any fraternity or sorority chapter or member, any Virginia Commonwealth University student or faculty member, or any member of the VCU or Richmond community or public at-large may bring charges against an organization or organization member.
- B. In order to bring charges before the NPHC Judicial Board, an incident report form must be signed and submitted to the NPHC on-campus Advisor no more than (10) days after knowledge of the alleged incident.
- C. Upon receipt of an incident report form, the Judicial Chair will meet with the NPHC on-campus Advisor to discuss the case and determine whether a case shall be brought to the Judicial Board. The Judicial Chair and the NPHC on-campus Advisor have the right to conduct pre-hearing investigations at their discretion.
- D. In the event that more than one chapter is involved in the alleged incident, each chapter will be investigated separately by the appropriate judicial body (if not another NPHC member chapter).
- E. If a case is to be brought before the NPHC Judicial Board, the Judicial Chair shall, by way of letter, notify the chapter(s) and/or individual(s) of the charges.

- F. The letter shall specify a hearing date at least (4) calendar days after the date the letter is received (unless the charged fraternity should request an earlier hearing date) and shall direct the organization (through its appointed representatives) to appear at the hearing at a specified time.
- G. The letter shall also:
 - 1. Describe of the alleged violation
 - 2. Advise the organization of its rights:
 - a. to a private hearing
 - b. to appear at the hearing with an advisor
 - c. to present testimony of witnesses, documentary, or other evidence
 - d. to appeal
 - 3. The letter shall be delivered through e-mail and on-campus mail to the Chapter President.

Section 4: Judicial Board Hearing Procedures

The Judicial Board hearing should be conducted in a manner that adheres to certain guidelines and achieves the goal of reaching a fair and equitable decision.

- A. Judicial board hearings shall be closed to the public.
- B. The participants in the judicial board hearing shall be representatives from each member organization involved, including a faculty advisor or the complaining party if other than a fraternity, the NPHC Judicial Board representatives, the Judicial Chair, and the NPHC on-campus Advisor.
- C. The NPHC Judicial Chair serves as the Chair of the Judicial Board unless his or her organization is involved in the alleged infraction.
- D. The NPHC Judicial Board representative from the accused organization will not serve on the board for the hearing.
- E. The judicial hearing will be audio taped.
- F. Chapters involved in a hearing have the right to consult with a campus advisor. This advisor, who is either a university employee or student, may be present during the hearing.
- G. Witnesses will be called one at a time and may remain in the hearing room only during their testimony.
- H. Following the completion of the hearing, the Judicial Board members hearing the case, the NPHC Judicial Chair and the NPHC on-campus Advisor will go into executive session for deliberations.
- I. Deliberations are confidential and comments are not to be reported outside of the room, with the exception of the official written decision sent following the end of the hearing.
- J. Penalties should be assessed to fit the nature and degree of the offense.
- K. Information on the appeal process shall be presented at the close of the judicial board hearing.
- L. All documents associated with an investigation or judicial board hearing shall be kept by the NPHC on-campus Advisor for a period of no less than three years.

Section 5: Judicial Hearing - Order of Events

- A. Call to order by the NPHC Judicial Board Chair
- B. Introductions - Honor Code, not a legal system, and Confidentiality
- C. Read charges and obtain response to each (Responsible, Not Responsible, or Responsible with an explanation).
- D. Brief opening statement of charges and justification.
- E. Five minute opening statement by the accused organization.
- F. Call of witnesses to substantiate the charges - statements and questioning period.
- G. Call of witnesses to refute the charges - statements and questioning period
- H. Closing statement by the accuser, if warranted.
- I. Closing statement by the accused organization representative.
- J. All in attendance except the Judicial Board Chairman, Judicial Board members, and the NPHC on-campus Advisor are excused from the meeting.
- K. Charges stated by Judicial Board Chairman
- L. Chairman requests motion from Judicial Board member regarding decision(s). (Responsible or Not Responsible)
- M. Discussion of motion.
- N. Recommended decision of responsible / not responsible. If responsible, the board will immediately deliberate on recommended sanctions.
- O. Accused chapter representative and advisor return to hearing room and recommended decision is read. If responsible, the sanctioning and notification process is outlined. If necessary, a brief explanation of the appeals process is also outlined to the chapter representative and advisor.
- P. The Hearing Report Form is completed (decision, sanctions, and reasoning) and given to Coordinator of Fraternity and Sorority Life.

Section 6: Making Decisions

- A. Should unanticipated circumstances arise, the Judicial Board may clarify, modify, or change the procedures. In all such instances, however, every effort will be made to maintain fairness to all parties and to facilitate clear and reasonable expression of the positions represented.
- B. In a closed session, the Judicial Board shall decide if there is sufficient information to support alleged violations. The decision reached should be based upon the information presented at the hearing, which is most convincing, most credible, and of greatest weight or probability.
- C. If the Judicial Board finds that there is not sufficient information to support the allegations, *the recommended decision will be Not Responsible*. If the Judicial Board finds the group did violate the regulations, the Board will recommend the sanctions.
- D. If and only if the decision is responsible, four factors should be taken into consideration while deliberating on appropriate sanction(s):
 - 1. The gravity of the violation
 - 2. Level of cooperation from the cited organization
 - 3. The impact the violations have on the Fraternity and Sorority, college, and surrounding communities.

4. The educational impact of the sanctions on the organization.
- E. Past organizational offenses may be considered if the boards finding is that the chapter is responsible for the alleged offence. No mention of past organizational offenses is allowed during the deliberation on responsibility.
- F. A good Judicial Board will balance these considerations and make appropriate sanctioning recommendations.

Section 7: Sanctions

A. The Judicial Board shall have the authority to recommend one or a combination of sanctions, including, but not limited to:

1. Official Warning: An incident may be considered to be mild in nature and outcome by one that could have negatively influenced/affected the community. The incident may have been a spontaneous action or a planned event. The official warning is notification to the organization that they have been found responsible for a violation and that any other violations will result in more serious sanctions. Official warning is a statement to the organization that they need to reevaluate their behavior before serious action has to be taken.
2. Educational Sanctions: The Judicial Board may choose to assign an educational project or task to be completed. Some examples of these sanctions include program development and implementation.
3. Alcohol Education Class: Organizations found in violation of the Alcohol Policy may be required to attend Alcohol 101 class or another privately sponsored program (fee determined by the service provider).
4. Referral for Counseling: If, in the opinion of the Judicial Board, an organization involved in a disciplinary situation will best be served by counseling, the group may be required to attend counseling sessions with a member of the Virginia Commonwealth University Counseling Staff or another professional off campus. The group will be responsible for all fees incurred by contracting the services of an independent professional.
5. Restitution: Reimbursement for damage or loss to person(s) or property or misappropriation of property, either through appropriate repairs or monetary compensation, may be imposed as a sanction.
6. Campus Restitution Hours: Campus restitution hours are intended to benefit the organization and the campus. If the group does not complete the assigned campus restitution hours by the required date, the group may face additional charges and a new hearing.

7. Fines: Organizations may be required to pay a reasonable sum of money as a sanction.

8. Suspension of Social Privileges: A student organization may lose social privileges that are specified with a particular sanction. The student or organization may not participate in extracurricular events or represent the university on or off the campus, except for activities that are required to meet class assignments.

9. Disciplinary Probation for Student Organizations: A probationary status, imposed for a specific time period, during which an organization is expected to show a positive change in behavior. A letter will be sent to the national organization or governing body notifying them of probationary status.

10. Disciplinary Suspension of Organization Recognition (may lead to loss of charter): The removal of an organization from the university which permits the group to apply for recognition at a later date. While a group is suspended, they may not meet as a group or utilize campus facilities or services (intramurals, meeting in university space, etc.). If the organization attempts to return without official recognition, they risk their eligibility to return to VCU in the future.

11. Preliminary Suspension of Recognition: A unique probationary status in which the organization is expected to immediately exhibit a marked improvement in behavior or face suspension from the university. The sanction of disciplinary suspension was considered for the group but was not deemed necessary. If the group does not meet all special stipulations associated with the preliminary suspension or if they are found responsible of violating any other rule, regulations, policy or law, they may be sanctioned with disciplinary suspension from the university. If the group does not complete any stipulation of the preliminary suspension by the assigned date their recognition may be reevaluated. The national governing body is notified of the organization's status with the university.

12. Permanent Separation: Permanent removal from the university. Organizations separated from the university will not be allowed to return to Virginia Commonwealth University in the future.

Section 8: Post-Hearing Procedures

A. The NPHC Judicial Board Chair will meet with the NPHC on-campus Advisor to complete the post-hearing report form.

B. The Judicial Chair will inform the chapter in writing the following:

1. Restatement of the charges

2. Decisions rendered on the charges
3. Sanctions with completion dates and resources for completion
4. Appeals Process

Section 9: Appeals

A. If a chapter is not satisfied that a fair and just sanction has been rendered by the Judicial Board/Judicial Chair, the chapter may appeal the decision to the Assistant Director of Fraternity & Sorority Life , Programs and Educational Services. A letter of appeal shall be submitted to the Assistant Director within 48 hours of the chapter receipt of the decision.

B. In order to determine if an Appeal hearing is required, the organization must state as clearly and fully as possible the reason for seeking a modification of the decision. The University criteria for considering an Appeal are as follows:

1. Whether the original board's process was conducted fairly and in accordance with prescribed procedures.
2. Whether there is new evidence or relevant information not available at the time of the original hearing that, if consequential, shall result in a remanding of the case to the original board.
3. Whether the original decision is supported by substantial evidence.
4. Whether the regulations alleged to have been violated were properly interpreted or applied by the original board.
5. Whether the sanction imposed was proportionate to the gravity of the misconduct.

Section 10: Completion

A. The NPHC on-campus Advisor, in cooperation with the NPHC Vice President, is responsible for ensuring the completion of all sanctions given by the NPHC Judicial Board.

B. In the event that a chapter or individual does not complete the specified sanction, the NPHC Judicial Board will be re-convened to make further relevant decisions.

ARTICLE XII - EXTENSION/EXPANSION

The National Pan-Hellenic Council of Virginia Commonwealth University will endorse the expansion of their council to include the nine chapters recognized by the National Pan-Hellenic Council, Inc. No other member organizations will be allowed. The nine organizations are as follows: Alpha Phi Alpha Fraternity, Inc., Alpha Kappa Alpha Sorority, Inc., Kappa Alpha Psi Fraternity, Inc., Omega Psi Phi

Fraternity, Inc., Delta Sigma Theta Sorority, Inc., Phi Beta Sigma Fraternity, Inc., Zeta Phi Beta Sorority, Inc., Sigma Gamma Rho Sorority, Inc., and Iota Phi Theta Fraternity, Inc.

ARTICLE XIII - RULES OF ORDER

The National Pan-Hellenic Council of Virginia Commonwealth University shall be governed by Robert's Rules of Order Newly Revised 10th Edition except in matters specifically provided for in the Constitution, Bylaws, and Standing Rules. The majority is required for matters of business unless otherwise defined in Robert's Rules of Order, the Constitution, or these Bylaws.

ARTICLE XIV - AMENDMENT

These Bylaws may be amended by two-thirds vote of the voting members of the NPHC of Virginia Commonwealth University, providing notice of the proposal has been given in writing at the preceding scheduled meeting.